



EUROPEAN COMMISSION
Impact Assessment Board

Brussels,
D(2012)

Opinion

Title **DG INFSO - Impact assessment for an EU initiative on a
Communication on a Web Accessibility Action Plan**

(resubmitted draft version of 13 January 2012)

(A) Context

Information and communication technologies in general, and the Internet in particular, are major drivers of the economy but also facilitators of many activities such as education, health care, employment, government, commerce, and social interaction. In this context, public administrations increasingly rely on the use of the Internet for serving and interacting with their citizens as well as to support their goals related to efficiency, openness and transparency. However, an important success factor for reaching 'every' citizen is the ease of use of the offered information or service, regardless of the device employed, be it a fixed or portable computer, a mobile phone, or any other emerging way to access the Internet, such as digital TVs. Web accessibility refers to principles and techniques for making websites accessible. The present IA looks at possible EU measures to avoid fragmentation in the market resulting from national provisions.

(B) Overall assessment

The report has been significantly improved along the lines of the recommendations issued by the Board in its first opinion. However, a number of aspects should be further strengthened. Firstly, the report should better explain the potential economies of scale for the market actors and the (expected) spill-over between public and private sector websites. Secondly, it should further strengthen the discussion of the need for and value added of EU action, for instance by better explaining how market fragmentation would be removed. Thirdly, the report should discuss a wider range of potential tangible policy options or the lack thereof. Finally, the report should extend the quantitative impact analysis also to the other non-preferred policy options, to the extent possible.

(C) Main recommendations for improvements

(1) Better explain the context and the problems to be addressed. The scope and the background to the report have been better explained in the revised version. However, the evidence on market barriers and potential economies of scale for the market players should be more thoroughly corroborated, for instance by providing more concrete evidence. While the report now indicates which websites will be affected and who will mainly benefit from the initiative, it should justify in more detail why this initiative is limited to public sector websites. In this context the report should better substantiate the expected spill-overs from the public to private sector websites.

(2) Better demonstrate the case for EU action. While the report now better explains the legal basis for the initiative, it should still further address subsidiarity issues and the value added of EU action. This should be undertaken by also showing how the initiative will deliver on web accessibility compared to the baseline scenario and by better explaining the concrete advantages of pursuing web accessibility at EU level. The report should furthermore present the different views of stakeholders and Member States more clearly in this context and throughout the report in general.

(3) Broaden and deepen the discussion of the options. While the options are now presented in more detail, no new tangible policy options have been introduced, e.g. by looking at options having a different scope or by devising a harmonised standard. The lack of further feasible substantive policy options should be better explained in this context. Furthermore, the report should reinforce the presentation of the newly introduced sub-options by providing the relevant background. It should also describe more thoroughly to what extent the options would lead to regulatory convergence with other major trading partners. The revised report extends the discussion as to whether a Directive or a Regulation would be the most suitable legal delivery instrument for the preferred option but a more thorough presentation (e.g. in the form of sub-options for the two) could be envisaged.

(4) Further improve the assessment of impacts and comparison of options. The report has considerably strengthened the impact analysis, particularly for the preferred option 3. To the extent possible, the report should also corroborate the analysis for the other options with more data or explain why this is not feasible. In this context, potential spill-overs between the public and private sectors should be assessed in more detail.

(D) Procedure and presentation

Different stakeholder views should be more systematically referenced throughout the text. The report should be reduced in length (perhaps by moving some of the details to the annex).

(E) IAB scrutiny process

Reference number	2011/INFSO/023
External expertise used	No
Date of IAB meeting	Written procedure This opinion concerns a resubmitted draft IA report. The first opinion was issued on 11 November 2011.