

How the European Commission monitors EU Structural and Investment funds to ensure they are used to promote the right of persons with disabilities to independent living and inclusion in the community

Case OI/2/2021/MHZ - **Opened on** 03/02/2021 - **Decision on** 27/04/2022 - **Institution concerned** European Commission (No further inquiries justified) |

The inquiry concerned how the European Commission monitors that Member States use EU Structural and Investment (ESI) funds to promote the right of persons with disabilities to independent living ('deinstitutionalisation'), and whether the Commission applies sanctions if they do not. Deinstitutionalisation is an objective of the UN Convention on the Rights of Persons with Disabilities, to which the EU is a party.

The Ombudsman found that the Commission could provide clearer guidance about the need to promote deinstitutionalisation in the context of the use of ESI funds. She also considered that the Commission could take steps to improve the monitoring of ESI-funded activities, and that it should take a more proactive role to enforcement, particularly where concerns are raised that ESI-funded activities are at odds with the obligation to promote deinstitutionalisation.

The Ombudsman closed the inquiry, making a series of suggestions for improvement aimed at improving the guidance issued by the Commission and the monitoring process.