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FOSTERING CULTURAL PARTICIPATION OF PERSONS WITH DISABILITIES IN THE EUROPEAN UNION: WHAT IS THE POTENTIAL OF THE RECOVERY AND RESILIENCE FACILITY?

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Persons with disabilities in the European Union (EU) have the right to participate in cultural life on an equal basis with others. Such right entails two individual dimensions - persons with disabilities are entitled both to access the arts and other cultural content, and to develop and utilise their creative and artistic potential (Ferri and Leahy, 2025). This right is captured under the broad wording of the principle laid out Article 26 of the Charter of Fundamental Rights (CFR) which guarantees that persons with disabilities benefit from measures that promote their social integration and participation in community life. It is also established in Article 30 of the UN Convention on the Rights of Persons with Disabilities (CRPD), which the EU has concluded in 2010 and is currently implementing.

As yet, the right to participate in cultural life has not been at the forefront of EU action in the implementation of the CRPD. However, differently from the European Disability Strategy 2010-2020, the Strategy on the Rights of Persons with Disabilities 2021-2030 does mention Article 30 CRPD. In particular, the European Commission has set out to conduct a study on

the implementation of this provision in the EU, signalling the importance and certain prioritization of the right to cultural participation for persons with disabilities. Further, while the EU has *prima facie* only supporting competence in implementing Article 30 CRPD, and cultural policy rests primarily in the hands of Member States, several instruments have so far addressed cultural participation of persons with disabilities. For example, an array of legislation mandates accessibility of certain cultural goods and services (Ferri, 2023), and various funding instruments have addressed cultural participation of persons with disabilities (Ferri, 2025). Among the latter, one instrument that has attracted less scholarly attention but may have, at least in principle, transformative effects in the implementation of Article 30 CRPD is the relatively recent and highly debated Recovery and Resilience Facility (RRF). This post discusses the extent to which the RRF has supported, and may support in its last phase of deployment, cultural participation of persons with disabilities. Given that the mid-term evaluation of the RRF was completed and published in late 2024, the time seems ripe to take stock of the role of the RRF so far and on its future potential. In fact, the RRF is set to continue until the end of 2026, and, while primarily geared towards redressing the societal effects of the pandemic, it may prove an essential tool to create a more disability-inclusive EU.

The RRF has been central to post-pandemic recovery efforts, directing unparalleled financial resources towards economic and social resilience. It is the 'centrepiece' of the *Next Generation European Union* (NGEU), which has 'increase the level of solidarity between member states', and has lead 'towards an embryonic federalisation of economic policy at supranational level' (Fabbrini, 2022). The NGEU was agreed in 2020, with most funds assigned by means of the RRF (although NGEU has also reinforced other EU programmes and financial instruments). Without engaging a lengthy legal analysis, the RRF, which is based on a regulation adopted by the Council and the European Parliament, allows the Commission to offer grants and loans to support reforms and investments in the EU Member States to make their economies and societies more sustainable and resilient. RRF funds are provided on the basis of national Recovery and

Resilience plans, which align with environmental and digital transition objectives. The RRF Regulation (Article 3) identifies six policy areas, including those of green transition (usually referred as pillar 1), digital transformation (pillar 2), smart, sustainable, and inclusive growth (pillar 3), and social and territorial cohesion (pillar 4), which are particularly relevant to cultural participation of persons with disabilities as they may support accessibility and inclusivity of the cultural and creative sectors. Further, the RRF Regulation requires national plans to place emphasis on the extent to which they contribute to equal opportunities for all (Article 18).
To date, the RRF has in fact contributed to funding cultural and creative initiatives in the EU. A Thematic Analysis published in 2024 shows that €11.7 billion was allocated to culture and creative industries across 18 Member States. Further, the European Commission (EC) reported that, in 2022, 5% and, in 2023, 4% of the RRF funds allocated to smart, sustainable and inclusive growth were directed to the cultural sector. In addition, under pillar 2, Belgium Slovenia, Portugal and Spain planned to invest in the digitalisation of media and cultural services, with that investment also enhancing accessibility of cultural heritage. Under pillar 3, some Member States intend to introduce measures to support the status of artists and cultural workers. For instance, Czechia aims to formally recognise the status of artists and will undertake necessary legislative changes to that end. In Spain, authorities plan to conduct reform of labour law and tax law to improve the status of artists and counter precarity. While not targeted to artists with disabilities, these initiatives might still have positive effects in stimulating their participation and in making the cultural and creative sectors more inclusive. However, as discussed elsewhere, barriers encountered by artists with disabilities are multifaceted and these general reforms should be coupled with bespoke policies that address the disability employment gap in the cultural sector. Some other actions supported by the RRF under pillar 1 include the introduction of minimum environmental requirements for cultural events. While not targeted to enhance inclusion of persons with disability, these requirements often encompass accessibility measures. This is the case of Italy, which in supporting the green transition also aims to remove ‘physical barriers in

museums, libraries and archives, to enable wider access to and participation in culture'. The same Thematic Analysis shows that several Member States supported the creation and production of accessible cultural content. For example, Latvia has planned to increase cultural accessibility for persons with disabilities, while Italy has implemented the removal of physical and cognitive barriers, with comparable measures being deployed by Greece, Czechia, and Belgium.

Overall, the activities mentioned suggest that RRF-funded measures have been an important tool to support inclusivity in the cultural and creative sectors across the Member States. As mentioned, while not all funded actions were targeted at persons with disabilities, most have benefitted or are likely to benefit audiences with disabilities, and, albeit to a more limited extent, artists with disabilities. In that regard, current RRF assessments and analysis as well as national plans themselves seems to show a focus on **access to cultural content for persons with disabilities and accessibility for audience, rather than a broader approach to cultural participation. In that regard, Member States seem to lag behind in fostering participation of creators with disabilities. Further,** current RRF assessments and analysis anecdotally suggest that the RRF has been important to support the implementation of Article 30(1) CRPD -which focuses on access to cultural goods services and heritage – but it is falling short of playing a transformative role in relation to the other individual dimension of cultural participation - that of creation protected by Article 30(2) CRPD.

Given that the RRF is in its final phase, it would be important for Member States and the Commission alike to ensure that national actions address Article 30 CRPD in its entirety. Pillar 3 could, in particular, provide a significant avenue for more targeted actions that support artists with disabilities. The other pillars 1 and 4 could support renovations that fully address accessibility for artists (e.g., accessibility of backstage of theatres) and festivals, exhibitions, and performances where person with disabilities are showcased as artists. All in all, it remains to be seen whether the RRF facility will actually display its full potential in advancing the right of persons with disabilities to participate in culture, in fulfilling

CRPD obligations and will ultimately ‘give flesh’ to Article 26 of the Charter of Fundamental Rights.

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