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Answer given by Ms Lahbib
on behalf of the European Commission
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In the implementation of EU funds under Common Provisions Regulation (CPR)[1], Member States and the Commission should ensure compliance with the Charter of Fundamental Rights[2] and the implementation and application of the UN Convention on the rights of persons with disabilities (UNCRPD) throughout the programming period, also when designing the selection criteria for operations[3]. In addition, the horizontal enabling condition (HEC)[4] on the implementation and application of the UNCRPD requires that a national framework to ensure implementation of the UNCRPD is in place. Other thematic enabling conditions (TEC) also promote the shift to community-based services and care, through deinstitutionalisation[5].

The Commission assesses the fulfilment of the HEC and TECs and their application by the Member States throughout the CPR programming period and when not fulfilled, the related expenditure under the CPR is not reimbursed from the EU budget. Member States are required to appoint monitoring committees to ensure the correct implementation of programmes[6]. The Commission participates in a monitoring and advisory capacity, with annual review meetings to examine the performance of each programme[7].

Through the application of the relevant HEC and TEC, the Commission remains committed to enabling shift to community-based services and care, through deinstitutionalisation. The Commission has issued guidance on independent living and inclusion in the community of persons with disabilities in the context of EU funding[8]. The approach presented in this notice is relevant to all EU funding instruments within their scope of support, including EU's external action and EU-funded projects internationally.

[1] Regulation (EU) 2021/1060. Available from: https://eur-lex.europa.eu/eli/reg/2021/1060/oj/eng.
[2] Article 9(3) of Regulation (EU) 2021/1060.
[3] Article 73 CPR.
[4] Annex III CPR.
[5] Annex IV CPR.
[6] Articles 38 and 39 CPR.
[7] Article 41 CPR.
[8] Commission Notice Guidance on independent living and inclusion in the community of persons with disabilities in the context of EU funding. Available from: https://eur-lex.europa.eu/eli/C/2024/7188/oj/eng.