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Mapping disability policies in Europe: introducing the Disability Online Tool of the Commission (DOTCOM)

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The United Nations Convention on the Rights of Persons with Disabilities was adopted in 2006 and came into force in 2008. It establishes a comprehensive framework for the protection and promotion of rights for disabled people and includes 50 Articles, which require parties to adopt its general principles, to take specific actions in relation to specific Articles, and to put in place arrangements for monitoring and reporting on their progress. Both the European Union and its Member States signed the Convention in 2007 and progress towards ratification by all parties is well advanced. Implementation of the Convention requires development of a range of policy instruments at both national and European level. The Disability Online Tool of the Commission (DOTCOM) was developed by the Academic Network of European Disability experts (ANED) in 2011-12, in collaboration with the European Commission and the EU Member States, to map the progress being made on a range of key instruments relevant to implementation of the Convention.

States Parties are required, by Article 35, to compile a 'comprehensive report on measures taken to give effect to [their] obligations under the present Convention and on the progress made in that regard' every four years. They are also required, by Article 31, to 'collect appropriate information, including statistical and research data, to enable them to formulate and implement policies' giving effect to the Convention. Further, by Article 33, they are obliged to designate or establish mechanisms (including at least one independent entity) to monitor progress toward implementation of CRPD obligations.

The European Disability Strategy 2010-2020 sets out a programme of actions intended to realize the rights of disabled people as European citizens and to fulfil the EU's commitment to the UN Convention. The Strategy identifies eight broad areas for action and commits to a range of awareness raising, financial support, data collection and implementation mechanisms. A European Commission Staff Working Paper accompanying the Strategy (annex 2) established the need for a systematic framework 'describing the policy and legal situation across the EU in the light of the commitments undertaken for the implementation of the UN Convention' to be developed by ANED. The online tool presented here responds to this need by presenting a structured reference guide to key policy

instruments of relevance to implementing the UN Convention in accordance with the EU Disability Strategy.

DOTCOM is constructed from a large database of information about national laws, policies, strategies and initiatives in the Member States of the European Union, its Candidate countries and other associated countries. For each of these 34 countries, and for the EU, it includes summary information on 44 selected policy instruments, organized into eight themes (more than 1,500 records). Each record includes descriptive text and web links to policy documents or sources of further information at the national level. The selection of key instruments has been elaborated from the priorities established in the Commission Staff Working Paper accompanying the European Disability Strategy, noted above, in discussion with EU Commission staff and the EU High Level Group on Disability. The data is compiled by ANED's independent country experts, under the guidance of the network's Scientific Director, and updated periodically. The Commission provides Member States' with opportunity to validate the national level data although the published content does not necessarily reflect their official views or those of the EU institutions. The tool is designed as a public knowledge resource and offers a range of reporting options. By selecting combinations of countries and instruments (or themes) users can produce different types of reports, examine records in more detail, and export the results in different formats. The tool is published on the ANED website at <http://www.disability-europe.net/dotcom>

Method

The template for the tool was developed during 2011 in consultation with Commission staff and the EU Disability High Level Group of states' representatives and on the basis of proposals outlined in the Commission Staff Working Paper Accompanying the Disability Strategy. The design involved a matrix structure, initially cross-tabulating 44 selected policy instruments in 29 countries within the ANED network (1,290 items in all). The organization of these themes and items drew on the accumulated knowledge of issues and gaps identified in ANED's work since 2008. Consultation with the High Level Group representatives led to the inclusion of parallel reporting items for the EU institutions within the same framework.

The framework for the tool was piloted in early 2011 with a sample of five countries before extension to all network members. Country experts were provided with a structured template and guidance documents in order to make national contributions via web-based survey. Based on discussions with the High Level Group, requirements for the web presentation and database structure were then developed, allowing for final decisions on the presentation format and functionality. A fully functional demonstration version was presented to the ANED annual meeting in November 2011.

Following the pilot testing, and discussion with stakeholders, some modification was made to the preliminary category headings. A web-based content management and presentation architecture was designed and piloted in 2012, allowing for direct data entry and review, and the 2011 data from existing ANED countries was imported for system testing. Four new countries were added to the network in 2012 and data on their national policies was added using the new online data submission process. The fully functioning online tool was presented to the EU Commission and Member States representatives of the EU High Level Group in May 2012, who were invited to comment and validate existing draft entries. ANED members reviewed the pre-publication data and provided more than 600 updates during 2012. In collaboration with the EU Commission, the fully revised dataset was published on the ANED web page in June 2012 as the 'Disability Online Tool of the Commission' (DOTCOM).

Data structure and themes

The framework for DOTCOM includes eight themes: UN Convention status, General legal framework, Accessibility legislation and standards, Independent living, Education policies, Employment policies, Statistics and data, Awareness and external action (with between three and nine items in each category).

The data provided on UN Convention status consolidates and extends existing reporting by the High Level Group, the Office of the High Commissioner for Human Rights (covering, for example, ratification of the Convention and Optional Protocol, declarations and reservations, and progress on implementation of Article 33 UNCRPD). The cross-tabulation tool allows comparisons of implementation arrangements to be made between countries in a more structured way, while revealing more clearly where gaps exist.

The general legal framework items cover not only anti-discrimination legislation but draw attention to the recognition of legal capacity (highlighted in ANED's 2009 report on independent living) as well as rights to vote and the recognition of sign language (drawing on findings from research by the European Union of Deaf people).

In relation to accessibility, a key theme in the European Disability Strategy, a need was identified to move beyond high level legislation and to identify, where possible, the existence of standards documents and regulations at the national level. The theme was subdivided to enable comparison of policy instruments concerning transport, the built environment and ICT/web accessibility.

Significant attention was paid to support for independent living by taking a broad definition of this theme, to include enablers such as choice of living arrangements, deinstitutionalization and cash benefits, as well as specific concerns with quality of social services, provision of assistive devices and personal assistance.

The elaboration of education policy items also drew on ANED's previous findings in this topic area, as well as on the provisions of Article 24 UNCRPD. As well as dealing with policies concerning mainstream or special schooling, it is important to monitor all levels of education, including higher education and vocational training provisions in each country. In addition, specific recognition was given to the use of sign language and Braille in schools, where possible.

ANED's prior reporting on employment policies informed the typology for this theme, with attention to workplace adaptations (included here as an enabler to employment rather than in the accessibility theme) and financial incentives (recognizing the wide use of wage subsidies and allowances in European countries). Both supply and demand side policies are relevant and the theme includes non-discrimination legislation (particularly relevant to Directive 2000/78/EC) and the organization of public employment services.

Particular attention was paid to the inclusion of items on national data collection and statistics, arising from concerns expressed in previous ANED reports about the general lack of availability or mainstreaming of such data (as well as the data requirements of the UNCRPD). Thus, previous recommendations were consolidated in the template with reference to national census and labour force survey data, and the development of national indicators, as well as official support for disability research functions.

The final theme focuses primarily on public awareness raising, and targeted training requirements for relevant professional groups (teachers, lawyers, doctors and engineers/architects). There remains a significant lack of national information in the latter area by comparison with other policy instruments implicated in the UNCRPD. Within this theme, provisions for disability mainstreaming in international development aid was included. However, discussions with stakeholders suggest that it may be useful to disaggregate this item as an additional theme in future development.

Discussion and conclusions

DOTCOM provides public access to a fully searchable database, enabling comparable access to information on key disability policies in 34 European countries, for the first time, as well as for the EU institutions. The launch of this new knowledge resource also provides a foundation for improved European research comparisons and more systematic policy analysis in the future. The architecture of DOTCOM adds significantly to policy mapping, monitoring and reporting in Europe. In particular, it provides a mechanism for more dynamic and concurrent cross-national monitoring.

Multinational monitoring models may be concurrent or consecutive in approach. Consecutive models gather, present or scrutinize data relating to particular countries (or groups of countries) in turn. They do not therefore aim to maintain continually up-to-date data for all the countries within their remit. Concurrent multinational monitoring, as the name suggests, is concerned with tracking the state of affairs in more than one country and doing this simultaneously. National monitoring obligations are imposed on every State Party to the CRPD and this greatly enhances the opportunities for compiling and disseminating data cross-nationally. DOTCOM is not a substitute for national monitoring responsibilities and serious efforts are also needed from national governments. However, it suggests a new approach to monitoring disability rights and policies, while existing monitoring systems (such as those of the UN Committee on the Rights of Persons with Disabilities) remain dependent on sequential country reporting.

Concurrent multinational monitoring has the potential to make a valuable contribution to the goals of international disability rights monitoring – by facilitating cross-country comparisons, supporting cross-fertilization of ideas and sharing good practice. The EU has a range of processes to support policy exchange and mutual learning between countries. However, this has taken place in a rather fragmented way in the disability field, based primarily on research study reports that become quickly outdated by rapid policy development. The advent of DOTCOM heralds a new era in EU disability rights monitoring. It provides a central access point for data on a wide range of disability rights issues, and a structure for reporting in a dynamic manner.

In its first published version, there is considerable scope for improvement and future development (including, for example, the greater involvement of disabled people as stakeholders, and translation into French). The structure of DOTCOM remains oriented toward policy issues of priority to the EU and is not tailored to the system of UN human rights monitoring. National governments may be reluctant to support concurrent multinational monitoring tools, precisely because of their potential to facilitate cross-national comparisons. Independent resources are therefore needed to establish and maintain such databases. However, governments may also become more interested to collaborate with database managers to ensure their policies are well represented.

To conclude, concurrent multinational monitoring in the EU has entered a new phase with the publication of DOTCOM and such tools offer the possibility of achieving the goal of concurrent multinational monitoring. DOTCOM does not yet fulfil all the potential of an ideal monitoring system but its arrival offers a pragmatic solution to the difficulties associated with the previous technologies. Its on-going value will depend on the extent to

which it can be maintained and developed within the resources and political contingencies of the EU.