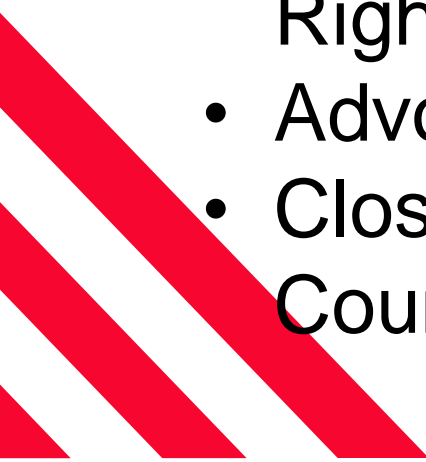EUROPEAN
DISABILITY
FORUM

Accessibility of Information and Communication Technologies

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ICT Accessibility Workshop, Budapest, 13 November 2017

About the European Disability Forum

- Umbrella organisation
- 80 million Europeans with disabilities in Europe (15% EU population)
- Organisation **of** persons with disabilities, **run by** persons with disabilities
- Fight against discrimination and promote the Human Rights of persons with disabilities
- Full implementation of the UN Convention on the Rights of Persons with disabilities
- Advocacy organisation at European level
- Closely work with the European Union, the Council of Europe and the United Nations

ICT as key enabler for persons with disabilities (1/2)

- Gateway to social participation and independent living
- Overcome existing barriers
- More easily adaptable
- Mainstream and assistive technologies / solutions
    - Triple A conditions:
        - available,
        - affordable
        - accessible

ICT as key enabler for persons with disabilities (2/2)

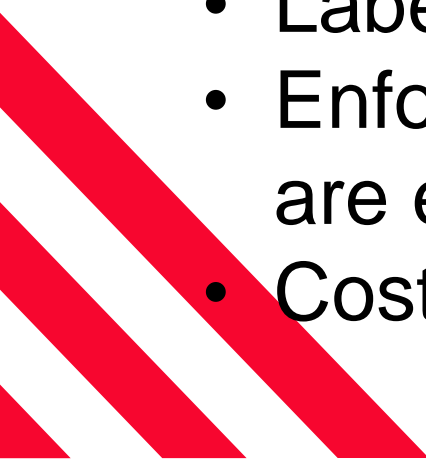ITU – "[The ICT opportunity for a disability-inclusive development framework](#)". The most valuable areas:

- Web

- Mobile

- Audiovisual media

Now everything converges!

Barriers:

- Cost of assistive technologies
- Lack of **accessible** ICT goods and services

Accessibility

- Non-discrimination
- Beneficial to all
- Is not black or white (nor a backyard entrance!)
- Soft approach to accessibility failed
- Accessibility is not sufficiently addressed in national legislations in many EU countries
- Legislation is essential and standards are needed, including on quality aspects
- Labels and raising awareness help
- Enforcement, monitoring and redress mechanism are essential
- Cost-effective when incorporated from the outset

EDF twin track approach to EU policy

1. Disability specific (empowerment):
   - Web Accessibility Directive
   - European Accessibility Act

2. Societal (mainstreaming disability)
   - Audiovisual Media Services Directive
   - European Electronic Communication Code (Directive)

   Accessibility should be a core aspect of the ICT like privacy, data protection or security

UN CRPD & ICT

- 1st International Human Rights Treaty addressing ICT

- Ratified by the EU in 2010, and 27 Member States

- Article 3: Accessibility as a General Principle

- Article 9 on Accessibility "on an equal basis with others", including to ICT

- Article 21 on Freedom of expression

- Article 30 on Participation on cultural life

See: CRPD Committee General Comment nº 2

Key EU initiatives for ICT accessibility

1. [Web Accessibility Directive (adopted)](#)

2. Audiovisual Media Services Directive (in progress). [EDF agreement with public and commercial boradcasters](#)

3. European Accessibility Act (in progress)

4. European Electronic Communication Code (in progress)

5. [European Standard EN 301 549](#) on ICT accessibility (under revision)

European Accessibility Act

UN CRPD Article 9 Accessibility:
"State Parties shall also take appropriate measures (…) to ensure that **private entities** that offer facilities and services which are open or provided to the public take into account all aspects of accessibility for persons with disabilities"

Proposal for a **European Accessibility Act**

- Directive with legal base of Internal Market
- Mainstream products and services covered
- Disproportionate burden and fundamental alteration
- Use of harmonised standards or Common Technical Specifications
- Implementation and enforcement mechanisms by market surveillance authorities
- CE marking
- Functional specifications (accessibility requirements)

Scope of the European Accessibility Act

- Computers and operating systems
- ATMs, ticketing and check-in machines
- Telephony services and smartphones
- Audiovisual media services and TVs
- Services related to air, bus, rail and waterborne passenger transport
- Banking services
- e-books
- e-commerce

Complementing other EU legislations:
- Public Procurement Directive
- Structural Funds
- Trans-European Transport Networks

EDF position

- Crucial step towards end-to-end accessibility
- Limited scope: Built environment, transport, household appliances
- Clarification of exemptions (Art. 12)
- Participation of Disabled Persons' Organisations (DPOs)
- More robust and clearer accessibility requirements
- Complementing sectorial legislation (AVMSD, EECC, etc.) on **how** to fulfil their accessibility provisions

Parliament position adopted on September 14

- Blanket exemption of microenterprises

- Audiovisual Media Services out (only webs and mobile apps). TV specific requirements as examples

- Reinsertion of the link to other Union Acts

- Inclusion of built environment when new or substantially renovated

- Broadened scope for transport services

- Enhanced enforcement mechanism

Example: Accessibility requirements for telephony & emergency services (1/2):

- Products shall comply with accessibility requirements (both general & specific)
- Information about the functioning of the service and about its accessibility characteristics
- Content information
- Websites and mobile apps
- Information on complementarities with assistive services

Example: Accessibility requirements for telephony & emergency services (2/2):

- Functions, practices, policies and procedures and alterations in the operation of the service targeted to address the needs of persons with functional limitations *and ensure interoperability; which must be achieved by supporting voice, video and real time text communication, alone or in combination (total conversation), between two users, or between a user and an emergency service*.

Electronic Communications

UN CRPD Article 9 on Accessibility:
"Information, communications and other services, including **electronic services and emergency services**"

The EU electronic communications framework

2009 revision – success of the disability movement

- Good example of mainstreaming disability in EU legislation
- Follows the UN CRPD
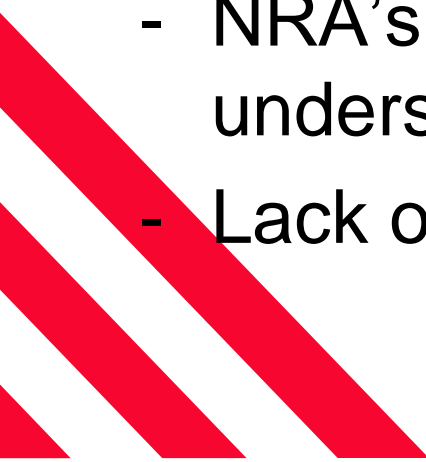
Article 23a of the Universal Service Directive

Equal <u>access</u> and <u>choice</u> to, and affordability of:

- **Electronic communication services "equivalent to that enjoyed by the majority of end-users"**
- **Terminal equipment**

Further barriers encountered by EDF members:

- Lack of interoperability and common approach towards the accessibility provisions of the 2009 Telecoms Package

- PwD living in remote areas – less choice of accessible services and/or not aware of the their availability

- Lack of accessible mainstream products

- Lack of involvement of organisations representing persons with disabilities in the NRA's

- Non-accessible information, e.g. websites of Telecoms providers – no requirement by NRA's

- NRA's lack of guidance for users and providers in understanding accessibility provisions

- Lack of regular monitoring regarding accessibility

EDF objectives for the European Electronic Communication Code (EECC) Recast

1. Equal access and choice for end-users with disabilities

2. Availability and interoperability of Total Conversation (voice, video and RTT) across the EU

   - It's not about voice communication anymore! Real Time Text (RTT), another way of calling, a reality in the US

2. Availability, affordability and compatibility of

   - Text relay services

   - Video relay services

   - Assistive technologies

3. Affordability of electronic communication services

4. 112 and 116000 services on equal basis with others

5. Must carry obligations for TV access services

EECC vs EAA:

EECC	EAA
Availability & affordability of <u>special</u> equipment	Accessibility requirements for <u>mainstream</u> products (smartphones). E.g. able to support Total Conversation
Availability & affordability of <u>Universal Services obligations</u> + Total Conversation + TRS and VRS Accessible 112 services across EU	<u>Harmonised functional accessibility</u> requirements for those
Interoperability for RTT and video call through NRA action	Interoperability for RTT through <u>Harmonised Standards (preferred)</u>
NRA's tasks regarding equal access and choice for end-users with disabilities	Accessible Information, websites and mobile apps of electronic communication providers

THANK YOU

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