



**President of the European Parliament**  
**Conference of Presidents Members**  
**European Parliament**

## **Registration of the Oral question regarding guardianship on the agenda of the Plenary session**

**Brussels, 11 January 2018**

Dear President, Dear Chairwomen and Chairmen of the European Political Groups.

As organisations representing European citizens with disabilities as well those advocating for their rights, we are writing to you in support of placing the oral question on guardianship on the Plenary agenda of the next sittings of 15-18 January 2018.

The [Oral question O-000083/2017](#) registered on the 31<sup>st</sup> of October has received the support of 48 Members of the European Parliament and is now eligible to be debated in Plenary session.

Its focus is essential for people with disabilities: Guardianship laws restricting the legal capacity and autonomy of persons with disabilities are widespread in the EU.

**The deprivation of the right to make decisions (also called “legal capacity”) is experienced by millions of European citizens. People with disabilities of all ages are placed under Guardianship and this results in them not being able to make decisions about their own lives. Restrictions range from not being able to decide to marry the person they love; not being able to vote for elections or stand for public office -including EU elections-, owning a property or entering paid employment. Guardianship can make it impossible to lead an independent life in the community.**

**The denial of legal capacity is contrary to the United Nations Convention on the Rights of Persons with Disabilities, which the EU has ratified.** In 2015, the UN CRPD Committee recommended to the EU to ensure European citizens deprived of legal capacity can exercise *“all the rights enshrined in European Union treaties and in European Union legislation such as access to justice, to good and services, including banking and employment, and to healthcare, as well as voting.”* The European Parliament has a key role to play in ensuring that every European citizen can vote in the next EU elections and that no one is discriminated based on their disability.

The oral question offers an opportunity and a framework for highlighting this critical issue and for exploring how EU institutions can move forward on addressing it.



Following closely after the 4<sup>th</sup> European Parliament of Persons with Disabilities, it would send a strong signal that the European Parliament is serious in its efforts to involve people with disabilities and to address issues affecting their lives. The European Disability Forum manifesto on the election 2019 adopted during the event called on European leaders to support the replacement of *“existing legal capacity legislation, to comply with Article 12 of the UN CRPD and the General Comment No. 1 of the UN Committee on the Rights of Persons with Disabilities.”*

The European Parliament elections are just around the corner which brings an urgency to the issue. Therefore, we strongly encourage you to place the oral question on the Plenary agenda for the sittings of 5-8 February.

We are available to cooperate with you and support the EU in ensuring the rights of millions of European citizens.

Yours sincerely,

**Yannis Vardakastanis, EDF President**

**Maureen Piggot, Inclusion Europe President**

**Zara Todd, ENIL Executive Director**

**Nigel Henderson, MHE President**

**Zsuzsanna Szilvasy, Autism Europe President**