COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 1.12.2008
COM(2008) 804 final

COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS

"Towards an accessible information society"

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[SEC(2008) 2915]

[SEC(2008) 2916]

1. EXECUTIVE SUMMARY

As our society is evolving to an 'information society', we are becoming intrinsically more dependent on technology-based products and services in our daily lives. Yet poor e-accessibility means many Europeans with a disability are still unable to access the benefits of the information society.

This issue of e-accessibility has received high policy visibility and attention in recent years. In 2006, European Ministers agreed targets in their 'Riga Declaration' to deliver significant progress by 2010. In 2007, benchmarking showed that the pace of progress was still insufficient and that further efforts were needed in order to achieve the Riga targets. Web accessibility, especially the accessibility of public administration websites, has emerged as a high priority due to the growing importance of the Internet in everyday life.

The Commission considers it is now urgent to achieve a more **coherent, common and effective approach to e-accessibility, in particular web accessibility,** to hasten the advent of an accessible information society, as announced in the Renewed Social Agenda[1]. Through this Communication, the Commission describes the current state of play, establishes the rationale for European action and sets out key steps to be taken.

To achieve a common and coherent **e-accessibility approach**:

- European Standardisation Organisations (ESOs) should **pursue wider e-accessibility standardisation** activities to reduce market fragmentation and facilitate increased adoption of ICT-enabled goods and services.

- Member States, stakeholders and the Commission should **stimulate greater levels of innovation and deployment** in e-accessibility, in particular through the use of the EU research and innovation programmes and the Structural Funds.

- All stakeholders should **make full use of** the opportunities to address e-accessibility within **existing EU legislation**. The Commission will include appropriate e-accessibility requirements in revisions or new legislative developments.

- The Commission will **boost stakeholder cooperation activities** to enhance the coherence, coordination and impact of the actions. In particular, a new high-level ad hoc group will be mandated to provide guidance on the overall coherent approach to e-accessibility (including web accessibility) and propose priority actions to overcome e-accessibility barriers.

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[1] COM(2008)412.

To speed up progress in the special case of **web accessibility**:

- ESOs should **rapidly adopt European standards** for web accessibility, following the establishment of updated web guidelines (WCAG 2.0) by the World Wide Web Consortium.

- Member States should **step up work** on making public web sites **accessible** and **jointly prepare for swift adoption** of European web accessibility standards.

- The Commission will **monitor and publish progress** and may follow up at a later stage with legislative action.

2. E-ACCESSIBILITY

E-accessibility means overcoming the technical barriers and difficulties that people with disabilities, including many elderly people, experience when trying to participate on equal terms in the information society.

If everyone is to have equal opportunities for participation in today's society, the full range of ICT goods, products and services need to be accessible. This includes computers, telephones, TVs, online government, online shopping, call centres, self-service terminals such as automatic teller machines (ATMs) and ticket machines.

2.1. State of play

The scale of the accessibility challenge is huge and growing: around 15% of Europe's population has a disability and up to one in five working-age Europeans have impairments requiring accessible solutions. Overall, three out of every five people stand to benefit from e-accessibility, as it improves general usability[2].

E-accessibility has socio-economic implications for both individuals and Europe as a whole. For example, accessible ICT-enabled solutions can help older workers to stay in employment and enhance the take-up of online public services such as e-Government and e-Health. Lack of e-accessibility excludes significant sectors of the population and prevents them from fully carrying out their professional, education, leisure, democratic participation and social activities. Strengthening e-accessibility will contribute to both economic and social inclusion goals.

Many countries have adopted at least some legislative or support measures to promote e-accessibility and parts of the ICT industry are making significant efforts to improve the accessibility of their products and services[3].

E-accessibility is also a key element in the European e-Inclusion policy[4]. In a broader context, ICT falls within the scope of the proposed Directive on equal treatment that refers to access to and supply of goods and services available to the public[5]. The European Community and the

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[2] The Demographic Change — Impacts of New Technologies and Information Society.
[3] See details in accompanying Staff Working Paper.
[4] i2010 Communication COM(2005) 229, Communication on e-accessibility COM(2005) 425, and Communication on e-Inclusion COM(2007) 694.
[5] COM(2008) 426.

Member States also have to fulfil obligations under the United Nations Convention on the Rights of Persons with Disabilities in relation to accessibility of ICT goods and services. Some pieces of EU legislation already directly or indirectly address e-accessibility issues.

2.2. Rationale for further action

Despite the benefits and political attention, progress in e-accessibility is still unsatisfactory. There are many striking examples of accessibility deficits. E.g. text relay services, essential for deaf and speech-impaired people, are only available in half of the Member States; emergency services are directly accessible by text telephone in only seven Member States; broadcasting with audio description, subtitled TV programming and TV sign-language programming remains very poor; only 8% of ATMs installed by the two main European retail banks provide 'talking' output[6].

The existing EU *acquis* relating to e-accessibility is limited. At Member State level, there is considerable fragmentation in the treatment of e-accessibility, both in the issues addressed (usually fixed telephony services, TV broadcast services and public website accessibility) and the completeness of policy instruments used. Faced with divergent requirements and uncertainties, the ICT industry suffers from this market fragmentation, making it difficult to achieve the economies of scale necessary to sustain widespread innovation and market growth. Parts of the industry are actively engaged and cooperating with users (e.g. on accessible digital television) but too many are watching from the sidelines.

The key issue in e-accessibility is that current efforts have insufficient impact due to a lack of coherence, unclear priority setting, and poor legislative and financial support.

A common and coherent European approach to e-accessibility is therefore key to achieving significant improvements.

2.3. Proposed actions

(1) Delivering the change — strengthening policy priorities, coordination and stakeholder cooperation

At European level several activities have been put in place in recent years. Now is the time to increase synergies between these and reinforce individual areas of action for greater and more consistent impact.

Member States, users and industry need to step up their efforts and seek more impact through greater cooperation at European level and better exploitation of existing EU policy instruments. To support and strengthen coherence and effectiveness of a common approach and to help define priorities, the Commission will establish an **ad hoc high-level group on e-accessibility**, reporting to the i2010 high level group, involving consumer organisations and representatives of disabled and elderly users, ICT and assistive technology and service industries, academia and relevant authorities.

Early in 2009, the Commission will establish an **ad hoc high-level group** to provide guidance on priorities and a more coherent approach to e-accessibility. Stakeholders are called upon to commit to this cooperation.

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[6] For details, see the MeAC study (Measuring progress of e-accessibility in Europe).

The Commission will **boost its existing support for cooperation** with and between stakeholders. In particular the groups following the implementation of i2010, standardisation matters, telecommunication issues and the disability action plan should use the guidance of the high-level group to inform their priorities. It is also important that users, relevant authorities, and industry reinforce their commitment and cooperation on e-accessibility matters.

Priorities for e-accessibility need to be selected. The first is web accessibility, where the proposed coherent and common approach can be applied. Next are the accessibility of digital television and electronic communications, including accessibility of the single European emergency number. For these, cooperation of users and industry should be increased and, with the help of the high-level group, better linked to the EU-level legislative and innovation support.

Self-service terminals and electronic banking is another high priority[7]. The closer cooperation of stakeholders will help to obtain guidance on further priorities and define a common programme of future work.

The Commission has already addressed e-accessibility in its proposal for a new version of the e-government European Interoperability Framework[8], and will do so in its follow-up to the i2010 initiative and the disability action plan.

> The Commission will ensure e-accessibility remains a **policy priority** in the follow-up to i2010 and disability action plan.

This closer coordination and cooperation will be further strengthened through enhanced exploitation of the activities mentioned below.

(2)   Monitoring progress and reinforcing good practice

The Commission will launch a study in 2009 to continue monitoring general e-accessibility and web accessibility progress and implementation, following up two studies conducted in 2006-2008[9].

Under the 2009 Competitiveness and Innovation Programme (CIP), the Commission will propose a new thematic network on e-accessibility and web accessibility to further enhance stakeholder cooperation and the building up of experience and collection of good practices. It will also seek to reinforce the *ePractice* good practice exchange network on e-government, e-health and e-Inclusion, which has already amassed a vast amount of expertise on e-accessibility.

> The Commission will monitor web-accessibility and e-accessibility progress and implementation, support cooperation and exchange of good practices via **studies** and a **CIP thematic network**, to be launched in 2009.

(3)   Supporting innovation and deployment

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[7]   See report on the public consultation.
[8]   http://ec.europa.eu/idabc/en/document/7728
[9]   MeAC and study on accessibility of ICT products and services for disabled and elderly people.

There is already extensive support for e-accessibility research and innovation. In 2008, 13 new projects were funded with some €43m from the EU research programme. The Commission will continue to actively support e-accessibility and ICT for independent living of elderly people through the EU research programmes with a further call for proposals in 2009.

> The Commission will **ensure e-accessibility is a strong research and innovation priority** in 2009 and beyond.

Member States and the Commission will use the Ambient Assisted Living joint research programme, launched in 2008, to stimulate innovative ICT-based solutions for independent living and the prevention and management of chronic conditions of elderly people.

Under the 2008 CIP, the Commission funded a pilot project on accessible TV and pilots on ICT for elderly people to accelerate technology deployment. In 2009, the Commission will fund a pilot on 'total conversation' (the combination of audio, text and video communications to support people with disabilities), which will help hearing- and speech-impaired persons to access the European '112' emergency number.

> Member States and stakeholders are urged to **stimulate e-accessibility innovation and deployment** via the Structural Funds, FP7, the AAL programme and national programmes.

The Structural Funds Regulation[10] requires that the Member States consider accessibility for disabled persons as one of the criteria to receive funding. In this context, the Commission will provide a 'disability toolkit' in 2009, applicable to ICTs, and encourage Member States and Regions to ensure that ICT accessibility is incorporated in their procurement and funding criteria.

> The Commission will provide a **disability toolkit** applicable to ICTs in 2009 for use in Structural Funds and other programmes.

(4) Facilitating standardisation activities

The Commission continues its strong support for e-accessibility in its standardisation work programme. In particular, Mandate 376 issued to the European Standardisation Organisations is an important standardisation activity to foster e-accessibility.[11] The Commission will promote the use of the results from this standardisation work and will seek a rapid continuation of Mandate 376 to deliver the actual standards and related conformity assessment schemes. This process will be complemented and supported by stakeholders' dialogue, exchange of good practices and deployment pilots, as referred to in the proposed actions of this Communication.

> Under Mandate 376, ESOs should **rapidly develop EU standards** for e-accessibility, in cooperation with relevant stakeholders during 2009 and beyond.

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[10]   Council Regulation (EC) 1083/2006
[11]   The aim of Mandate 376 is to enable the use of public procurement and practice for ICT´s to remove barriers to participation in the Information Society by disabled and older people. The Mandate was given by the European Commission to the ESOs to come up with a solution for common requirements (for example for text sizes, screen contrast, keypad sizes etc) and conformance assessment.

(5) Exploiting current and considering new legislation

There is a clear correlation at national level between the existence of legislation and the actual level of progress on e-accessibility[12]. Research points to the risks of legal fragmentation in the EU due to divergent legislative measures. Based on this, and building on the 2005 and 2007 Communications, the Commission has started exploring a more general legislative approach to e-accessibility.

However, given the vast, complex and evolving nature of the e-accessibility field, there is not yet a clear consensus on possible EU legislation dedicated to e-accessibility[13], e.g. on elements such as scope, standards, compliance mechanisms and links to existing legislation. Furthermore, although there is a clear consensus on the need to act jointly to improve e-accessibility, there are different views on the next priorities to address. The Commission has therefore concluded that the time is not yet right for a specific e-accessibility legislative proposal, but will continue to assess its feasibility and relevance, taking into account actual progress in the field.

Nevertheless, there are provisions under current EU legislation that remain under-exploited, in particular for radio telecommunications equipment, electronic communications, public procurement, copyright in the information society, equality in employment, value added tax and state aid exemptions[14]. Making full use of these provisions would already significantly improve e-accessibility in Member States. The Commission therefore encourages Member States to make the most of these before new legislation is considered.

Several of the above pieces of EU legislation are under review or will be reviewed soon[15]. The Commission will work to ensure that, where appropriate, e-accessibility requirements are considered and reinforced in these revisions. Moreover, legislative proposals for electronic communications significantly strengthen provisions on disabled users under the current framework. The Commission will also carefully monitor the transposition and implementation of the audiovisual media services Directive[16] in particular its Article 3c that provides 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.

> The Commission will **ensure that appropriate e-accessibility provisions are integrated in revisions** of EU legislation. Member States, stakeholders and the Commission should **make full use of opportunities in current legislation** to strengthen e-accessibility.

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[12]   See MeAC and study on accessibility of ICT products and services for disabled and elderly people.

[13]   In the public consultation 90% of user organisations considered binding legislation a high priority, versus 33% of industry and public authorities.

[14]   Directives 2000/78/EC, 2002/21/EC, 1999/5/EC, 2004/18/EC, 2001/29/CE, 2007/65/EC.

[15]   For example, Directive 1999/5/EC on terminal equipment is under review: in this context, the Commission will make sure to maintain the possibility to activate the relevant Article 3(3)(f).

[16]   Directive 2007/65/EC.

3. WEB ACCESSIBILITY

Web accessibility is an important aspect of e-accessibility which offers disabled people the possibility to perceive, understand, navigate, interact with and contribute to the Web. It also benefits other people confronted with visual, dexterity or cognitive limitations, such as elderly people. Web accessibility has become particularly important because of the explosive growth in online information and interactive services: online banking, shopping, government and public services, and communicating with distant relatives or friends.

3.1. State of play

Despite its importance, the overall level of web accessibility remains poor across the EU. Several national and European surveys conducted over the last few years have found that the majority of websites, public and private, do not comply even with the most basic internationally accepted guidelines for accessibility. A recent survey found that only 5.3% of government websites and hardly any of the commercial websites surveyed were fully compliant with the basic accessibility guidelines[17]. This confirms why many people find important websites difficult to use and are therefore at risk of being partially or totally excluded from the information society.

The accessibility of public websites has received increasing policy attention in recent years in Member States[18]. At European level, a 2001 Communication on web accessibility encouraged Member States to endorse the Web Content Accessibility Guidelines (WCAG)[19]. In two Resolutions[20], the Council stressed the need to speed up accessibility to the web and its content. The European Parliament suggested in 2002 that all public websites be fully accessible to disabled persons by 2003[21]. In 2006, the Riga Ministerial Declaration on an inclusive Information Society included a commitment that 100% of public websites be accessible by 2010.

Internationally, WCAG version 1 was adopted in 1999 by the World Wide Web Consortium (W3C). However, ambiguities led to fragmented implementations by Member States, and in view of new internet developments, WCAG 1.0 is becoming outdated. W3C has been working on a new version of the specifications (WCAG 2.0) for several years; these are now in the final stages of adoption. The challenge this time is to avoid a fragmented implementation.

3.2. Rationale for further action

Making websites more accessible may be challenging in some cases, involving certain costs and expertise. However, there is increasing evidence and documented examples that making a website accessible delivers real benefits not only for disabled users, but also for website owners and users in general. Services are easier to use, simpler to maintain and accessed by more users[22]. As a result, improving website accessibility improves the situation for people

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17	MeAC study.
18	See related Staff Working Paper.
19	COM(2001) 529.
20	2002/C 86/02 and 2003/C 39/03.
21	C5-0074/2002-2002/2032(COS).
22	Staff Working Paper.

with disabilities and also for others and can thus strengthen the competitiveness of European companies.

Case study: benefits of an accessible website

After making their website accessible, a financial services business in the UK identified as benefits:

- Customers found information more quickly and stayed on the site longer.

- New customers used the service, increasing online sales.

- Website maintenance was simpler, quicker and cheaper.

- The website achieved significantly higher search engine rankings.

- Compatibility problems were eliminated and mobile device access improved.

- 100% return on investment in less than 12 months.

Even so, persistent legislative fragmentation across Member States combined with the lack of clear legislative action at European level continues to hamper the internal market, constitutes barriers to consumers and citizens in this cross-border environment, and hinders industry development. The United Nations Convention on the Rights of Persons With Disabilities foresees obligations related to the internet which State Parties have to comply with. Further action at European level is therefore appropriate.

3.3. Proposed actions

The primary responsibility for improving web accessibility rests with Member States and individual service providers. Nevertheless, there are actions that the Commission can undertake or facilitate that will help accelerate the improvement in web accessibility in Europe, even without specific EU legislative provisions on web accessibility. Overall success will be achieved through a common and consistent approach. The key action areas are:

(1) Facilitate the rapid adoption and implementation of international guidelines in Europe

There is broad consensus that WCAG 2.0 guidelines are the technical specifications to be closely adhered to for web accessibility. Once W3C reaches agreement on the guidelines, expected in the near future, Mandate 376 will be able to complete its harmonisation work at European level. In the meantime, Member States should undertake actions to ensure the Riga target for accessible public websites is achieved and prepare for the rapid incorporation of new web-accessibility specifications into national rules in a common and coherent way by:

– Publishing during 2009-2010 updated technical guidance and, where appropriate, translating relevant W3C specifications;

– Identifying during 2009 the public websites and intranets[23] concerned and achieving their accessibility by 2010.

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[23]   In accordance with the Employment Equality Directive 2000/78/EC.

The Commission will continue its work to improve the accessibility of its own websites, updating its internal guidance to reflect the new specifications.

Non-public service providers, in particular owners of websites providing services of general interest[24], and providers of commercial websites that are essential for participation in the economy and society are also encouraged to improve web accessibility (2008 onwards).

Member States should **achieve 100%** accessibility of public websites by 2010 and prepare for rapid transition to updated web accessibility specifications **in a common and coherent way.**

Websites owners providing services of general interest and other relevant website owners should improve the accessibility of their websites.

The European Standardisation Organisations, in cooperation with stakeholders, should rapidly develop **EU standards for web accessibility** building on WCAG 2.0.

The Commission is improving the accessibility of Commission websites, updating internal guidance to reflect the new specifications.

The Commission will monitor and support these developments, encouraging Member States to take rapid action on the key aspects of implementation and facilitating the collection and exchange of practical experience, primarily through the ePractice platform[25]. Depending on progress and when the standards are in place, the Commission will consider the need for common EU guidance, including legislative action[26].

The Commission will monitor and publish progress and consider the need for common EU guidance, including legislative action (2009 onwards).

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(2)   Improve the understanding of and promote web accessibility

There is a strong need for increased visibility, understanding and awareness of the needs and solutions for web accessibility. Member States should take a leading role in achieving this by:

– Widely promoting accessibility of websites by providing clear information and guidance on website accessibility, including assistive technologies[27], and encouraging the use of accessibility statements[28];

– Supporting training schemes, knowledge sharing and good practice exchange;

– Purchasing accessible tools and websites in their public procurement;

– Assigning a national contact point for web accessibility, e.g. via a website, in 2009;

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24   As referred to in COM(2007) 725.
25   www.epractice.eu.
26   See Impact Assessment of COM 2007 (694)
27   Pieces of ICT equipment that support functional capabilities of people with disabilities.
28   Providing supporting information such as accessibility policy of the website, compliance with relevant specifications, support for persons with disabilities, complaint mechanisms.

– monitoring and reporting progress on compliance, user satisfaction and implementation costs for web accessibility on both public and other websites to the proposed high-level group and general public.

Member States should **lead in improving the awareness and understanding** of web accessibility in a coherent, efficient and effective manner and **report progress** to the high-level group.

4. CONCLUSION

Common and coherent action is required on many fronts to achieve e-accessibility. In particular, immediate and rapid progress on web accessibility is essential. All stakeholders have decisive roles to play to achieve the common goal of a truly inclusive information society.

The Commission invites the Council, the European Parliament, the Committee of the Regions, and the Economic and Social Committee to express their views on the actions to be taken to make the information society accessible to all.

Annex – Summary of actions

E-accessibility

Actions	*Date*	*Responsible*
Establish an ad hoc **high-level group** to provide guidance on priorities and a more coherent approach to e-accessibility. Stakeholders are called upon to commit to this cooperation.	Early 2009	EC, stakeholders
Ensure e-accessibility remains a **policy priority** in the follow-up to i2010 and disability action plan.	2009-	EC
Monitor web-accessibility and e-accessibility progress and implementation, support cooperation and exchange of good practices via **studies** and a **CIP thematic network**.	2009-	EC, industry and stakeholders
Ensure e-accessibility is a strong **research and innovation priority.**	2009 -	EC
Stimulate **e-accessibility innovation and deployment** via the Structural Funds, FP7, the AAL programme and national programmes.	2009 -	MS, other stakeholders
Provide a **disability toolkit** applicable to ICTs for use in Structural Funds and other programmes.	2009	EC
Under Mandate 376, **rapidly develop EU standards** for e-accessibility, in cooperation with relevant stakeholders.	2009-	ESOs
Ensure appropriate **e-accessibility provisions are integrated in revisions** of EU legislation.	2008-	EC
Make full use of opportunities in current legislation to strengthen e-accessibility.	2008-	MS, EC industry and stakeholders

Web-accessibility

Achieve 100% **accessibility of public websites** and prepare for rapid transition to updated web accessibility specifications in a **common and coherent way**.	2009-2010	MS
Rapidly develop **EU standards for web accessibility** building on WCAG 2.0.	2009-	ESOs (and stakeholders)
Improve the accessibility of **Commission websites**, updating internal guidance to reflect the new specifications.	2009-	EC
Websites owners providing services of general interest and other relevant website owners to improve the accessibility of their websites.	2009-	Other stakeholders
Monitor and publish progress and consider the need for common EU guidance, including legislative action.	2009-	EC
Lead in improving the **awareness and understanding** of web accessibility in a coherent, efficient and effective manner and report progress to the high-level group**.**	2008-	MS