



Ombudsman inquiry into the use of EU funds in relation to institutional care, against backdrop of COVID-19 pandemic

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The Ombudsman opened an own-initiative inquiry into the role of the Commission in ensuring that member state governments use EU funds with a view to promoting independent living for persons with disabilities and older persons, and transitioning away from residential care institutions.

The inquiry takes place against the background of the COVID-19 pandemic, which had devastating consequences for people in these institutions.

The COVID-19 pandemic has refocused attention on the situation of people in residential care institutions, with evidence that insufficient steps have been taken to protect those in institutional care. In many member states, instead of prioritising emergency measures to reintegrate people into the community, many institutions were locked down, with devastating consequences.

‘Deinstitutionalisation’, or transitioning away from institutional care to enable individuals enjoy the right to independent living, is an objective set out in the UN Convention on the Rights of Persons with Disabilities, to which the EU is a party. The issue of deinstitutionalisation is relevant not only to persons with disabilities but also to older persons, and other vulnerable groups in institutional facilities.

If there had been greater progress towards deinstitutionalisation, some of the tragic



consequences of the pandemic on institutions could have been avoided. However, many EU member states have failed to move forward, with almost no drop in the numbers in institutional care over the past decade.

Against this background, the Ombudsman has decided to open an own-initiative inquiry into the role of the Commission in ensuring that member state governments use European Structural and Investment (ESI) funds with a view to promoting independent living for persons with disabilities and older persons.

While EU funds should not be spent on prolonging institutional care, the EU has been criticised by the UN for not preventing this. In previous complaint-based inquiries into EU-funded projects relating to residential institutions in Hungary and Portugal, the Ombudsman also emphasised that EU funds must be used to uphold the rights of the most vulnerable in our society.

As a first step in this new own-initiative inquiry, the Ombudsman has sent a series of detailed questions to the Commission. Given that the management of ESI funds is also the responsibility of national authorities and national ombudsmen can also deal with complaints about conditions in residential institutions, the European Ombudsman has invited members of the European Network of Ombudsmen to join this 'parallel inquiry'.