EUROPEAN
DISABILITY
FORUM

Accessible Communication Today!

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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
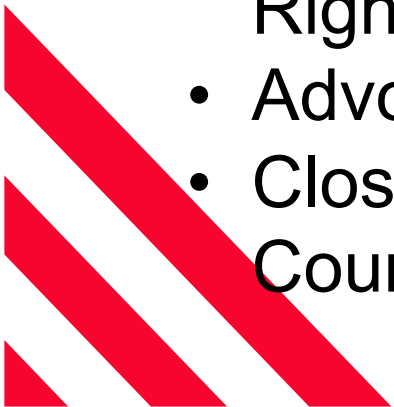
UN Convention on the Rights of Persons with Disabilities and ICT

- 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](#)

EDF twin track approach to EU ICT policy

1. Disability specific (empowerment):
   - [Web Accessibility Directive (adopted)](#) – [EDF Toolkit](#)
   - European Accessibility Act

2. Sectorial (mainstreaming accessibility)
   - Audiovisual Media Services Directive
   - European Electronic Communications Code (Directive)

**Accessibility must be a core aspect of
Information & Communication Technologies (ICT)**

What do we want?

Available, affordable and accessible technologies

1. Comprehensive EU legislations ensuring end-to-end accessibility in ICT products and services

2. Unambiguous accessibility requirements

3. EU legislations to complement each other:
   - What / Obligations → Sectorial Legislation
   - How / Accessibility Requirements → Horizontal legislation
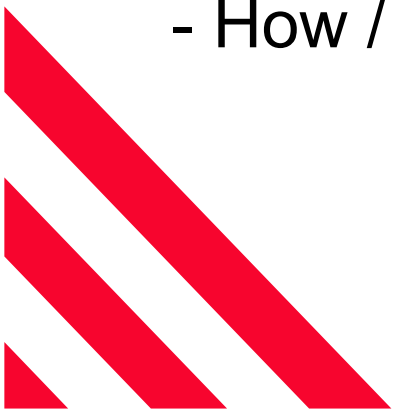
Audiovisual Media Services Directive (AVMSD)

UN CRPD Article 30 Participation in cultural life, recreation, leisure and sport:
"States Parties recognize the right of persons with disabilities to take part on an equal basis with others in cultural life, and shall take all appropriate measures to ensure that persons with disabilities: (…) enjoy access to television programmes, films, theatre and other cultural activities, in accessible formats".

Media accessibility in the AVMSD

Recital 46: (…)The means to achieve accessibility should include, but need not be limited to, sign language, subtitling, audio-description and easily understandable menu navigation

Article 7. "Member States shall *encourage* media service providers under their jurisdiction to ensure that their services are gradually made accessible to people with a visual or hearing disability"

Article 9.c(ii): anti discrimination on the grounds of disability in commercial communications

What is the overall situation?

- Implementation of art. 7 differs broadly

- Few countries provide the four basic access services:

  - Subtitles for the deaf and hard of hearing

  - Audio description

  - Spoken subtitles

  - Sign language interpretation

- Commercial channels lagging behind

- Video on-demand less accessible

- Electronic Programme Guides (EPG) inaccessible

- Online platforms not enabling access services

- More devices enabling access services but no accessible content to render
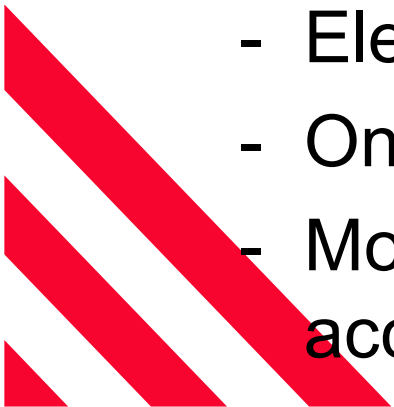
AVMSD revision. Article 7 provisional agreement:

1. Member States **shall develop measures to ensure** that services provided by media service providers are made **continuously** and **progressively** more accessible to persons with disabilities, **in consultation with DPOs.**
2. AVMS providers to report annually
3. Accessibility action plans by each AVMS provider
4. Commission and Regulatory Authorities to exchange best practices and quality aspects
5. Accessible emergency information

Recital 38a mentions the four access services:

(Based on EDF agreement with EBU and ACT)

European Electronic Communications Code (EECC)

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
- Huge differences in implementation

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**

Problems encountered by EDF members:

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

- Lack of accessible mainstream products

- Lack of accessible telephony services across the EU

- Inaccessible emergency communications (112 number)

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

- Lack of involvement of organisations representing persons with disabilities in the National Regulatory Authorities

- Non-accessible information, e.g. websites of Telecoms providers

- Lack of regular monitoring regarding accessibility
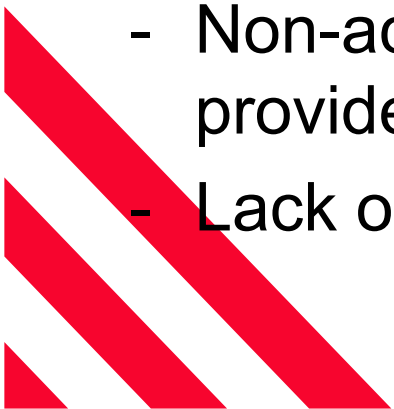
EDF objectives for the European Electronic Communication Code (EECC) Recast

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	EAA
Availability & affordability of <u>special</u> <u>equipment</u> (e.g. assistive devices for deafblind users)	Accessibility requirements for <u>mainstream</u> products (smartphones supporting RTT and TC)
Availability & affordability of <u>Universal Services obligations.</u> - Video and Text Relay Services	<u>Harmonised functional accessibility requirements</u> to be deployed in Harmonised European Standards. Interoperability and alignment of accessibility features
<u>112 emergency obligations</u>: - Information on availability - Advanced mobile location - Interoperable with relay services	Harmonised requirements for designated <u>emergency centers</u> to answer with RTT and TC
NRA's tasks regarding equal access and choice for PwD	Accessible Information, websites and apps of economic operators

European Accessibility Act (EAA)

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"

Parliament position – See EDF analysis

- Audiovisual Media Services limited to websites and mobile applications (no audiovisual content)

- Audiovisual Media Products (TVs) covered but with vague requirements

- Telephony and Emergency Services well covered

- Telephony products (smartphones) well covered

Parliament position – See **EDF analysis**

- <u>Functional performance criteria</u>:
  "*Usage with limited hearing. Where the product provides auditory modes of operation, it shall provide at least one mode of operation with enhanced audio features*" – **Not enough!**

- We need <u>sector specific accessibility requirements</u>:
- Telephony services and products: interoperable RTT & TC, also with emergency services, and ensuring effective wireless coupling to hearing technologies
- AVMS products (TVs) – only examples!

Council position – See EDF analysis

- Audiovisual Media Services limited to aspects not covered by the AVMSD (broader than the EP)

- Audiovisual Media Products (TVs) well-covered

- Telephony services well covered
- **Emergency centers not covered (!!!)**

- Telephony products (smartphones) well covered

- No explicit mention of hearing technologies

7 priorities for the EAA in 2018

1. Public procurement
2. Built environment
3. Microenterprises
4. Self-service terminals
5. Emergency centers (PSAPs)
6. Transport services
7. Audiovisual Services

Contact your national government!

THANK YOU

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