



**EUROPEAN UNION
OF THE DEAF**

A European Non-Governmental Organisation in official liaison with
European Parliament, European Commission, and the Council of Europe

**European Union of the Deaf (EUD) alternative report for the second review of the
European Union (the EU) by the United Nations Convention on the Rights of
Persons with Disabilities (CRPD) Committee (For List of Issues Prior to Reporting)**

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European Union of the Deaf (EUD)

Based in Brussels, Belgium, EUD is a not-for-profit European non-Governmental organisation (ENGO) whose members comprise of National Associations of the Deaf (NADs). It is the only supranational organisation representing deaf people at European level and is one of the few ENGOs representing associations from all the 27 EU Member States, in addition to Iceland, Norway, Switzerland and the United Kingdom. EUD aims to establish and maintain EU level dialogue with its relative institutions and officials, in consultation and co-operation with its member NADs. EUD is a full member of the European Disability Forum (EDF) and is a Regional Co-operating Member of the World Federation of the Deaf (WFD) to tackle issues of global importance, and also has participatory status with the Council of Europe (CoE).

Executive summary

EUD's alternative report examines the European Union (EU)'s implementation of the Convention on the Rights of Persons with Disabilities (CRPD) for deaf persons in the EU since its first review by the UN Committee on the Rights of Persons with Disabilities (CRPD Committee) in 2015.

Key concerns:

1. Status of national sign languages at the EU level. National sign languages are *languages* of the multilingual EU and not the communication tools/formats/means. The EU has taken very little action so far to ensure that the 30 national sign languages in the EU are given the status of fully fledged languages that are considered as equivalent and equal languages to spoken languages, even though all the EU Member States have already done so.¹ Deaf sign language users in the EU hold dual category status and are considered as both – linguistic and cultural minority and a group of people with a disability, who's rights can only be respected, protected, and fulfilled if full and meaningful access to acquire, learn, and use their national sign languages is guaranteed as well as access to information, communication and knowledge is ensured in their respective national sign languages.² Sign languages are natural languages with linguistic properties, including grammatical features, such as morphology, phonology, and syntax, they have these qualities in common with all spoken languages and it has been analysed in the academic world as early as 1965.³ However, very often national sign languages are understood as communication tools/formats/means for the deaf persons only and the fact that national sign languages are fully fledged independent *languages* is neglected. The EU must take action to ensure that status of national sign languages as languages is ensured to be in line with the Article 2 CRPD and Article 21 of the Charter of Fundamental Rights of the EU.

2. Lack of recognition of the national sign languages at the EU level. According to the CRPD, the use of national sign languages in the EU must be accepted and facilitated and the EU must recognise and promote national sign languages as well as ensure access to professional sign language interpreters⁴, however to date even though some progress is seen⁵ more action at the EU level is needed. The United Nations Convention on the Rights of Persons with Disabilities is the first international human rights instrument that recognised sign languages being equal to spoken languages⁶, and obliges its States Parties, including the EU to promote, protect, recognise and facilitate the use of national sign languages.⁷ EUD notes that the EU institutions however provide with interpretation in International Sign on ad hoc basis, however accessibility in national sign languages is not guaranteed at the EU. In this report EUD highlights that currently all the EU Member States have recognised their national sign languages at national level, however the official sign languages of the EU Member States are not yet recognised as official languages of the EU, and this should be addressed in the EU's future compliance with the CRPD.⁸ Moreover, according to the Convention, the EU as a State Party shall take all appropriate measures to ensure that deaf persons

¹ Annex I of this document.

² <https://www.eud.eu/about-us/eud-position-paper/accessibility-information-and-communication/>

³ https://www.eud.eu/files/1715/6213/8803/EUD_SL_II.pdf

⁴ Articles 9 and 21 CRPD.

⁵ <https://www.eud.eu/news/peti-committee-eud-petition/>

⁶ Article 2 CRPD.

⁷ Article 21 CRPD.

⁸ https://www.europarl.europa.eu/RegData/etudes/STUD/2016/571384/IPOL_STU%282016%29571384_EN.pdf

in the EU can exercise their right to freedom of expression and opinion, including the freedom to seek, receive and impart information and ideas on an equal basis with others and through all forms of communication of their choice, including the use of their national sign languages.

3. Lack of recognition of the linguistic and cultural status of sign languages and deaf culture,⁹ more action in this regard is needed. Under the CRPD, the EU is obliged not only to promote and facilitate the use of national sign languages but also to promote the linguistic identity of deaf communities, including deaf culture.

The United Nations Committee on the Rights of Persons with Disabilities (CRPD Committee) is currently the only supranational body that has a specific mandate to address sign language issues when reviewing country reports. EUD notes that even though there is some progress seen, the EU institutions must take action to live up to the obligations under articles 2, 9, 21 and 30, and ensure that (i) national sign languages of the EU are recognised and promoted at the EU level as fully fledged languages and considered as part of the EU's multilingualism (ii) the right to use national sign languages when communicating with the EU institutions or receiving information from them is ensured and promoted (iii) the right to recognition of their specific cultural and linguistic identity of deaf persons in the EU ensured and enforced (v) Member States are supported when ensuring the conditions for the learning national sign languages.

Other EUD concerns:

1. Lack of data disaggregated by disability type at the EU level. In the EU there are no exact statistics on people with different types of disabilities. Data collection is key to understanding how well the EU and its Member States are implementing the United Nations Convention on the Rights of Persons with Disabilities for all persons with disabilities. Although Eurostat data on persons with disabilities is currently disaggregated by age and gender, it is not disaggregated by disability type. At EU level, there is data that places all persons with disabilities in a single category or distinguishes between persons with disabilities with "severe" or "some" activity limitation. This overlooks the hugely different barriers faced by persons with different types of disabilities, especially those with multiple disabilities.

2. No freedom of movement without coordination of social security benefits for economically active deaf persons. Deaf persons face several specific barriers when exercising the right to freedom of movement in the European Union. Deaf mobile workers and job seekers lose access to benefits that grant them access to sign language interpreting services when moving from one country to another, which leads to the denial of their linguistic rights. [Regulation \(EC\) No 883/2004](#) on the coordination of social security benefits does not include these specific benefits, discriminating against many economically active deaf persons and violating their right to freedom of movement.

3. No horizontal EU level legislation that prohibits discrimination based on disability in all areas of life. [A horizontal anti-discrimination Directive](#) (Equal Treatment Directive) remains blocked in the Council of the EU. Consequently, in the EU, there is still yet no legislation prohibiting discrimination on the grounds of disability in all areas of life. Council directives [2000/43](#), [2004/113](#) and [2006/54](#) fail to explicitly prohibit discrimination on the grounds of disability.

4. Legal harmonisation of all EU laws with the CRPD. While we see progress in reviewing or adopting new legislation that directly links to people with disabilities, the other not disability specific legislation and policies often lack harmonisation with the provisions of the Convention.

Methodology used to prepare report

This alternative report was prepared by the staff of the European Union of the Deaf in close cooperation with, and guidance from EUD Board Members and EUD President. Information was collected through desk research and consultation with EUD partners at the EU level, such as the European Disability Forum.

⁹ Article 30 CRPD.

Key Issues and Principal Concerns

Purpose, definitions, general principles, and general obligations

CRPD Articles 1-4

The purpose of the Convention is to promote, protect and ensure the full and equal enjoyment of *all human rights and fundamental freedoms* by all persons with disabilities, and to promote respect for their inherent dignity.

In 2015 the Committee recommended that the European Union conducts a cross-cutting, comprehensive review of its legislation to ensure *full harmonization with the provisions of the Convention*, and actively involves representative organizations of persons with disabilities and independent human rights institutions in the process. While we see progress in reviewing or adopting new legislation that directly links to people with disabilities (e.g., [Directive \(EU\) 2019/882 on the accessibility requirements for products and services](#)), the other not disability specific legislation and policies often lack harmonisation with the provisions of the Convention (e.g. [Regulation 1107/2006 on Air Passengers' Rights for Persons with Disabilities](#)).

Suggested question

- What will be the measures taken to ensure that *all* EU legislation and policies, not only the disability specific ones, recognise the human rights approach to disability?

The Committee also recommended the adoption of a strategy on the implementation of the Convention, with the **allocation of a budget**, a time frame for implementation and a monitoring mechanism. While the new strategy to implement the Convention¹⁰ was indeed adopted, it lacks the allocation of the budget and not all actions are clear and have clear targets and timeframes.

Suggested question

- What will be the measures taken to ensure that *all* actions in the strategy are implemented, the implementation is measured, budget for implementation is allocated?

CRPD Article 2

Definitions

<...> *“Language” includes spoken and signed languages and other forms of non-spoken languages*

The CRPD Convention includes sign languages in the definition of ‘language’ in CRPD Article 2. The definition of language includes spoken and sign languages, which means that the Convention seeks to ensure that sign languages are equivalent languages to spoken languages.

One of the EU’s founding principles is multilingualism. The EU is characterised by its cultural and linguistic diversity, and the languages spoken in EU countries are an essential part of the cultural heritage of the Union. The EU supports multilingualism in its programmes and in the work of its institutions and acknowledges 24 official languages.¹¹ The EU is committed to (i) communicating with its citizens in their own languages (ii) protecting Europe’s rich linguistic diversity (iii) promoting language learning in Europe. Article 3 of the [Treaty on European Union \(TEU\)](#) states that the Union ‘shall respect its rich cultural and linguistic diversity’. Article 165(2) of the [Treaty on the Functioning of the European Union \(TFEU\)](#) emphasises that ‘Union action shall be aimed at developing the European dimension in education, particularly through the teaching and dissemination of the languages of the Member States’, while fully respecting cultural and linguistic diversity (Article 165(1) TFEU).

[The Charter of Fundamental Rights of the EU](#), adopted in 2000 and made legally binding by the Treaty of Lisbon, prohibits discrimination on grounds of language (Article 21) and places an obligation on the Union to respect linguistic diversity (Article 22). [Regulation No 1 determining the languages to be used by the European Economic Community](#) defines the Union’s official languages. The EU however neglects the fact that all the EU Member States

¹⁰ <https://ec.europa.eu/social/main.jsp?catId=1484>

¹¹ Article 55 TFEU; Regulation No 1, Article 1. <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:01958R0001-20130701&from=EN>

have now recognised their national sign languages *as languages of deaf persons in the EU*.¹² Recognising a national sign language at a national level means that a national sign language is not considered as mere a communication tool or format, but considered as a fully-fledged, independent language that is the mother tongue language of deaf sign language users.

The EU fails to see national sign languages as part of the languages of the EU in its treaties and in Regulation No 1. EUD understands that the legal status of languages is a matter falling under the national competence of the EU Member States. However, as party to the United Nations (UN) Convention on the Rights of Persons with Disabilities, the EU (its institutions) must take responsibility to ensure they consider sign languages as equal languages to the spoken languages and places them on the same footing, accepting their linguistic nature in order to be in line with Article 2 CRPD.

Suggested question

- What measures will the EU take to ensure that *national sign languages in the EU are considered as fully fledged, independent languages of the EU*, and not the communication tools or formats for persons with disabilities?

Specific rights (arts. 5, 9, 18, 21, 24, 30)

CRPD Article 5

Equality and non-discrimination

[A horizontal anti-discrimination Directive](#) (Equal Treatment Directive) remains blocked in the Council of the EU. Consequently, in the EU, there is still yet no legislation prohibiting discrimination on the grounds of disability in all areas of life. Council directives [2000/43](#), [2004/113](#) and [2006/54](#) fail to prohibit discrimination on the grounds of disability explicitly.

- Will the European Union adopt a horizontal directive on equal treatment and extend protection against discrimination to persons with disabilities in all areas of life?

CRPD Article 9

Accessibility

To enable persons with disabilities to live independently and participate fully in all aspects of life, States Parties shall take appropriate measures to ensure to persons with disabilities access, <...> to information and communications, including information and communications technologies and systems.

States Parties shall also take appropriate measures <...>

To provide forms of live assistance and intermediaries, including guides, readers and professional sign language interpreters, to facilitate accessibility to buildings and other facilities open to the public;

1. EU level accessibility legislation

EUD acknowledges that the recently adopted [European Accessibility Act](#), if ambitiously and correctly transposed and implemented by the EU Member States, will improve the accessibility of several key products and services. Most essentially for the deaf community, it will improve the accessibility of the European emergency number 112. Also, if ambitiously transposed and implemented by the Member States, [the revised Audio-Visual Media Services Directive](#) (Article 7) will gradually and progressively improve the accessibility of audio-visual media content and the European Electronic Communications Code will improve the accessibility and availability of electronic communications in addition to improving the accessibility of emergency communications. EUD also acknowledges that the Web Accessibility Directive is improving the accessibility of the public sector's websites and mobile apps. All the aforementioned represent positive developments for deaf persons in the EU when it comes to accessibility. However, even though the recently adopted EU accessibility legislation brings changes to digital environments, numerous barriers remain for deaf persons in the EU when accessing mainstream environments and services.

¹² Annex I of this report.

The European Accessibility Act however allows the single European emergency number '112' to remain inaccessible until 2027. Considering that the accessibility of 112 is a matter of the highest priority for deaf persons, this gap should be addressed. The European Accessibility Act also does not make it mandatory to make the built environment accessible, which is one of the biggest drawbacks of this legislation.

Moreover, the revised Audio-Visual Media Services Directive's Article 7, even though it imposes an obligation to make the audio-visual media content more accessible, does not contain any targets, timelines and obligations to ensure the accessibility is of a high quality (e.g. the quality of sign language interpretation).

Suggested questions

- Given that making 112 accessible for all is a matter of the highest priority for deaf persons in the EU, what actions will the EU take to ensure it is implemented as soon as possible?
- Given that the European Accessibility Act does not sufficiently address accessibility (and the variety of its perspectives) of the built environment and transport, what are the legal measures foreseen to address this gap?
- Given that the revised Audio-Visual Media Services Directive's Article 7, even though it imposes an obligation to make the audio-visual media content more accessible, does not contain any targets, timelines, and obligations to ensure the accessibility is of high quality, what actions will the EU take to ensure that obligations under Article 7 are meaningfully implemented?

2. Lack of action regarding the accessibility of the EU institutions for deaf persons in the EU

At the EU level, accessibility is often understood as a concept that is only linked to either the physical or digital environment, however the definition of accessibility and what it entails varies significantly depending on the disability group in question. Due to the specific cultural and linguistic identity of deaf persons, accessibility for this group specifically means **access through national sign languages**, which provides them with full barrier-free **access to information, communication, and knowledge**.

In accordance with Article 9 CRPD, the EU should 'promote the design, development, production and distribution of accessible information and communications technologies and systems at an early stage' and ensure that professional sign language interpreters are available to facilitate access to public facilities.

[European Parliament resolutions on sign languages 1998](#) called upon the Commission 'to ensure all EU programmes are accessible to deaf people and recognition is given to the need for sign language interpretation', 'to introduce measures to ensure universal design in multimedia applications so that deaf people are not excluded from new applications' and to ensure 'that public meetings organised by EU institutions are accessible to deaf people by providing a sign language interpretation service on request.'

Moreover, [the European Parliament Resolution of 23 November 2016 on sign languages and professional sign language interpreters \(2016/2952\(RSP\)\)](#) specifically stressed, that public and government services, including their online content, must be made accessible via live intermediaries such as on-site sign language interpreters, as well as alternative internet-based and remote services, where appropriate.

EUD acknowledges that the EU often provides with interpretation in International Sign on an ad hoc basis.¹³ However, EUD highlights that interpretation in International Sign is not always the most suitable solution as because many national sign language users do not have an excellent command of it. When the EU is providing the information in spoken English only, interpretation in International Sign can be considered as an option. However, when the EU is communicating in all the official languages of the EU, it should also provide the information in all the national sign languages of the EU.

Moreover, EUD is aware that the Commission has taken steps to reinforce the availability of International Sign interpreters for EU events and meetings, in particular, [through a mentoring scheme allowing national sign interpreters to bridge the gap towards international sign](#). However such a scheme is not currently available to train national sign language interpreters to work in the EU context in their national sign language.

¹³ <https://www.eud.eu/eu-institutions/european-commission/weekly-press-conferences-international-sign/>

Suggested questions

- What actions will be taken to ensure that live intermediaries such as on-site professional and qualified sign language interpreters that interpret in 30 national sign languages are available?
- What actions will the EU take to ensure that the European deaf community is consulted when ensuring accessibility of its institutions, especially when selecting International Sign or national sign language interpreter?
- Given that the concept of accessibility goes beyond merely the physical and digital accessibility of the environments and services and the accessibility for deaf persons in particular means access through national sign languages, which provides them with full barrier-free access to information, communication, and knowledge, what action the EU will take to ensure that all deaf Europeans and sign language users have access to their national sign language and can use them in all settings?
- What action will the EU take to ensure its institutions are accessible for deaf Europeans through the provision of sign language interpretation on site in all national sign languages and during meetings and making their online content accessible, through interpreting in sign languages and the use of subtitles and/or closed captioning?
- What action will the EU take to improve communication between deaf and hard-of-hearing people and the EU institutions?

EUD also acknowledges that the EU is making progress to ensure that deaf persons in the EU can table the petitions in their national sign languages.¹⁴ EUD recognises that the EU institutions have a system in place to provide sign language interpretation via their respective interpreting departments for accessibility purposes but urges the institutions to utilise such existing systems to ensure they can provide interpretation in national sign languages of the EU as well. Setting up the system to allow the tabling of the petitions in national sign languages will require setting up a list of available interpreters and translators who would translate/interpret the petition from a national sign language to written form on request. Such a system and the list of the interpreters/translators can serve in the future, when deaf persons want to engage with the institutions in other forms, e.g. attend the EU events, European Parliament's meetings, conferences and others.

Suggested question

- What actions will the EU take to ensure that the accessibility of the Petitions process in national sign languages is implemented and seen as an opportunity to make the institutions more accessible in national sign languages in the future?

EUD also highlights that subtitling and speech-to-text is necessary measure for all video content of the EU. Currently not all of the EU video materials and web streams of the EU are subtitled in all the official languages of the EU, which excludes deaf persons from receiving the information and communication from the EU.

Suggested question

- What actions will the EU take to ensure that all its video content is subtitled and captioned in real time?

EUD also highlights that currently sign language interpreters do not have the same status as spoken language interpreters in respect of the interpreting services they provide for the institutions and/or their staff and appointed officials, including access to technological support, preparatory materials, and documents.

- What actions will EU take to ensure that national sign language interpreters are granted an equal status to spoken sign language interpreters?
- What actions will EU take to ensure that the responsibility to organise the interpreter for a deaf person is the burden of institution and not the individual?

EUD welcomes harmonised standards on subtitling and captioning. However, the harmonised EU level standard on the quality of sign language interpreting is missing.

¹⁴ <https://www.eud.eu/news/peti-committee-eud-petition/>

- What action will the EU take to ensure that the standards on sign language interpretation are developed ensuring that such interpretation is of high quality?

CRPD Article 21

Freedom of expression and opinion, and access to information

States Parties shall take all appropriate measures to ensure that persons with disabilities can exercise the right to freedom of expression and opinion, including the freedom to seek, receive and impart information and ideas on an equal basis with others and through all forms of communication of their choice, as defined in article 2 of the present Convention, including by:

<...>

(b) Accepting and facilitating the use of sign languages <...> by persons with disabilities in official interactions.

<...>

(e) Recognizing and promoting the use of sign languages.

In 2015 the CRPD Committee was concerned that across the European Union, persons with disabilities do not always have access to information and communication in sign languages. In its concluding observations to the EU the Committee recommended that the European Union take the necessary measures to enforce the implementation of its legislation on access to information and communication to facilitate access in **sign languages and to promote official recognition of sign language.**

To date, the EU only recognises 24 official spoken languages. Recognition of the 24 official languages in the EU specifically means that (i) the official languages in the EU are working languages of the institutions of the Union, (ii) persons in the EU can communicate and receive the information in one of the official languages, (iii) legal acts and their summaries are available in all official EU languages, (iv) meetings of the EU Council are interpreted into all official languages, (v) Members of the European Parliament have the right to use any official language when speaking at the Parliament.¹⁵

The EU however does not recognise that a huge part of the Union's linguistic and cultural heritage are **30 national sign languages, which are now officially recognised in all the EU Member States.**¹⁶ Therefore, deaf persons in the EU continue to face discrimination regarding the use of their national sign languages when communicating with or receiving information from the EU. Such discrimination rarely occurs at national level as the Member States at national level (by recognising national sign languages in their countries) ensure that deaf sign language users can exercise their right to communicate with and receive information from public authorities in a national sign language. Provision of information and communication in a national sign language is however not guaranteed at the EU level.

Without recognition of the national sign languages in the EU as part of the EU's multilingualism, national sign language users in the EU are not ensured with the right to use their mother tongue when communicating with or receiving information from the EU as public administrator. For instance, meetings of the EU Council as well as plenary meetings and committee meetings of the European Parliament are not interpreted into national sign languages; deaf persons in the EU cannot communicate to their representatives in the EU Parliament in national sign languages; almost none of the video materials of the EU Commission are available in national sign languages. The European Day of Languages (26th of September) does not celebrate national sign languages.

The EU however has made some progress in this regard, which was welcomed by the deaf community in the EU. In 2019 the European Parliament produced a campaign video on the European elections in 30 sign languages.¹⁷ Also, the Petitions Committee of the European Parliament started implementing the petition tabled by EUD Executive Director which requested to allow for the tabling petitions in national sign languages.¹⁸

¹⁵ EU Regulation No 1.

¹⁶ See Annex I of this document.

¹⁷ <https://www.eud.eu/european-elections-2019/election-movie/>

¹⁸ <https://www.eud.eu/news/peti-committee-eud-petition/>

The EU must recognise and promote the use of national sign languages. All the EU Member State have now given national sign languages a status of languages in their respective countries, however the EU has not done that yet. The EU must consider sign languages part of Europe's cultural heritage.

The official recognition of sign languages at the EU level would allow deaf people to use their languages at the EU level in official interactions, which is currently not an option. Official recognition of sign languages entails:

- 1. Recognising sign languages as fully-fledged languages of the EU.**
- 2. Granting sign language users their linguistic rights – the right to use and receive information in a national sign language in official interactions at the EU level.**
- 3. Recognising the culture of deaf people and awareness of the aspirations of the deaf community.**
- 4. Ensuring with accessibility in national sign languages on request via professional and verified sign language interpreters.**
- 5. Celebrating national sign languages during the European Day of Languages.**

EUD recognises that the EU is providing interpretation in International Sign on ad hoc basis, however it's not ideal option, as not many sign language users understand International Sign.

EUD recommends the EU to recognise sign languages as official languages amending Regulation No 1 or by means of adopting a separate specific law, which would ensure that deaf people have access to public services of the EU by providing sign language interpretation in 30 national sign languages; support the training and recruitment of sign language interpreters to assist deaf people at EU level; run awareness-raising campaigns to deconstruct negative stereotypes about deaf people and celebrate the European Day of Languages as well as the International Day of Sign Languages on 23 September by proposing activities to promote sign languages; would call to ensure sign language interpretation of EP's debates, EU institution materials; would call EU political parties to provide sign language interpretation at their congresses and large-scale conferences so as to ensure the participation of deaf people at these events and encourage them to participate in political life.

Suggested questions

- **What measures the EU is planning to take to recognise 30 national sign languages and promote their use at the EU level, which are now officially recognised in all the EU Member States?**
- How is EU planning to ensure national sign languages are considered part of the multilingual EU?
- How is the EU planning to ensure accessibility of the EU institutions in national sign languages so discrimination against deaf sign language users ends?

CRPD Article 18

Liberty of movement and nationality

Deaf persons face several specific barriers when exercising the right to freedom of movement in the European Union. The perpetuation of these barriers constitutes disability-based discrimination in the equal enjoyment of the right to freedom of movement, and hence a violation of the Charter of the Fundamental Rights of the European Union and the UN Convention on the Rights of Persons with Disabilities.¹⁹

Deaf mobile workers and job seekers lose access to benefits that grant them access to sign language interpreting services when moving from one country to another, which leads to the denial of their linguistic rights. [Regulation \(EC\) No 883/2004](#) on the coordination of social security benefits does not include these specific benefits, discriminating against many economically active deaf persons and violating their right to freedom of movement.

Cross-border barriers also include following additional proceedings in other European countries to have their disability status recognised, due to a lack of mutual recognition of disability status among countries in Europe. This means that a deaf person will not be officially recognised as deaf in a host country as established by the country of origin.

¹⁹ <https://www.eud.eu/about-us/eud-position-paper/freedom-movement-europe-economically-active-deaf-persons-and-deaf-learners/>

In light of the problems, EUD urges the European Union to amend and/or adopt legislation that ensures an equal enjoyment of the right to freedom of movement by deaf persons in Europe.

Suggested questions:

- Will the EU to amend Regulation (EC) No 883/2004 or adopt new legislation to coordinate the work-related benefits that grant access to sign language interpreting services in the context of freedom of movement?
- What measures will the EU take to facilitate mutual recognition of the disability status among European countries?

CRPD Article 24

Education

The [Erasmus+ Programme](#) is the EU programme for education, culture, youth and sport. Deaf learners and other learners with disabilities must have a fully inclusive and accessible participation in the Erasmus+ Programme. However, learners with disabilities including deaf learners continue to face additional barriers while accessing the Programme. Often, barriers to access sign language interpreting services prevent them from having a barrier-free experience within the Erasmus+ Programme. For deaf learners to have a meaningful learning mobility within the scope of the Erasmus+ Programme, moving physically to another European country other than the country of residence entails moving their sign language interpreter with them or accessing new interpreting services in the host country.

Currently, the Erasmus+ Programme does not coordinate which authorities, sending or receiving, are responsible for ensuring inclusion and accessibility measures. Moreover, it also does not ensure the quality and availability of the accessibility measures, which are necessary to fully enjoy the right to freedom of movement for learners with disabilities and to have a fully meaningful Erasmus+ experience.

The lack of concrete inclusion and accessibility measures for persons with disabilities within the Erasmus + Programme, such as the lack of coordination system among participatory authorities on the provision of sign language interpreting services, creates barriers for learners with disabilities that prevent them from exercising their freedom of movement for the purpose of education and training on an equal footing with others. For deaf learners to have a fully inclusive and accessible participation in the Erasmus+ Programme, a coordination system among participating countries should be established to determine the responsible authority to provide for sign language interpreting services. A coordination system would provide with information on the measures of accessibility and would ensure that the experience of deaf learners is fully accessible.

The national sign languages of the European countries taking part in the Erasmus+ Programme need to be a fundamental pillar to ensure its full inclusiveness for deaf learners. In this regard, the language support provided within the learning mobility of the Erasmus+ Programme must include sign language support. The learning of languages, including sign languages, contributes to mutual understanding and mobility in Europe. Including sign language support within the language support of the Erasmus+ Programme and establishing a clear coordination of access to sign language interpreting services should guarantee that deaf learners enjoy a non-discriminatory exercise of the right to freedom of movement.

Deaf learners need to be ensured a full access to sign language interpreting services to experience a fully accessible learning mobility within the Erasmus+ Programme. EUD celebrates the success of the Erasmus+ Programme, however, it notes with concern that deaf learners and sign language users still face barriers while accessing the Programme on an equal basis with others due to the lack of coordination of access to sign language interpreting services amongst participating countries. It is important to highlight that accessibility also means sign language learning environment, sign language study materials and teaching using sign language (without the use of sign language interpreters).

Suggested questions:

- What action will the EU take to efficiently coordinate access to sign language interpreting services for deaf learners and sign language users who wish to move to another European country for the purposes of education and training? This should clarify which country and institution provides sign language interpretation while participating in the Erasmus+ Programme, and should enable deaf learners the full

accessibility of their learning mobility through high quality, affordable, accessible, and available sign language interpreting services

- Will the EU include national sign languages in the list of languages which are available within the language support provided during the learning mobility of the Erasmus+ Programme? This should ensure that deaf learners can exercise their right to sign language in the host country. Only if sign language support is granted for deaf persons, will the Programme be fully accessible for deaf participants.

CRPD Article 30(4)

Participation in cultural life, recreation, leisure and sport

*Persons with disabilities shall be entitled, on an equal basis with others, to recognition and support of their specific **cultural and linguistic identity, including sign languages and deaf culture.***

The lack of recognition of national sign languages at the EU level leads to many misconceptions about deaf persons and their linguistic identity at the EU. In the EU International Day of Sign Languages is celebrated, however national sign languages get very little attention. As the [European Commission promotes mostly International Sign](#), national sign languages are often excluded.

Moreover, 26 September is the [European Day of languages](#). It is jointly organised by the Council of Europe and the European Commission. The aim is to raise awareness of the wide variety of languages in Europe, to promote cultural heritage & linguistic diversity, to encourage people of all ages to learn languages and to promote translation, interpretation, other language-related professions. Unfortunately, the European Day often does not highlight that national sign languages are part of the European multilingualism, leaving them behind.

Furthermore, EUD highlights that recognition of the specific cultural and linguistic identity of deaf persons in the EU as well as deaf culture also requires adequate funding and available educational opportunities in national sign languages to enable professionals in the field to develop their culture and identity.

Suggested question

- What measures will the EU take to ensure that national sign languages are celebrated during the European day of languages and International Day of Sign Languages?
- What measures will the EU take to ensure that the linguistic identity of deaf persons is recognised at the EU level?
- What measures will the EU take to ensure that deaf culture in the EU (which includes deaf theatres, deaf poetry, deaf performers and other) is protected and funded on the same basis as other cultural heritage in the EU?

Statistics and data collection

CRPD Article 31

Statistics and data collection

In the EU there are no exact statistics on people with different types of disabilities. This, for instance, does not allow us to know how many people with different (or multiple) disabilities are out of the labour market and education. EUD would like to highlight the importance of the collection of EU-level data disaggregated by disability type which would play an important role supporting evidence-based advocacy and create the economic rationale behind the argument to foster the inclusion of persons with all types of disabilities into the labour market in the EU. Reliable, correct, and robust data disaggregated by disability type is necessary to build an (economic) argument for inclusion of each disability group in the EU.

Data collection is key to understanding how well the EU and its Member States are implementing the United Nations Convention on the Rights of Persons with Disabilities for all persons with disabilities. Although Eurostat data on disabilities is currently disaggregated by age and gender, **it is not disaggregated by disability type**. At EU level, we have data that places all persons with disabilities in a single category or distinguishes between persons with disabilities with "severe" or "some" activity limitation. This overlooks the hugely different barriers faced by persons with different types of disabilities, especially those with multiple disabilities.

Data on the unemployment of persons with different types of disabilities would allow for a clear identification of the gaps when ensuring inclusion, e.g. the gap in unemployed deaf persons in the EU, who are a potential yet unused or underused work force. More data and exact statistics of people with disabilities who are currently underused or unused work force would also allow to identify the need of certain reasonable accommodation and accessibility measures and would help to draw the attention on the need to address these areas.

Suggested question

- What measures will EU take to establish a data collection system or a European strategy in which national statistical offices, national focal points on the UN CRPD, organisations representing persons with disabilities, alongside Eurostat would collaborate on the development and use of harmonised methods for data collection at the national level which would later be input into Eurostat's database?

Key recommendations

Thus, in view of Articles 2, 9, 21, 24 and 30 of the CRPD, the EU, as a member of the CRPD, must not only ensure accessibility for the deaf through sign language interpretation services in all the national sign languages officially recognised in the EU, but also implement other articles of the CRPD.

In light of article 5, 18 and 31 of the CRPD, the EU, as a member of the CRPD must ensure that the EU prohibits all forms of discrimination against deaf persons in all areas of life, ensure their right to freedom of movement and collect data disaggregated by disability type.

EUD therefore recommends for the EU:

- 1. To grant status of fully-fledged, independent languages to national sign languages in the EU and no longer consider them as communication tool or format for persons with disabilities.**
- 2. To recognise sign languages as official languages of the EU and to promote their use at the EU level, ensuring deaf persons in the EU can exercise their linguistic rights not only at national but at the EU level as well in the official interactions.**
- 3. To support the EU Member States when facilitating the acquisition and learning of national sign languages.**
- 4. To ensure accessibility in of the EU institutions, information, and communication in 30 national sign languages.**
- 5. To ensure accessibility thorough fully qualified, competent, and verified national sign language interpreters.**
- 6. To limit the use of International Sign and use it only when the information or communication is available in spoken/written English, when information/communication is available in all spoken languages, it should also be made available in all the national sign languages, that are now recognised as languages in all the EU Member States.**
- 7. To promote the linguistic identity of the deaf community, and to ensure the recognition of specific cultural and linguistic identity of deaf persons.**
- 8. To ensure that deaf persons in the EU can fully enjoy the right to freedom of movement.**
- 9. To ensure that horizontal equality legislation is adopted that prohibits discrimination based on disability in all areas of life and *all* the EU legislation is in line with the United Nations Convention on the Rights of Persons with Disabilities.**
- 10. To facilitate data collection disaggregated by disability type.**

Annex I

Sign Language recognition laws in the Member States of the EU.

In blue: new legislative developments in the field of sign language recognition since 2015 (last review of the EU by CRPD Committee).

In orange: currently in the process of updating their legislation in the field of sign language recognition.

<u>Name of Countries</u>	<u>Date/Year of Recognition</u>	<u>Name of legislation</u>
Austria	2005	Austrian Constitution, constitutional Amendment: §8 (3) <i>Die Österreichische Gebärdensprache ist als eigenständige Sprache anerkannt. Das Nähere bestimmen die Gesetze.</i>
Belgium Flanders	2006	Parliamentary Decree, <i>Decreet houdende de erkenning van de Vlaamse Gebarentaal.</i>
Belgium Wallonia	2003	Parliamentary Decree, <i>Décret relatif à la reconnaissance de la langue des signes.</i>
Bulgaria	2021	Bulgarian Sign Language Act.
Croatia	2015	Croatian Sign Language Law, <i>Law on the Croatian Sign Language and Other Communication Systems of Deaf and Deaf-blind Persons in the Republic of Croatia.</i>
Cyprus	2006	Act on the Recognition of Cyprus Sign Language 66(I) 2006.
Czech Republic	1998	Sign Language Act 155/1998.
Denmark	2014	Law 61 amending the law on the Danish Language Council (Dansk Sprognævn).
Estonia	2007	The Language Act, Chapter I Article2; Chapter2; Chapter Article 8.
Finland	1995 and 2015	Finnish Constitution, <i>Suomen perustuslaki (1995)</i> & Sign Language Act (359/2015).
France	2005	Education Law (Code de l'éducation) in article L312-9-1.
Germany	2002	Disability Equality Act (<i>Gesetz zur Gleichstellung von Menschen mit Behinderungen</i> , BGG).
Greece	2017	Law 4488/2017, Article 65 (2).
Hungary	2009 and 2011 and 2020	Hungarian Constitution, Article H(3) & Act on the Hungarian Sign Language and the use of Hungarian Sign Language (CXXV CXXV2009 and amendments in 2020).
Ireland	2017	The Irish Sign Language Act.
Italy	2021	Sostegni Decree.
Latvia	2000	The Official Language Law, Section 3(3).
Lithuania	1995	The Act of Social Integration of Persons with Disabilities, Article 4.
Luxembourg	2018	Sign Language Law.
Malta	2016	Maltese Sign Language Recognition Bill No 88.
The Netherlands	2020	Law recognition Sign Language of the Netherlands, <i>Wet erkenning Nederlandse Gebarentaal.</i>
Poland	2011	Act on Sign Language and Other Means of Communication (<i>Ustawa o języku migowym i innych środkach komunikowania się</i>).
Portugal	1997	Portugese Constitution, Article 74.
Romania	2020	Law of Romanian Sign Language.
Slovakia	1995	Law on the Sign Language of the Deaf (<i>Zakón o posunkovej reči nepočujúcich osôb</i>).

Slovenia	2020 and 2021	Law on the Use of Slovenian Sign Language (Zakon o uporabi slovenskega znakovnega jezika) & Constitutional amendment 62(a) 2021.
Spain	2007	The Law 27/2007.
Sweden	2009	The Language Act (Språklag).

<u>Name of Countries</u>	<u>Sign language(s)</u>
Austria	Austrian Sign Language
Belgium	Flemish Sign Language French Belgian Sign Language
Bulgaria	Bulgarian Sign Language
Croatia	Croatian Sign Language
Cyprus	Cypriot Sign Language
Czech Republic	Czech Sign Language
Denmark	Danish Sign Language
Estonia	Estonian Sign Language Russian Sign Language
Finland	Finnish Sign Language Finland-Swedish Sign Language
France	French Sign Language
Germany	German Sign Language
Greece	Greek Sign Language
Hungary	Hungarian Sign Language
Ireland	Irish Sign Language
Italy	Italian Sign Language
Latvia	Latvian Sign Language
Lithuania	Lithuanian Sign Language
Luxembourg	German Sign Language
Malta	Maltese Sign Language
The Netherlands	Dutch Sign Language
Poland	Polish Sign Language
Portugal	Portuguese Sign Language
Romania	Romanian Sign Language
Slovakia	Slovakian Sign Language
Slovenia	Slovenian Sign Language
Spain	Spanish Sign Language Catalan Sign Language
Sweden	Swedish Sign Language