



Raising standards for consumers

POSITION PAPER

ANEC Response to the EC Public Consultation on the Web Accessibility Directive



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ANEC Response to the EC Public Consultation on the evaluation of the Web Accessibility Directive

Our response on the European Commission public consultation 'Accessible web & digital content for people with disabilities – review of EU rules' is particularly focused on the second part (specific questions) referring to standards.

ANEC has contributed to the elaboration of the Harmonised Standards supporting the implementation of the Web Accessibility Directive (Directive (EU) 2016/2102). ANEC has also been involved in the drafting of the implementing acts linked to the Directive.

As increasing number of public services are delivered online, inaccessible websites or other platforms limit or impede access to public services for consumers who use assistive technology to access digital content. As demonstrated by the pandemic crisis, access to digital (public) services might be the only way to continue to conduct our lives of citizens or consumers. Public sectors organisations have the role of ensuring that all citizens and consumers can access relevant information and services, even more in emergency situations. The exclusions of certain services from the scope of the Directive should be reconsidered. For instance, the lack of accessibility of several COVID apps (used by consumers on smart phones) is unacceptable.

The Web Accessibility Directive makes use of Harmonised Standards to provide a presumption of conformity with its essential requirements. The standards ensured the free movement of web accessibility products and services in order to provide a high level of consumer protection and remove barriers both for consumers and for traders. Constant updates to cover new technologies are needed for the standards to continue to function as a harmonisation factor in the Internal Market.

We live in an era of technological convergence, so there is an urgent need to fully address e-accessibility across all platforms and to therefore ensure that all services are accessible. There is also a need to ensure that audio-visual content is accessible. There is a clear need to deliver a single market of accessible mainstream ICT goods and services by eliminating the differences in specifications. This is the only way to guarantee a level playing field for economic operators (e.g. web design companies, software developers, etc.) who would then be able to develop and commercialise websites and related services across EU member states.

As a consumer organisation, we believe that consumers should be able to use all the services for their everyday activities, irrespective of their ages and abilities. However, any list of goods and services is likely to omit some and will exclude future services. Moreover, accessibility of a particular service is likely to be dependent on the accessibility of another service.

While the Directive harmonised the requirements for web accessibility across Europe, Member States have implemented these requirements in different ways. Beyond having to adopt national laws, regulations and administrative measures to transpose the obligations of the Directive into national law, Member States must take measures to further improve web accessibility. There is not a lot of information about the measures

taken to promote and facilitate training programmes for relevant stakeholders and staff of public sector bodies.

The efficiency of any legal framework on products and services depends on the ability of the European Commission and Member States to identify and recognise problems associated with inaccessible products or services. An effective market surveillance is an absolute prerequisite to identify and address problems. Dissuasive financial penalties could be a very effective instrument, as well as tax incentives for compliant products and services.

ENDS



ANEC is the European consumer voice in standardisation, defending consumer interests in the processes of technical standardisation and the use of standards, as well as related legislation and public policies.

ANEC was established in 1995 as an international non-profit association under Belgian law and is open to the representation of national consumer organisations in 34 countries.

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