



Open letter

To

Ministers in charge of Digital Affairs in all EU member states
 Chairs of National Parliament's Committees in charge of Digital Affairs
 Permanent Representatives of all EU member states

Copy:

Permanent Representatives, Dutch Presidency
 Dita Charanzová MEP, Rapporteur
 Vicky Ford MEP, Chair of IMCO Committee
 Members of the European Parliament Disability Intergroup
 Members of the European Parliament Intergroup on Ageing and Solidarity between Generations
 Roberto Viola, Director DG Connect, European Commission

10 March 2016

Re: Trilogue Negotiations on EU Directive on Accessibility of Public Sector Bodies' Websites

We are writing to publicly raise our concerns about recent Council proposals to significantly reduce the scope of the above EU directive.

We strongly object to the far-reaching exemptions proposed by the Council as these would prevent millions of citizens from accessing digital content and services that every citizen takes for granted today. We are calling on Member States to ensure that the 80 million persons with disabilities, and the 150 million older people, who live in the European Union have equal access to the Digital Single Market and the online public services provided to citizens in the EU.

Equal access to information is a human right enshrined in the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD). Equal access to online public services, regardless of the entity providing those services, is something to which every European citizen is entitled.

It is not acceptable to adopt legislation that would potentially deny millions of citizens access to the digital world we live in today. It is not acceptable to legalise digital barriers to employment. It is not acceptable to exclude millions from full participation in society.

The following essential requirements should be taken on board to ensure that the directive makes a difference in people's lives:

- All public sector bodies' websites and websites delivering public services should be accessible to all, including when these services are delivered by private entities.
- Most digital content is now accessed on mobile devices and through mobile applications, therefore the directive must ensure accessibility of both mobile web and mobile applications.
- As most online processes require interaction with downloadable documents, these should be accessible too.

Furthermore, we believe that accessibility should be a prerequisite wherever public money is used to fund the development of websites, digital content, mobile apps or other digital content or software, in line with requirements in the UNCRPD and the 2014 EU Public Procurement Directive. Public funds should never be used to fund inaccessible content.

Fragmentation among national regulations and standards reduces the benefits of the Digital Single market for companies and consumers with disabilities and older consumers alike. A harmonised approach is needed to increase social benefits, reduce costs and stimulate innovation. The more exclusions allowed in the directive and the more reduced its scope, the less effective harmonisation will be.

We also want Ministers to ensure that provisions in the directive are articulated with, and complementary to, those in the future European Accessibility Act. It is paramount that no essential or general interest services are excluded.

Technologies are converging. Web, non-web and software interconnect all the time. A European standard on accessibility of information and communication technologies (EN 301 549) was adopted in 2014. We believe that this standard should be used in full for the purpose of this directive.

For this legislation to make a difference and have meaningful impact, users need to have an effective right to redress. Robust enforcement should therefore include dedicated national enforcement bodies, as well as penalties that are effective, proportionate and dissuasive.

We are therefore urging Ministers to ensure that they instruct their negotiating teams to uphold the rights of all citizens when discussing the provisions in the aforementioned Directive with Members of the European Parliament.

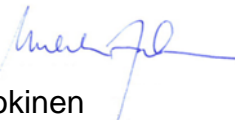
We believe that governments should work to ensure that everyone can benefit from the digital revolution. Although many persons with disabilities and older people face barriers in the physical world, there is no reason to create new barriers in the digital world. We are urging ministers to seize this unique opportunity to make a difference to the lives of millions of citizens with disabilities and older people, people who should benefit from wider access to digital public services in order to enjoy their fundamental rights, as well as Internal Market rights of freedom of circulation and services provision. We are urging Ministers to make our collective digital future fully inclusive and not to fail European citizens.

No one should be left behind.

Signatories:



Yannis Vardakastanis
President, European Disability Forum



Markku Jokinen
President, European Union of the Deaf



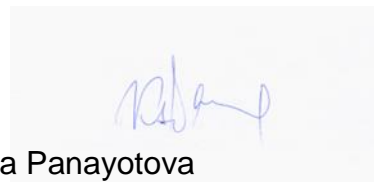
Anne Sophie Parent
Secretary General, AGE Platform Europe



Marcel Bobeldijk
President, European Federation of Hard of Hearing People



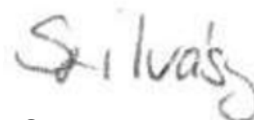
Stephen Russell
Secretary General, ANEC



Kapka Panayotova
President, European Network of Independent Living



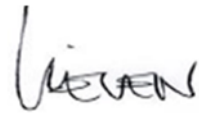
Wolfgang Angermann
President, European Blind Union



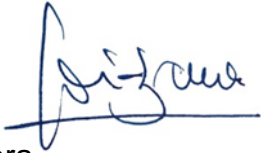
Zsuzsanna Szilvasy
President, Autism Europe



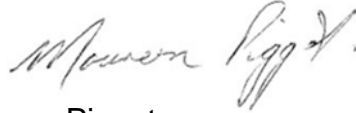
Boris Sustarsic
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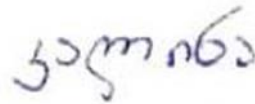
Sonia Zamora
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Lieke Zaeyen
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Miguel Ángel García Oca
President, International Federation of
Persons with Physical Disability



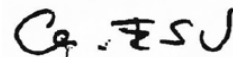
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President, Retina International