

# The EU Disability Card: State of play, implications, and the next steps



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### What is the current state of play?

On 8<sup>th</sup> February 2024, the Council of the EU and the European Parliament reached a provisional agreement on a final text for the EU Disability card. The Card will be recognised throughout the EU as proof of disability status and give equal access to people with disabilities visiting a country to special conditions and preferential treatment in public and private services. These services may include transport, cultural events, museums, leisure and sport centres, or amusement parks, among others. This is a step closer to cross-EU mobility for many people with disabilities in Europe, which can also facilitate access to social services, social protection and employment services in the future.

The legislative procedure is currently underway. Once the final text is formally approved, it will then be published in the Official Journal of the EU and become law – a Directive.

### What does it mean?

The EU Disability Card is a first step towards the mutual recognition of disability status across Europe. It aims to reduce discrimination and promote inclusion by granting benefits and advantages to persons with disabilities traveling within the EU, fostering participation in cultural, leisure, and sports activities. The nature of travel must be temporary, such as via tourism or short stay.

The purpose of the card is focused on providing access to persons with disabilities travelling to the same special conditions and preferential treatment of the residents of the country they visit. Concretely, if national persons with disabilities have priority access, access to assistance, or free entry to a museum, a European citizen with a disability will have the same right. The card gives a person special treatment if and where the service already gives one to nationals with disabilities.

Still, **there is an exception that can exclude certain services from the scope of the Card.** For example, for services where an assessment is needed to access the support/preferential treatment, it will be up to the member state to decide if this service will be applicable to those having an EU Disability Card.

For example, if in the transport service there is a discount for persons with disabilities without any further criteria or further assessment, then a European Disability Cardholder can access those special discounts or special treatment. But, if there is an additional process that the person needs to undergo to get this special treatment, then the European Disability Cardholders would not have access to it, as this falls under the exception. The Directive does not oblige service providers, including transport services, to have this kind of special treatment or these kinds of tariffs, so this is up to the service providers to do it. However, if they do it for nationals, they would need to do it for European Disability Cardholders.

### How will it work?

The Card will be issued by the member state of origin and used by persons with disabilities when traveling. One side of the Card is standardised at EU level, but the back is blank, so

Member States can decide to put their national card on it. The EU Disability Card will not distinguish between the type or level of disability to respect a person's privacy. Yet, an 'A' may be added for those needing increased support or personal assistance. This option is at the discretion of member states to show what a person is entitled to nationally, yet there is no guarantee that in the country one is visiting the same type of assistance would be available.

### **Implementation and Next Steps:**

The first step was the implementation of a pilot project in 8 countries (Belgium, Cyprus, Estonia, Finland, Italy, Malta, Romania, and Slovenia) and concerning services in leisure, culture, sport, and transport. Now, the EU Parliament is expected to formally adopt the card in April; otherwise, it will be adopted after the summer. Following this, MS will have 30 months to translate the text to national law and then 12 months to set it up, accounting to a total of 42 months from when the Directive enters into force.

The setup of the Card system may take a different timeframe in each Member State. Depending on the existing foundation of the card system, for example the piloting countries may already have in place a more adequate foundation than others. The European Commission will issue further legal acts to clarify the technical aspects of the Card, such as the EU level website and information regarding the digital versions of the card. In this period there can be no additions in the scope of the Card, but this serves as an additional technical measure. If everything goes as planned, it is expected that the Card will be fully available all over Europe by the end of 2027.

Important to note is that Directives are binding legislation, so all EU countries will have to transpose it to national law. National authorities in each member state will issue the card, maintaining responsibility for determining eligibility criteria for granting disability status and the application process. The card will be issued and renewed free of charge. A designated European online platform and national websites will be set up to provide information and facilitate card issuance and renewal. Safeguards to protect the Cardholders' privacy are also foreseen. It applies to both public and private service providers but only for short stays, with longer stays falling under national legislation. Persons with disabilities taking part in EU Mobility Programmes, such as ERASMUS+ or the European Solidarity Corps will also be entitled to use the Card to access services. Yet, the Card does not grant temporary access to disability support and allowance when persons with disabilities move to work abroad.

Disclaimer: The card will not change the way in which disability is assessed in each country, that remains up to national assessments, standards, and procedures. So, the way disability is assessed within Member States (MS) remains heterogenous; MS can decide to whom they will give the Card by defining the threshold of disability. Hence national councils must engage with national authorities when transposing law at national level to ensure wide scope of disability covered. Competence over who receives certain Social Security benefits or support remains at national level, so it is not affected by this new Directive either.

Funding: As of now, the legislation lacks provisions specifying how EU funds can be used to support development and roll out of the Card, as well as no specific budget is foreseen to cover the costs. However, MS can decide to allocate EU Funds to support its implementation.

## EU Parking Card:

Even though an EU parking card for people with disabilities already exists, it is not always recognised in other Member States due to differences in formats between countries. Hence, to ensure uniform implementation and mutual recognition across the Union, an improved version of the EU parking card with a common EU format will replace national cards. It will be issued by the Member States in physical format, with an option to voluntarily offer the card in a digital format too. Now there is also a limit set in place of the time that people needed to wait for the parking card – 90 days. This brings forth a clearer harmonisation of national systems. This development will not neither affect the national parking rules, nor the set of minimum quotas of parking spaces for disabled persons.

## Why does it matter for social services?

It is important that support and care service providers closely monitor the implementation of the EU Disability Card in their respective countries in the coming years.

It does not cover support services, such as employment, housing or social security protection and disability allowance schemes but it is a first step of cross-EU recognition of disability status. In the future it has the potential to also include these services and enable cross-EU mobility for many people with disabilities in Europe. However, if service providers are offering the services included in this Directive, they will need to provide the same special conditions or preferential treatment to other EU-based non-nationals with disabilities.

Service providers can also play a crucial role in informing the people with disabilities they support of their rights and on how they could benefit from this Directive. Every country will also have an information page about the Card and how it can be used.

## Conclusions:

The EU Disability Card marks a significant advancement in promoting the rights and inclusion of persons with disabilities within the EU. This is a step closer to cross-EU mobility for many people with disabilities in Europe, which can also facilitate access to social services, social protection and employment services in the future. This demonstrates the potential of further developments for support services in coming years, initiated by this Directive.

More information: [EU Disability Card - European Disability Forum \(edf-feph.org\)](https://edf-feph.org/)

## Case study

### **Example of Piloting EU Disability Card in Finland by TUKENA**

Finland has been one of eight pilot countries for the EU Disability Card. The EU Disability Card has been available in Finland since June 2018. Approximately 30 000 disability cards have been issued in Finland since then.

A large number of NGO´s/DPO´s, the Ministry of Social Affairs and Health, Kela (The Social Insurance Institution of Finland), the Finnish Institute for Health and Welfare and

various service providers have been actively involved in the development work since the beginning. In Finland, the EU Disability Card's day-to-day customer service and development work is coordinated by the Tukena Foundation in close cooperation with Kela. We support around 90 people every week in applying for and using the card, communicate about the possibilities of using the card, develop activities based on feedback and in cooperation with people with disabilities, NGO´s and service providers around Finland. This cooperation has contributed to the inclusion of people with disabilities and increased the knowledge of service providers on reasonable accommodations and ways on how to improve their customer service.

The experiences have been good, with customers highlighting, for example, that the EU Disability Card has made travelling in Europe easier and communication smoother in customer service situations. The forthcoming EU Directive on the Disability Card will further increase the possibilities. We look forward to working with other countries to develop the EU Disability Card!

*“The EU Disability Card has enabled trips and experiences that would not have been possible otherwise. When you know that you don't have to explain anything at the ticket office and no one asks for diagnoses, the barrier to participation is lowered considerably.” Holder of the EU Disability Card*

More information about the EU Disability Card in Finland:  
Petra Rantamäki, Development Director  
[petra.rantamaki@tukena.fi](mailto:petra.rantamaki@tukena.fi)  
<https://vammaiskortti.fi/en/frontpage/>