



The European consumer
voice in standardisation

Joint ANEC – EDF Position on e- Accessibility

ANEC/EDF — December 2007

“In the development and implementation of legislation and policies to implement the present Convention, and in other decision-making processes concerning issues relating to persons with disabilities, States Parties shall closely consult with and actively involve persons with disabilities, including children with disabilities, through their representative organizations.”

Article 4, paragraph 3 of the Convention on the Protection and Promotion of the Rights and Dignity of Persons with Disabilities

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1. Background

In September 2005, the European Commission issued an eAccessibility Communication¹ calling for a better coordinated action to ensure the accessibility to Information Communication Technologies. It said that while continuing to support on-going measures such as standardisation and research, the Commission would foster the use of three policy levers available to Member States:

- Accessibility requirements in public procurement tenders in the ICT domain
- Exploring the benefits of certification schemes of accessible ICT products
- Making better use of existing eAccessibility legislation

Moreover, the Commission launched a study of two years to measure the degree of accessibility of ICT products and services across Europe. If the results were not satisfactory, the Commission advised that additional legislation would be considered. In November 2007, the first study results showed an overall lack of progress.

Following this, in 2006, eAccessibility became part of the eInclusion pillar of the "i2010 – A European Information Society for growth and employment" initiative which aims to address the main challenges and developments in the Information Society and media sectors up to 2010.

eAccessibility is one of the pillars of e-Inclusion. While the latter aims at preventing the so called "digital divide", e-Accessibility deals mainly with access to Information Society by people with disabilities and ageing people.

In 2008, the European Commission intends to issue a new European e-Inclusion policy encompassing both inclusive ICT and the use of ICT to overcome exclusion. The first step was the adoption of the Communication "European i2010 initiative on e-Inclusion - to be part of the information society" in November 2007 which warns that, if current trends continue, it will be very difficult to achieve most of the 2006 Riga Ministerial Declaration targets at the overall EU level².

ANEC and EDF have decided to join forces to contribute to this initiative by assessing whether the current European Communities regulatory and policy framework is delivering the accessibility of ICT products and services that consumers expect. With this contribution, we examine the impact of existing mechanisms and suggest new measures to ensure eAccessibility.

¹ COM(2005) 425 adopted on 13.09.2005

² COM(2007) 694 final.

2. Preface

2.1. A word from Ms Meglena Kuneva

“The Information Society has created tremendous opportunities for everyone. Internet has brought down space and time constraints and as such, it has the great potential to improve consumers' welfare, by making available a great range of products, boosting price competition and developing new markets.

For people with disabilities, information and communication technologies should be, by definition, free of prejudice, physical and infrastructure barriers. They should be the place of full participation and equality of all. And yet, millions of persons with disabilities still cannot reap the benefits of the internet.

All consumers, including disabled consumers, should be empowered to become the drivers of consumer protection in the 21st century. Empowered consumers need full access to adequate information in order to make informed choices; they need effective protection and solid rights to become confident users of new technologies.

In its Communication adopted in 2005 the Commission clearly stated that "E-accessibility is a social, ethical and political imperative". We need to work constantly to this goal. This document, that I have the honour to present, is the result of the common effort by two organizations representing the interests of disabled people and the interests of consumers in standardisation. It is an excellent example of how cooperation across different interest sectors can bring together common consumers concerns and show the way forward to address them. My hope is that this "inclusive method" of cooperation helps us to achieve the vision of a people-centred information society and ultimately ensure that people with disabilities can fully play their role in it”.

Meglana Kuneva
European Commissioner for Consumers

2.2. A word from Ms Viviane Reding

“Information and communication technologies (ICT) are not only the necessary means for actively participating in the information society. They also present key opportunities for people with disabilities to access all services with potentially simpler and adapted interfaces. ICT can really make the difference for the social and economic inclusion of a very large part of the European society that have some forms of disability.

However, for all users to make the most of the information society, technologies and services need to be accessible and barrier-free. e-Accessibility is therefore a key enabler of the right to fully participate in the information society and hence in the economy and society of today. Moreover, accessible ICT will benefit users such as older people and is becoming even more important with the demographic ageing.

Despite promising efforts from industry and the economic potentials of a more inclusive information society for business and users, e-Accessibility is not yet a reality. Legislative approaches are fragmented across Europe and relevant EU provisions are implemented inconsistently or not at all. This hinders common e-Accessibility features to the detriment of many users and of the ICT industry, which is confronted with fragmented markets and an increasing diversity of requirements.

To advance e-Accessibility, the “European i2010 initiative on e-Inclusion - to be part of the information society” adopted on 8th November 2007, marks an important step towards a truly inclusive information society.

It will encourage the all parties to quickly come forward with privacy-friendly solutions for persons with sensory, physical, motor and/ or cognitive restrictions such as for accessible digital TV, electronic communications, enhancing access to emergency services and interoperability.

It will promote active cooperation between industry and users in standardization activities and in supporting the practice of Inclusive ICT Design.

It encourages users and industry in 2008 to actively and constructively work with the Commission towards a horizontal legislative approach for a truly and accessible and inclusive information society “.

We have all the means in our hands to make e-Accessibility a reality to the benefit of people with disabilities in Europe and our economy and society at large. We can do it, so let's do it!”

Viviane Reding – European Commissioner for Information Society and Media

3. Executive Summary

This joint ANEC/EDF position paper expresses our views on the accessibility of Information Communication Technologies (ICT) products and services by consumers of all ages and abilities. We suggest a number of policy measures meant to contribute to the current debate on eAccessibility. In particular, we would like to contribute to the European Commission e-Inclusion Initiative in 2008, by calling for:

- the adoption of a comprehensive directive fighting discrimination against persons with disabilities. This would be a key step in complying with the requirements set out in the UN Convention on the Rights of Persons with Disabilities and providing a general framework for eAccessibility-related initiatives in the EU;
- using the opportunity provided by the ongoing review of the regulatory framework to co-ordinate the approach to electronic communications services and equipment, address accessibility of both networks *and* services and adapt Universal Service to technological and societal change in order to include access from any location;
- the application of the provisions of the R&TTE Directive (art 3.3 f) to ensure that real-time text conversation is accessible on all terminals within the scope of the Directive³. We also call on the Commission to mandate standards to be used by operators and service providers in order to implement these accessibility requirements;
- the transposition of the Audiovisual Media Services Directive and the implementation of its accessibility provision for Digital Television;
- assessing the need for legal web accessibility provisions against the evidence of barriers experienced by consumers with disabilities in using the Internet and extend the definition of 'public websites' to websites of entities that provide basic services for the public such as public transport operators, gas/electricity providers, banking, social security, etc;
- strengthening public procurement rules and making accessibility requirements mandatory in public tendering by using European Standards to in define accessibility requirements in public procurement contracts;
- a horizontal legislative framework addressing the accessibility of ICT products and services not covered by sectoral legislation. Such a framework should make use of the comitology procedure and be complemented by a stakeholder review process. This framework could then be underpinned by formal standardisation;

³ Directive 1999/5/EC on Radio Equipment and Telecommunications Terminal Equipment and the mutual recognition of their conformity.

→ a mandate to the European Standardisation Bodies to develop standards to complement legislation on accessibility of ICT products and services; ensuring the involvement of representatives of organisations of disabled people and consumers;

→ independent and trustworthy information to the consumer on whether accessibility marks are given by an external conformity assessment or not.

ANEC and EDF urge the European Institutions and Member States to carefully consider the unacceptable low level of accessibility of mainstream ICT products and services in Europe and to take into account our suggestions in the forthcoming revisions of the different relevant regulations such as the electronic communications regulatory framework and, in particular in the Green Paper on the revision of the scope of the Universal Service Directive, and in the forthcoming impact assessment on an horizontal e-Accessibility legislation.

4. Introduction

The European Union is founded on the principles of liberty, democracy, respect for human rights and fundamental freedoms, and the rule of law (Art. 6 of the Treaty on European Union). This commitment is complemented by Art. 13 of the EC Treaty, which enables the Member States to combat discrimination on the grounds of disability.

The fight against discrimination is an important issue not only in the employment sector but also with respect to education, transport and access to products and services. In fact, it is a basic consumer right to have access to products and services, and discrimination exists where the elderly and people with disabilities cannot use mainstream consumer products and services.

The lack of accessibility of ICT will inevitably increase costs to social protections systems and to the economy in general, as it generates extra costs for the support of persons with disabilities and of their families, an important loss of human capital of persons with disabilities, and a general loss of productivity and market opportunities for workers and the general public who are also likely to benefit from accessibility measures.

ANEC and EDF believe that the Information Society offers a huge opportunity to address Design for All issues. Access to information is a vital element for equal participation in, the information and knowledge societies for people with disabilities, who have the same rights as non-disabled people to access to goods and services, but are disadvantaged by the 'digital divide'.

5. Definitions

By "eAccessibility" ANEC and EDF understand access to mainstream ICT products and services by the widest possible number of people, regardless of their age or disabilities, in accordance with the concept of Design for All.

Nevertheless persons with disabilities who are a very heterogeneous group, which may still need in some cases special services or goods. It is therefore important to also support the development of assistive technologies and ensure compatibility and interoperability between assistive and mainstream technologies.

6. Is the market delivering e-Accessibility?

The question of data collection is central to the issue of access to ICT products and services by people with disabilities. Evidence-based policy measures are generally considered as of the best approach to solving problems.

ANEC and EDF believe there is strong evidence that voluntary mainstreaming of accessibility in goods and services by using Design for All principles has not led to significant progress and, in particular, that the market has failed to ensure the accessibility of ICT products and services. According to available data, most of the mainstream products and services are not accessible or no clear information about their accessibility features is provided.

In 2005, before releasing the eAccessibility Communication, the European Commission consulted stakeholders on the scope of the document. 84% respondents thought that a wider availability of accessible ICT products and services was needed⁴.

In September 2005, the European Blind Union (EBU) sent out questionnaires to their 24 European members enquiring about the state of access to TV and audio description. Only six out of twenty four have audio description on television - Austria, France, Germany, Italy, Portugal and the UK and provision is still very sparse. Only 8% of programmes are available with audio-description in the UK, the highest level in Europe⁵.

In June 2006, the 6th measurement of online availability of public services in Europe stated that “surprisingly, in the different countries, none of them scored well on the subject of accessibility” in terms of full transactional services access by special groups and compliance with accessibility standards⁶. Similarly, in the e-Government benchmarking survey published on 20 September 2007, the most striking finding was that only 5% of websites made a specific reference to their compliance with international accessibility guidelines (WAI)⁷.

In October 2006, the European Federation of Hard of Hearing People (EFHOH) carried out a survey on the accessibility of electronic communications such as digital television, public telephones and emergency services in several European countries as well as Canada, China and US. All European respondents using special telecommunications equipment for the hard of hearing replied that they could not use their equipment across the EU, let alone communicate with the other side of the Atlantic Ocean, due to the lack of compatibility.

⁴http://ec.europa.eu/information_society/activities/einclusion/docs/access/com_consult-res.html

⁵ <http://www.euroblind.org/fichiersGB/access-TV.html>

⁶http://ec.europa.eu/information_society/eeurope/i2010/docs/benchmarking/online_availability_2006.pdf

⁷ http://ec.europa.eu/information_society/newsroom/cf/itemlongdetail.cfm?item_id=3634

EFHOH also ran a comparison of subtitling on television programmes across Europe. Although no country scored 100% of subtitling of programmes, it showed a considerable difference between the availability of subtitled programmes broadcast by public channels and private ones⁸.

In November 2007, the European Commission released the first results of the study on "Measuring Progress of eAccessibility in Europe" ('MeAC' study). The study was commissioned by the Commission in 2006 as a follow-up to the eAccessibility Communication of 2005. Overall, the results show that, although some progress towards eAccessibility can be detected in Europe, there has not been enough and further EU-level measures need to be considered. Among other issues, the study confirms the lack of accessibility of emergency services - these are directly accessible by text telephone in only seven EU Member States. On web accessibility, the MeAC study confirms that the share of commercial web sites (e.g. railways, TV, newspapers, retail banking) providing minimum level of accessibility is extremely low as only 3,9% passed automated testing - but not a single site passed both automatic and manual testing⁹.

7. Proposed measures

Bearing in mind that many ICT mainstream products and services are not accessible or no clear information about their accessibility features is provided, ANEC and EDF try here to assess whether the current European Community regulatory and policy framework is fit for delivering the accessibility of ICT products and services which consumers expect and suggest possible new measures.

7.1. A comprehensive legislation fighting discrimination against persons with disabilities

The UN Convention on the Rights of Persons with Disabilities, now open for signature and ratification, is the first international disability-specific treaty. It will eventually become binding on the European Communities and its Member States who signed the Convention on 30 March 2007 as soon as they ratify it. As a consequence they will be bound to adopt measures and legislation to protect the rights covered in the Convention. The Convention prohibits disability discrimination in all areas of life and addresses such areas as

⁸http://www.efhoh.org/mp/db/file_library/x/IMG/30480/file/EFHOHsurveyaccessibleTelecommunication.doc

⁹http://ec.europa.eu/information_society/activities/einclusion/docs/meac_study/meac_report_exe_sum_05_11.doc

accessibility (Art. 9), access to information (Art. 21), and participation in cultural life (Art. 30).

→ ANEC and EDF are firmly convinced that the adoption of a general anti-discrimination directive would be a key step in achieving compliance with the requirements set out in the UN Convention and provide a general framework for eAccessibility-related initiatives in the EU. Such legislation has already been requested in October 2007 by 1.23 million Europeans who signed the “One Million For Disability” petition in support of the adoption of a European legislation protecting the rights of disabled people.

7.2 Strengthening eAccessibility provisions in sector-specific legislation

7.2.1 Regulatory framework for electronic communications¹⁰

In the opinion of ANEC and EDF, a large number of vulnerable consumers, such as people with disabilities and older people, are unable to reap the benefits of liberalisation of electronic communications due to accessibility barriers. For example, although we recognise that a significant majority of consumers are using mobile communications services, ANEC and EDF highlight that many consumers, older people and people with disabilities, rely only on the provision of Universal Service (connection to the public telephone network at a fixed location). A minority of consumers are therefore excluded from society by not being able to use specific services enjoyed by the majority¹¹.

→ In this respect, ANEC and EDF call on the European Commission, the Council and the Parliament to use the opportunity provided by the recent publication of the proposal for review of the regulatory framework¹² to reduce the digital divide by:

- co-ordinating its approach to electronic communications services and equipment;
- addressing accessibility of both networks *and* services;
- adapting the definition of Universal Service to technological and societal change in order to include access at any location.

¹⁰ Directive (2002/21/EC) on a Common Regulatory Framework, Directive (2002/22/EC) on Universal service and users' rights

¹¹ ANEC comments on revision of EU electronic regulatory framework (ANEC-ICT-2006-003).

¹²http://ec.europa.eu/information_society/policy/ecomms/library/proposals/index_en.htm

7.2.2 Emergency services and real-time total conversation

ANEC and EDF consider real-time text access to telecommunication services is particularly important to allow people with hearing impairments to access emergency 112 services. Given the popularity of SMS messaging we believe that Interactive texting will enhance the experience of all users, not just who are deaf or hard of hearing, if this facility is built into mainstream products and services.

ANEC and EDF note that attempts to reach a voluntary commitment by industry to address the accessibility of real-time total conversation failed in March 2007 after 2 years of efforts.

→ We therefore reiterate our call to the European Commission and Member States to apply the provisions of R&TTE Directive (Art 3.3 f) to ensure that real-time text conversation is accessible on all terminals within the scope of the Directive¹³. We also call on the Commission to mandate standards to be used by operators and service providers in order to implement these accessibility requirements.

7.2.3 Digital Television

By 2012, all European countries will have switched exclusively to digital television, whether terrestrial, satellite or via cable. However, Digital Television is a broad area which depends on the co-operation of different players in the field of audiovisual services: manufacturers of TV sets and set-top boxes, broadcasters (both public and commercial) and users' organisations.

Such co-operation will soon be regulated by the revised Directive on Audiovisual Media Services (ex-TV without Frontiers), which was agreed between the European Parliament and the Council of Ministers in May 2007¹⁴. Article 3ba (to be renumbered in the final version of the Directive) states that "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." Furthermore, Article 3(d) of the revised Directive prohibits inclusion or promotion of disability-based discrimination in audiovisual commercial communications (i.e. advertising).

→ ANEC and EDF believe transposition of the Audiovisual Media Services Directive and the implementation of its accessibility provision, including spoken

¹³ Directive 1999/5/EC on Radio Equipment and Telecommunications Terminal Equipment and the mutual recognition of their conformity.

¹⁴ The Directive is expected to enter into force before the end of 2007. The Member States will then be given 24 months to transpose the new provisions into their national law, with the view to fully activate the modernised framework by late 2009.

channel identification and accessible Electronic Programming Guides, should be the first priority for Member States. The next step will be to analyse the legislative impact of the possible extension of the 'accessibility' provisions from "visual and hearing impaired people" (as in the current revision) to "people with all disabilities."

7.2.4 Web accessibility

ANEC and EDF welcomed the Ministerial Declaration on eInclusion approved in Riga in June 2006 which placed achieving full accessibility of websites high on the priority list for future work. In particular, Ministers agreed to commit to a series of policy goals, including enhancing web accessibility and usability by fully implementing the existing EU legislation on eAccessibility, as well as reinforcing current legal provisions on eAccessibility. Ministers also agreed to advance inclusive eGovernment by "promoting and ensuring accessibility of all public websites by 2010, through compliance with the relevant W3C common web accessibility standards and guidelines".

→ ANEC and EDF call on the Commission to assess the need for reinforcement of legal web accessibility provisions against the evidence that consumers with disabilities face several barriers to using the Internet.

→ Furthermore, ANEC and EDF also believe the definition of 'public websites' should be extended to websites of entities that provide public services (such as public transport operators, gas/electricity providers, as well as information providers of general interest like political parties, etc).

→ Being aware that the W3C web accessibility standards and guidelines do not address accessibility for older people and for people with intellectual disabilities, ANEC and EDF stress the need to complement those standards with additional rules regarding the provision of alternative content accessible to persons with limited abilities to read and understand text.

7.2.5 Public procurement and public spending

Public procurement, which represented 16.3% of Community GDP in 2006, is an important sector of the European economy. The harmonisation of procedures for concluding contracts is a major achievement of the Internal Market. According to the Public Procurement Directives, accessibility requirements can be integrated into the technical specifications of contract documentation for public bids¹⁵.

The US experience shows that the mandatory use of section 508 has proven very effective at driving the procurement of accessible ICT equipment and

¹⁵ Directive 2004/18/EC of 31 March 2004 on the coordination of procedures for the award of public works contracts, public supply contracts and public service contracts, OJ L 134/114 of 30 April 2004.

developing the market, and it is widely recognised that public procurement has the potential to stimulate innovation and encourage organisations and individuals to meet certain requirements¹⁶. The EC Standardisation Mandate M/376 on European accessibility requirements for public procurement of products and services in the ICT domain, provides a good starting point and ANEC and EDF have nominated several experts to contribute to the execution of this mandate.

→ ANEC and EDF call on the European Commission to take steps to strengthen existing public procurement rules and make accessibility requirements mandatory in public tendering by making accessibility clauses binding in the planning of public tenders. Furthermore, we believe that the role of European Standards in defining accessibility requirements in public procurement contracts offers a vital opportunity for mainstreaming accessibility.

ANEC and EDF stress how important it is that European Public Authorities set the good example. In October 2007, in the first reading of the EU General Budget 2008, an amendment had put to vote according to which all EU online and communication tools and covering all the Community institutions should be made accessible to people with disabilities, following W3C WAI.

→ ANEC and EDF support the EU Budget 2008 amendment according to which all EU online and communication tools and covering all the Community institution should be made accessible to people with disabilities, following W3C WAI guidelines.

7.3 General eAccessibility legislation

Following this analysis of the existing regulatory provisions on eAccessibility and in line with our suggestions, ANEC and EDF conclude that a coherent policy system does not exist yet to deliver the accessibility of ICT products and services that consumers expect. Although the practical impact of some mechanisms remains to be evaluated, ANEC and EDF believe that the legal basis of Community legislation with regard to the accessibility of ICT products and services rests mainly on trade considerations, as in the case of R&TTE Directive, and that accessibility is merely an ancillary, often optional, requirement¹⁷.

In order to implement the 2006 UN Convention on the Rights of Persons with Disabilities and to meet the call of the European Parliament report on the Single Market Review for enhanced access to the benefits of the Internal

¹⁶ 2003 European Commission Report on the Use of Equality and Diversity Considerations in Public Procurement,
http://ec.europa.eu/employment_social/fundamental_rights/pdf/stureps/pubproc_en.pdf

¹⁷ Art 3.3 f of Directive 1999/5/EC on Radio Equipment and Telecommunications Terminal Equipment and the mutual recognition of their conformity.

Market by vulnerable people¹⁸, ANEC and EDF believe that eAccessibility should not continue to be placed on a regulatory level that is subordinate to the free movement of goods in the Internal Market. Although we agree that new or existing sector-specific legislation on eAccessibility should be proposed or implemented whenever justified, we believe that a general eAccessibility Directive should address the areas that are not covered by specific legislation and ensure that eAccessibility is not forgotten amidst rapid technological developments such as Voice over IP or Mobile TV.

To quote the November 2007 MeAC study “In addition to the evidence of eAccessibility gaps, deficits and patchworks, on the one hand, and of the effectiveness of policy, on the other, the MeAC evidence and analysis also indicates the importance of the role of EU-level policies in progressing eAccessibility in Europe. (...) The evidence shows that this (EU-level directive) can be a useful mechanism for reaching ICT sectors that may otherwise be difficult to address through direct sectoral policies. For these reasons, an examination of the possibility of introducing a Directive on equality of access to goods and services, to include a strong eAccessibility component, seems warranted”.¹⁹

The European Commission Communication on “European i2010 initiative on e-Inclusion - to be part of the information society” highlights that the e-Accessibility situation is better in countries with strong regulation, and regulation does not constitute a barrier to a competitive market. On the contrary, legal requirements on e-Accessibility have set a level playing field for companies and led to new business opportunities”²⁰.

→ ANEC and EDF call on the European Institutions and Member States to introduce a horizontal legislative framework addressing the accessibility of ICT products and services not covered by sectoral legislation. Such a framework should make use of the comitology procedure and be complemented by a stakeholder review process. The framework could then be underpinned by formal standardisation. We therefore welcome the Commission commitment to carry out in 2008 an Impact Assessment for a proposal on eAccessibility legislation²¹.

The proposed legislation should also provide for the creation of a Community mechanism, in the form of an independent Agency, supervising the compliance of Member States and stakeholders with their obligations on eAccessibility. ANEC and EDF are convinced that, in order for any regulatory measures or standards to have a real practical impact, strong market surveillance mechanisms should be put in place. The proposed eAccessibility Agency could complement, or be a subset of, the Community mechanism to address

¹⁸ 2007, Internal Market and Consumer Protection Committee, MEP Toubon

¹⁹http://ec.europa.eu/information_society/activities/einclusion/docs/meac_study/meac_report_exec_sum_05_11.doc

²⁰ COM(2007) 694 final

²¹ COM(2007) 694 final

eAccessibility issues, suggested by the proposed revision of the electronic communications regulatory framework²². However, such an Agency should have authority to take executive decisions and be accountable to the European Parliament. It would be responsible for suggesting European eAccessibility policies under the supervision of a committee composed of regulators, consumers and industry representatives. It would also be in charge of enforcing measures and of ensuring collaboration with international partners.

→ ANEC and EDF urge the European Institutions and Member States to take these suggestions into account in the forthcoming revisions of different regulations such as the electronic communications regulatory framework and, in particular, in the Green Paper on the revision of the scope of the Universal Service Directive.

7.4 Balanced consumer representation in standardisation

For ANEC and EDF, the design of ICT goods and services should be based on standards that meet the needs of a wide range of people, including those with disabilities²³.

Of course, it is vital that the consumer view is an integral part of any standardisation activity, all the more since many eAccessibility standards are informal and international, posing a problem in terms of consumer participation and transparency of the system. We believe that standardisation bodies need to improve synergies and provide innovative, sustainable solutions that enable all relevant stakeholders to voice opinions and, most importantly, to be taken into account, irrespective of their size, location or resources.

→ ANEC and EDF support the concept of balanced representation, ensuring equal and fair chances for all stakeholders to influence the standardisation process and to have their views taken into account. To this end, we call the European Commission and Member States to ensure availability of financial resources for participation of public interest stakeholders in the standardisation processes.

→ Because we believe standardisation is a critical tool to complement legislation in delivering eAccessibility, ANEC and EDF propose that the Commission mandates the European Standardisation Bodies to develop standards which will improve the accessibility of ICT products and services.

²²COM(2007)699 rev, proposal for regulation establishing the European Electronic Communications Market Authority

²³ Updated ANEC policy statement on Design for All (ANEC-DFA-2007-G-043rev).

7.5 Provision of reliable, understandable and transparent information to consumers

Having sufficient and adequate information about the accessibility features of the ICT products or services consumers intend to buy, is an essential consumer need. Information should be reliable, understandable and transparent.

In order to meet consumer expectations, defined and clear qualitative accessibility requirements should be identified. In this context, ANEC and EDF believe that the primary information that affects consumers' confidence in compliance with the product with declared accessibility features is that the product has passed a conformity assessment procedure. Such compliance could be identified by a mark. Products and services not meeting declared requirements lead to a loss of consumer confidence.

→ Among the different conformance schemes, ANEC and EDF believe that consumers should be informed about whether the accessibility mark is given by an external conformity assessment or not. We think that this transparent procedure would benefit public procurers who must respect the administrative rules of Member States with regard to the choice of different options in public tenders procedures. Assessing accessibility features is not an easy task but it can be made easier if impartial qualitative information is available.

Acknowledgements

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APPENDIX – About EDF & ANEC and other documentation

A.1 About EDF

European Disability Forum (**EDF**) is a European umbrella organization with democratic structure, representing the interests of over 50 million persons with different types of disabilities in all EU/EEA countries. The mission of EDF is to ensure disabled people full access to fundamental and human rights through their active involvement in policy development and implementation in Europe. Working towards accessible, user needs-based and affordable telecommunications solutions for persons with disabilities is one of the highest priorities for EDF and its member organizations.

A.2 About ANEC

ANEC is the European consumer voice in standardisation, representing and defending consumer interests in the process of standardisation and certification, also in policy and legislation related to standardisation. Our aim is a high level of consumer protection. ANEC was set up in 1995 as an international non-profit association under Belgian law. It represents consumer organisations from the European Union Member States and the European Free Trade Association (EFTA) countries. Our General Assembly is composed of one national member per country, nominated jointly by the national consumer organisations in their country. The European Commission and EFTA fund ANEC, while national consumer organisations contribute in kind.

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