



4.5.2021

NOTICE TO MEMBERS

Subject: Petition No 1027/2020 by W.R. (German) on the definition of blindness in the EU

1. Summary of petition

According to the petitioner, there is no uniform definition of blindness in the EU. To rule out discrimination when blind persons move from one Member State to another, and with a view to compiling accurate statistics, the EU should harmonise its definition of blindness on the basis of the World Health Organisation definition.

2. Admissibility

Declared admissible on 20 January 2021. Information requested from Commission under Rule 227(6).

3. Commission reply, received on 4 May 2021

The Commission's observations

The Commission attaches great importance to the situation of persons with disabilities in all Member States of the European Union. In accordance with, and within the limits of the powers conferred by the EU Treaties, the EU adopts the necessary measures for the inclusion of persons with disabilities in society and for the full recognition of their rights.

The EU and all its Member States are parties to the United Nations Convention on the Rights of Persons with disabilities. The concept of disability as mentioned in article 1 of the Convention (*Persons with disabilities include those who have long-term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others*) is therefore binding on all parties.

However, the Commission does not have, at this stage, the powers to set criteria for the recognition of the disability status and this includes the definition of blindness.

Coming to the specific question raised by the petitioner, the Commission is well aware of the different definitions of legal blindness used across the EU as well as of the definition of the World Health Organisation (WHO). However, neither there is an EU definition of blindness, nor is foreseen the adoption of the WHO definition, as the Member States remain competent to decide on their own definition of blindness, including the corresponding level of visual acuity.

Nevertheless, in order to collect accurate statistics, Eurostat uses the same questions and variables across Member States. This is the case of the European Health interview survey, which uses the same questions to collect data on the prevalence of visual impairments and blindness. This does not however relate to the harmonization of the definition of legal blindness in the EU for the purpose of the recognition of a disability or being eligible for disability benefits.

In order to improve the situation of persons with disabilities when they travel or move between EU countries, the Commission will work with Member States to expand the scope of the mutual recognition of disability status in areas such as labour mobility and benefits related to conditions of service provision¹. The Commission will propose as a Flagship initiative the creation of a European Disability Card by end of 2023 in a view to have it recognised in all Member States. This initiative will build on the experience of the ongoing EU Disability Card pilot project² and upon the European parking card for persons with disabilities.

The Commission would also like to highlight the concrete support offered to persons with disabilities, including blind and partially sighted persons, through EU-level accessibility legislation³ and standardisation work⁴ (e.g. with standard EN 301 549 on *Accessibility requirements suitable for public procurement of ICT products and services in Europe*) as well as through EU-funded projects⁵.

Finally, the Commission invites the petitioner to consult the documentation made available by the European Blind Union (EBU), an EU-level organisation financially supported by the Commission, representing blind and partially sighted persons. EBU has compiled facts and figures on visual impairments across the EU, which are available at

¹ As announced in the [Strategy for the Rights of Persons with Disabilities 2021-2030](#), adopted on 3 March 2021.

² [EU Disability card: pilot project in 8 Member States](#) (Belgium, Cyprus, Estonia, Finland, Italy, Malta, Romania, Slovenia).

³ Directive (EU) 2019/882 of the European Parliament and of the Council of 17 April 2019 on the accessibility requirements for products and services (Text with EEA relevance), *OJL 151*, 7.6.2019, p. 70–115;

Directive (EU) 2016/2102 of the European Parliament and of the Council of 26 October 2016 on the accessibility of the websites and mobile applications of public sector bodies (Text with EEA relevance), *OJL 327*, 2.12.2016, p. 1–15;

Directive (EU) 2018/1808 of the European Parliament and of the Council of 14 November 2018 amending Directive 2010/13/EU on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the provision of audiovisual media services (Audiovisual Media Services Directive) in view of changing market realities, *OJL 303*, 28.11.2018, p. 69–92.

⁴ E.g. with [standard EN 301 549](#) on "Accessibility requirements suitable for public procurement of ICT products and services in Europe".

⁵ See for instance <https://ec.europa.eu/digital-single-market/en/eu-funded-research-projects-technologies-accessibility>.

<http://www.euroblind.org/about-blindness-and-partial-sight/facts-and-figures> and which include statistics and definitions.

Conclusion

The Commission is not in a position to follow up on the issue raised by the petitioner, as the matter referred to in the petition is mostly related to national competences. However, it invites the petitioner to take note of the information provided above, including on initiatives aimed at improving the situation of visually impaired persons and more in general of persons with disabilities, in particular in relation to recognition of the disability status and mobility across the EU.