



The European Accessibility Act

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The EU and the UNCRPD

30 March 2007: the European Community signs the UN Convention on the Rights of Persons with Disabilities (UNCRPD)

Conclusion and Optional Protocol 2008 proposal????

26 November 2009: Council Decision on the conclusion (ratification) of the UNCRPD by the EU

Adoption of the **European Disability Strategy 2010-2020**

22 January 2011: entry into force of the UNCRPD for the EU

August 2015: Dialogue with UN Committee on the implementation of the UNCRPD by the EU

September 2015: UNCRPD recommendations to the EU (Concluding Observations)

February 2017: Publication of progress report on the implementation of the European Disability Strategy 2010-2020 – includes an overview of the UNCRPD recommendations' implementation



Concept of disability

The UN Convention recognises that **disability** is an **evolving concept**

“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”

(Article 1 UN CRPD)



ACCESSIBILITY

EC European Disability Strategy 2010-2020

*"The Commission proposes to **use legislative and other instruments as standardisation**, to optimise the **accessibility** of the built environment, transport and ICT [...]. Based on smarter regulations principles, **it will explore the merits of adopting regulatory measures** to ensure accessibility of products and services, including measures to step up the use of **public procurement**[...]. Following further consultations with Member States and stakeholders, the Commission will consider whether to **propose a European Accessibility Act.**"*



Why an European Accessibility Act?

Legal obligations

- The UN Convention on the Rights of Persons with Disabilities (UNCRPD) entered into force for the EU in 2011
- Its obligations increase the risk of divergent accessibility legislations in MS
- The EAA helps to implement the obligations of article 9 on Accessibility
- Opening markets for being ready for global competitiveness



What is covered under the EAA?

- Accessibility requirements for carefully selected products and services
- Same accessibility requirements to be used in other EU law (for example Public Procurement)



Products & services in the scope of the EAA

- Computers and operating systems
- ATMs, ticketing and check-in machines
- Telephones and smartphones
- TV equipment related to digital television services
- Telephony services and related equipment
- Audio-visual media services (AVMS) and related equipment
- Air, bus, rail and waterborne passenger transport services
- Banking services
- E-books
- E-commerce



How does the EAA interact with other EU law?

- **Same accessibility requirements as in existing EU law:**
 - Public procurement
 - Structural and investments funds
 - Tenders for public passenger transport services
 - Transport infrastructure



What does the **European Accessibility Act** propose?

- **Functional accessibility requirements**
- **Free movement of products and services** meeting the accessibility requirements
- **Self-declaration of conformity** (lightest option)
- **Market surveillance**
- **Defines accessibility** under already existing obligations in other EU law

What the EAA does NOT do?

- **does not prescribe** to the level of technical details how to render a product or service accessible.
- **does not set obligations** for **all** manufacturers and service providers
- **does not impose burdensome requirements**
- **does not amend** existing EU sectorial legislation on accessibility



Accessibility related standardization work at EU level

Mandate 376 - 554: *Accessibility requirements for public procurement of products and services in the **ICT** domain*
EN 301 549

Mandate 420: *Accessibility requirements for public procurement in the **Built Environment** (including **transport infrastructures**)*

Mandate 473 to:

- **include Accessibility following Design For All in relevant standardization activities**
- **Develop standards addressing accessibility following Design for all in the manufacturing and service delivery processes.**

Cooperation with the US



What is the timeline for implementation?

- Transposition period -> Two years after entry into force
- Enter into application -> Six years after entry into force
- Implementation report -> Five years after application



Useful weblinks

European Disability Strategy 2010-2020: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2010:0636:FIN:EN:PDF>

Initial plan to implement the Strategy: List of Actions 2010-2015: <http://eurlex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:52010SC1324:EN:NOT>

United Nations Convention on the Rights of Persons with Disabilities: <http://www.un.org/disabilities/>