



Brussels, April 6<sup>th</sup> 2020  
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To:

Commissioner Stella Kyriakides  
Commissioner for Health and Food Safety

Cc:

Commissioner Helena Dalli, Commissioner for Equality

**Subject: COVID 19 and persons with disabilities**

Dear Commissioner,

The European Disability Forum (EDF) would like to brief you on the situation of 100 million persons with disabilities in the EU and the serious impact of the COVID 19 pandemic, and the countries response, on them; in particular, we are deeply concerned by discrimination in healthcare provision and call on you to condemn inequalities, discrimination and harmful measures, and to promote an inclusive, accessible and non-discriminatory COVID 19 response at the EU level.

EDF is an umbrella organisation run by persons with disabilities and their families, EDF is a strong, united voice of the disability movement in Europe, coordinating advocacy on the rights of all persons with disabilities at the EU level and supporting our members, representative organisations of persons with disabilities at national and European levels. Our members across the EU, have been working tirelessly to promote the rights of persons with disabilities. They have, for example;

- advocated and prepared legal arguments against discrimination on triage guidelines
- created and disseminated public health information in accessible formats, and successfully advocated for public health information issued by governments to be inclusive and accessible
- directly gathered donations of personal protective equipment to give to persons with disabilities and support services, as authorities are not providing them
- prepared and coordinated recruitment of volunteers to support persons with disabilities, to fill the gap left by staff shortages
- advocated for exceptions to be included in lockdown measures for persons with certain disabilities and for priority access to essential shopping

The European Union and all its Member States committed to leaving no one behind, including in the area of health, when they ratified the UN Convention on the Rights of Persons with Disabilities (CRPD) and when they committed to the 2030 Agenda for Sustainable Development. In 2015, the United Nations Committee on the Rights of Persons with Disabilities specifically called on the EU to ensure quality healthcare for all persons with disabilities, including by prohibiting discrimination on the grounds of disability in the field of healthcare. It also recommended that the EU evaluate the impact of the Directive 2011/24/EU on patients' rights in cross-border health care with regard to gaps in access for persons with disabilities.

We must not forget that the CRPD obliges countries to provide persons with disabilities with the same range, quality and standard of free or affordable health care, as persons without disabilities. We would highlight in particular in relation to your actions in the field of health to consider the following issues:

- Discrimination in access to life-saving treatment to COVID-19. We have specific information that guidelines in Italy, Spain and some regional guidelines in France specifically de-prioritise persons with disabilities.
- Accessibility of all public health information and healthcare provision
- Access to protective personal equipment to persons with disabilities and persons that support them. Often social distancing is not possible for persons with disabilities. We hear alarming information about lack of protective equipment which is creating focus of infections and staff shortages in the social care sector.
- Any form of forced or coercive treatment, indeed any treatment without fully informed consent of the person receiving the treatment is a human rights violation, as enshrined in the CRPD. EDF has been active in [campaigning against the draft additional protocol to the Oviedo Convention of the Council of Europe](#) that would allow such placement and treatment. In the light of COVID 19 it is imperative that persons with disabilities have their right to informed consent to treatment protected. Forced seclusion, forced restraint and forced medication shall not be used or escalated during this crisis.
- Ensure that women and girls with disabilities can access healthcare services without discrimination, including sexual and reproductive health services, including prenatal and postnatal healthcare for women.
- Involving persons with disabilities, and their representatives organisations, in all issues that concern them.

Below my signature you will find a range of resources EDF has prepared, our letter to the Equality Commissioner, to which you were on cc, and the letter of our Global body- the International Disability Alliance- to the World Health Organisation Director General.

We would like to thank you in advance for your time and consideration, and we look forward to hearing from you.

Yours sincerely,



Yannis Vardakastanis

President

European Disability Forum

#### Additional information:

- Letter to Commissioner for Equality
- [Open letter to leaders at the EU and in EU countries: COVID-19 – disability inclusive response](#)
- [Letter to WHO from the International Disability Alliance \(the global body of which EDF is a member\)](#)
- Our open letter "[COVID 19 - medical guidelines should not discriminate against persons with disabilities](#)"
- Our statement "[Persons with disabilities stripped of support and protective equipment during COVID 19 crisis](#)"
- Our statement "[Residential institutions are becoming hotbeds of infection and abuse – governments need to act now](#)"
- [Our members' activities](#)