



EUROPEAN COMMISSION  
Impact Assessment Board

Brussels,  
D(2011)

## Opinion

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

**(draft version of 12 October 2011)**

### **(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 requires considerable further work on several important aspects. Firstly, the report should provide more background information, explain more clearly and in greater detail the concrete problems to be addressed by this initiative and better substantiate the main problem drivers. Secondly, it should much better demonstrate the need for and value added of EU action and should indicate the proposed legal basis. Thirdly, the report should present a broader and deeper discussion of the options, by including a more detailed presentation of their content and by analysing further tangible options. Finally, the report should strengthen the impact analysis, by including more quantitative data on costs and benefits and by discussing the distribution of impacts on different Member States and stakeholders.**

**Given the nature of these recommendations the IAB requests DG INFSO to resubmit a revised version of the IA report, on which it will issue a new opinion.**

### **(C) Main recommendations for improvements**

**(1) Better explain the context and the problems to be addressed.** The report should better describe the background by providing more evidence on market barriers and potential economies of scale for the market players. This should include quantitative data on the size and growth potential of the relevant EU markets. The report should clarify the scope of the initiative by indicating which (and how many) websites will be affected and who will mainly benefit, and by better justifying why this initiative is limited to (new) public sector websites. Finally, the report should explain in more detail why fragmentation and uncertainties are the main problem drivers (with particular regard to SMEs) and should substantiate this with clear evidence, figures and examples. This should include a thorough analysis of the diverging approaches at Member States level as well as an overview of the situation at international level.

**(2) Better demonstrate the EU right to act and EU value added.** The report should clearly present the legal basis for the initiative and should much better demonstrate the need for and value added of EU action including via a thorough discussion of the significance of the internal market issues. The report should make clear how the initiative will deliver on Web Accessibility by better demonstrating the difference it will make compared to the baseline development. It should also better explain its link to other existing EU initiatives, notable towards the Digital Agenda. The different views of stakeholders and Member States on further EU action in this area should be presented more clearly. Experiences from government interventions in other countries, notably the US, should also be explained in this context.

**(3) Broader and deeper discussion of the options.** The report should improve the design and the presentation of the options by better explaining their content and by exploring further options (including ones having differences in scope). In this context, the report should consider the discussion of options detailing a harmonised standard. The report should clearly indicate to what extent the options would lead to regulatory convergence with other major trading partners. Furthermore, the report should provide greater clarity on the options which have been discarded at an earlier stage and should strengthen the reasoning for doing so. In this context, the report should make clear whether a Directive or a Regulation would be the most suitable legal delivery instrument for the preferred option. The redesigned set of options should closely correspond to the identified problem drivers to establish a clear intervention logic.

**(4) Improve the assessment of impacts and comparison of options.** The report should strengthen the impact analysis by adding quantitative cost and benefit data based on robust evidence and transparent assumptions. A sensitivity analysis should be carried out with respect to the robustness of the cost/benefit estimates. Potential spill-overs between the public and private sectors should be assessed. In analysing and comparing the options, the report should present the impacts clearly per option and should show who benefits most and how they gain (e.g. industry or citizens). The report should also make clear how different Member States will be affected.

*Some more technical comments have been transmitted directly to the author DG and are expected to be incorporated in the final version of the impact assessment report.*

### **(D) Procedure and presentation**

The report should avoid technical language and jargon.

<b>(E) IAB scrutiny process</b>	
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Reference number	2011/INFSO/023
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External expertise used	No
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Date of IAB meeting	9 November 2011
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