

Accessible EU Report

Accessibility Legislation at European Level.

*Working together to build a more accessible European Union for persons with
disabilities.*

Consortium composed by:



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0. Executive summary

This document provides information on existing European Union legislation on accessibility. It is designed to be accessible to a wide variety of stakeholders with no pre-existing knowledge of European Union legislation on accessibility. This document provides the basic knowledge needed for person with disabilities (and their support groups including civil society organisations), public authorities, economic operators (such as service providers or manufacturers) and various accessibility experts, to discover the existing landscape of European Union regulations related to accessibility, and the duties and roles foreseen for each group of stakeholders.

Following the presentation of essential notions of disability and accessibility, this document reviews existing legal documents containing provisions on accessibility and applicable within the European Union, focusing on the UN CRPD, the European Accessibility Act, the Web Accessibility Directive, the Public Procurement Directive, and the European Electronic Communications Code. This section also reviews existing standards deemed essential to reach the objectives of these legislations, although another ACCESSIBLE EU document, Accessibility Standards at European Level, provides more depth in these considerations. This document should be considered a companion piece to the Accessibility report.

After reviewing the existing accessibility-focused legal acts, this document discusses implications for the European Union Member States and for other key stakeholders, while exploring several factors for successful implementation and the current state of implementation of these Directives. Throughout the document, various useful references and resources, from official legal acts to studies and toolkits, are included in footnotes.

1. List of abbreviations used in this document

- **CEN:** European Committee for Standardisation
- **CENELEC:** European Committee for Electrotechnical Standardisation
- **CRPD:** United Nation's Convention on the Rights of Persons with Disabilities
- **DPO:** Disabled People's Organisations
- **EC:** European Commission
- **EEA:** European Accessibility Act
- **EFTA:** European Free Trade Association
- **ETSI:** European Telecommunications Standards Institute
- **EU:** European Union
- **MS:** Member States (of the European Union)
- **UN:** United Nations

2. Introduction and scope

This document is designed to provide information, in a clear way and without knowledge pre-requisite, on the following areas:

- What is accessibility and why does it matter?
- What are the current European legislations which set requirements for accessibility of products and services?
- Who are the key stakeholders for the implementation of these legislations?
- What is the implementation process and current achievements of these legislations?
- Where can I find useful resources for the implementation of these legislations?

This document is thus an overview of key documents and processes designed to present the current state of play of accessibility legislation in the European Union. It does not aim to provide a systematic country-by-country review of the current state of implementation of accessibility laws at the national level, but the key elements highlighted in this document should be pertinent for a variety of stakeholders across the European Union.

3. What is accessibility?

Article 3 of the European Union's (EU) European Accessibility Act¹ defines 'persons with disabilities' as "persons who have long-term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others." This definition is based on the **social model of disability**², which focuses not on a person's medical condition, but rather on their interaction with their environment, and the barriers created by society. Whether these are physical, social, institutional, attitudinal, or other dimensions, these barriers can effectively prevent a person from enjoying their Human Rights and from meaningfully participating in their community.

In line with this definition, the Preamble of the EAA thus considers that "**accessibility** should be achieved by the systematic removal and prevention of barriers, preferably through a universal design or 'design for all' approach, which contributes to ensuring access for persons with disabilities on an equal basis with others."

¹ European Union – Directive (EU) No 2019/882 on the accessibility requirements for products and services ([EUR-Lex - 32019L0882 - EN - EUR-Lex \(europa.eu\)](#))

² European Parliament – Briefing Understanding EU policies for people with disabilities ([Understanding EU policies for people with disabilities \(europa.eu\)](#))

Likewise, the main existing standards supporting the EAA, (EN 301549, EN 17161, and, in the future, EN 17210, described further in section 6.3.5 below³) define accessibility as the “extent to which products, systems, services, environments and facilities can be used by people from a population with the widest range of user needs, characteristics and capabilities to achieve identified goals in identified contexts of use [which includes] direct use or use supported by assistive technologies.”

This focus on **universal design** is in turn consistent with the key principles and definitions laid out in Article 2 of the United Nations Convention on the Rights of Persons with Disabilities (UN CRPD)⁴: “Universal design” means the design of products, environments, programmes and services to be usable by all people, to the greatest extent possible, without the need for adaptation or specialized design. “Universal design” shall not exclude assistive devices for particular groups of persons with disabilities where this is needed.”

Article 2 of the CRPD further considers accessibility in the context of communication, as communication includes accessible information and communication technology.

Next to these principles and definition, the primary article of the CRPD concerned with accessibility is Article 9, according to which accessibility is access on an equal basis with others, in a variety of dimensions. This article helps to highlight some of the areas in which universal design improvements should be implemented: built environment such as buildings, roads, transport and other indoor and outdoor facilities, including schools, housing, medical facilities and

³ ETSI - EN 301 549

(https://www.etsi.org/deliver/etsi_en/301500_301599/301549/03.02.01_60/en_301549v030201p.pdf)

⁴ Article 2 United Nations – Convention on the Rights of Persons with Disabilities ([Convention on the Rights of Persons with Disabilities | OHCHR](#))

workplaces; information, communications and other services, including electronic services and emergency services.⁵

Indeed, the European Disability Forum has reported that persons with disabilities can still not fully enjoy on an equal basis with others several key dimensions such as ICT services⁶, tourism⁷, the built environment⁸ and the transport system in the European Union. Several of these systems across the EU remain inaccessible, in spite of the obligations laid on Member States by various EU legislations and the CRPD oblige Member States to tackle these barriers and make the European products and services more accessible.

These barriers have a considerable impact on the extent to which persons with disabilities can enjoy their Human Rights on an equal basis with others. As participation in the community is a key component of a person's fulfilment and quality of life, it is a significant hurdle to consider that travel, whether by road, air, or rail still present numerous barriers and challenges.⁹ Likewise, accessibility to the online world has become a necessity to access information and interact with the community. A lot of the daily tasks linked with ICT environments require accessible software and devices in order to be usable at all.¹⁰

In these cases, as in many others, implementing accessibility features to products, services, and environments, is essential to ensure that persons with disabilities are not prevented from accessing and using them. It is important to keep in mind, however, that accessibility is not a matter solely linked to disability

⁵ Article 9 United Nations – Convention on the Rights of Persons with Disabilities ([Convention on the Rights of Persons with Disabilities | OHCHR](#))

⁶ European Disability Forum (EDF) – ICT Policy ([ICT Policy - European Disability Forum \(edf-feph.org\)](#))

⁷ European Disability Forum (EDF) – Tourism Policy ([Tourism Policy - European Disability Forum \(edf-feph.org\)](#))

⁸ European Disability Forum (EDF) – Built Environment Policy ([Built environment Policy - European Disability Forum \(edf-feph.org\)](#))

⁹ European Disability Forum (EDF) - EU Transport Policy ([Transport - European Disability Forum \(edf-feph.org\)](#))

¹⁰ European Disability Forum (EDF) - EU Web Accessibility (<https://www.edf-feph.org/web-accessibility/>)

rights. Indeed, **strengthening accessibility requirements across the EU leads to improved products and services**, which are more accessible, user-friendly, and competitive for all. Likewise for economic operators, the harmonisation of accessibility rules across the EU facilitates trade within the internal market and ensures the clarity of rules and expectations.

With these considerations in mind, this document reviews existing legislation applicable in the EU to provide these essentials accessibility requirements.

4. Review of legislation

This section provides an overview of the key documents and instruments available in the EU to promote the accessibility of goods and services for all, including for persons with disabilities. The section presents key provisions of the UN CRPD and the EAA, before reviewing various other pieces of legislation and standards.

4.1. United Nations Convention on the Rights of Persons with Disabilities

The UN CRPD was adopted in 2006 at the United Nations Headquarters in New York and was ready for signature on 30 March 2007. At this time 82 signatures to the Convention, 44 signatures to the Optional Protocol and 1 ratification of the Convention were counted, which is the highest number of signatories for a UN Convention on its opening day. The Convention is also open for signature by regional integration organisations. It entered into force on 3 May 2008. The Convention aims to change the outdated and dangerous approach of seeing persons with disabilities as “objects” of charity, whose conditions were medical in nature and whose support should thus be primarily medical. The Convention’s approach is to instead view persons with disabilities as “subjects” with rights, who can claim those rights and make decisions for their lives based on their free and informed consent as well as being active members of society. As explained in the

previous section, this is in line with the social model of disability, a tremendous paradigm shift for the disability sector, refocusing efforts on the interactions, drivers, and barriers between a person and their environment.

The Convention as a **Human Rights instrument** with an explicit, social development dimension addresses a broad categorisation of persons with disabilities and declares that all persons with all types of disabilities must enjoy all Human Rights and fundamental freedoms. It is essential to keep in mind that the UN CRPD does not grant additional rights to persons with disabilities compared to other persons, it rather calls for the removal of barriers who can prevent persons with disabilities from enjoying their Human Rights on an equal basis with others.

Within the UN CRPD, accessibility is mentioned in Article 3¹¹ as it is one of eight general principles of the Convention:

- Respect for inherent dignity, individual autonomy including the freedom to make one's own choices, and independence of persons;
- Non-discrimination;
- Full and effective participation and inclusion in society;
- Respect for difference and acceptance of persons with disabilities as part of human diversity and humanity;
- Equality of opportunity;
- **Accessibility**;
- Equality between men and women;
- Respect for the evolving capacities of children with disabilities and respect for the right of children with disabilities to preserve their identities.

¹¹ Article 3 United Nations – Convention on the Rights of Persons with Disabilities ([Convention on the Rights of Persons with Disabilities | OHCHR](#))

While accessibility is thus a key principle of the CRPD and therefore appears in various forms or spirit across many articles, the main provisions linked to accessibility appear under Article 9, the text of which is included below:

Article 9 CRPD - Accessibility

“To enable persons with disabilities to live independently and participate fully in all aspects of life, States Parties shall take appropriate measures to ensure to persons with disabilities access, on an equal basis with others, to the physical environment, to transportation, to information and communications, including information and communications technologies and systems, and to other facilities and services open or provided to the public, both in urban and in rural areas. These measures, which shall include the identification and elimination of obstacles and barriers to accessibility, shall apply to, inter alia:

- a) Buildings, roads, transportation and other indoor and outdoor facilities, including schools, housing, medical facilities and workplaces;*
- b) Information, communications and other services, including electronic services and emergency services.*

2. States Parties shall also take appropriate measures:

- a) To develop, promulgate and monitor the implementation of minimum standards and guidelines for the accessibility of facilities and services open or provided to the public;*
- b) To ensure that private entities that offer facilities and services which are open or provided to the public take into account all aspects of accessibility for persons with disabilities;*
- c) To provide training for stakeholders on accessibility issues facing persons with disabilities;*

- d) To provide in buildings and other facilities open to the public signage in Braille and in easy to read and understand forms;*
- e) To provide forms of live assistance and intermediaries, including guides, readers and professional sign language interpreters, to facilitate accessibility to buildings and other facilities open to the public;*
- f) To promote other appropriate forms of assistance and support to persons with disabilities to ensure their access to information;*
- g) To promote access for persons with disabilities to new information and communications technologies and systems, including the Internet;*
- h) To promote the design, development, production and distribution of accessible information and communications technologies and systems at an early stage, so that these technologies and systems become accessible at minimum cost.”*

For persons with disabilities, as with any other person, it is an absolute necessity to have the opportunity to access products, services, and environments independently and to participate fully in society. This includes, among others transport, others physical exercise, access to information and communications and access to technology. In this spirit, many within the disability movement have pointed out that the provisions contained in Article 9 constitute an essential requirement for the right to freedom of movement as guaranteed under Article 13 of the Universal Declaration of Human Rights¹² and Article 12 of the International Covenant on Civil and Political Rights¹³ of the Universal Declaration of Human Rights. State parties must ensure equal access and monitor accessibility standards through necessary means. Therefore, accessibility needs to be seen as a complex whole including physical environment, transport, information and

¹² United Nations – Universal Declaration of Human Rights ([Universal Declaration of Human Rights | United Nations](#))

¹³ United Nations – International Covenant on Civil and Political Rights ([International Covenant on Civil and Political Rights | OHCHR](#))

communication and services. All goods and services provided to the public shall be accessible for all persons to enjoy their Human Rights fully and respect their dignity. It does not matter if they are owned by public or private entities and regardless the kind of impairment. For more information, the content of Article 9 has been further clarified with the UN. Committee on the Rights of Persons with Disabilities' General comment no. 2 (2014), on Article 9 and Accessibility.¹⁴

4.2. European Accessibility Act (EAA)

The European Accessibility Act (EAA), adopted in 2019¹⁵, is a key piece of EU legislation focused on accessibility, arguably the cornerstone of the EU legal framework on accessibility and universal design. This Directive creates minimum accessibility requirements for a range of products and services across the EU.

The purpose of the European Accessibility Act is to ensure the accessibility of several services and products within Member States by **harmonising the national laws and minimum requirements**, also ensures the smooth operation of the internal market. Furthermore, the Act aims to eliminate and prevent barriers to the movement of certain accessible products and services, which are likely to have different requirements foreseen by national laws. Increasing the accessibility of products and services across the EU fosters a more inclusive society and facilitate independent living for persons with disabilities.

4.2.1. Background and timeline

Following the ratification of the UN CRPD, the EU committed to higher levels of accessibility within its borders. This paved the way to the enactment of the EAA

¹⁴ United Nations – General Comment 2 on Art 9 CRPD (<https://www.ohchr.org/en/documents/general-comments-and-recommendations/general-comment-no-2-article-9-accessibility-0>)

¹⁵ European Union – Directive (EU) No 2019/882 on the accessibility requirements for products and services ([EUR-Lex - 32019L0882 - EN - EUR-Lex \(europa.eu\)](https://eur-lex.europa.eu/eli/dir/2019/882/oj))

in 2019. Beyond benefiting 87 million people living with a disability in the EU¹⁶ by facilitating their participation in societal activities on equal basis with others, this law also aims to support companies that will trade more easily within the European market. These conditions will also drive innovation which guarantees end-users a larger, more inclusive, and less expensive offer.

The European Commission advanced a proposal on accessibility at the end of 2015. It was further developed and finally passed in 2019. Member States then had until 2022 to adopt and transpose the objectives of the Directive at national level. After this deadline, the Member States have three years to apply these measures, and in between 2025 and 2030 they will have to ensure accessibility of the answering of emergency communications to the single European emergency number and remove inaccessible products. By 2030, services will no longer be allowed to use inaccessible products not in line with the EAA requirements. At this point, a report will be submitted by each Member States – and after this first, one every 5 years – to evaluate the application of the Act. Finally, in 2045 at the latest, all inaccessible self-service terminals will need to be removed.

4.2.2. Nature and legal force

The EAA does not aim to modify the existing EU legislation on accessibility, but rather to complement and clarify it. As a Directive¹⁷, the EAA is binding in the goals it sets forth. However, the EU's Member States are free to devise their own ways of reaching these accessibility goals in terms of how they are implemented in national law.

Member States must comply with the provisions of the Act which sets minimum standards for accessibility across a variety of products and services. In essence,

¹⁶ European Council – Council of the European Union - Infographic - Disability in the EU: facts and figures [Disability in the EU: facts and figures - Consilium \(europa.eu\)](https://ec.europa.eu/eurostat/tgm/table.do?tab=table&init=1&language=en&code=sdg_8_4_1)

¹⁷ European Union – Types of legislation ([Types of legislation | European Union \(europa.eu\)](https://ec.europa.eu/eurostat/tgm/table.do?tab=table&init=1&language=en&code=sdg_8_4_1))

these standards are indeed minimum requirements. It is up to the Member States' decision whether to enforce stricter and more ambitious laws and requirements at national level. Some Member States could therefore be more proactive and make mandatory accessibility requirements that are not foreseen in the Act or could cover products that are not included in the provisions. Member States are also free to set tighter deadlines, which could speed up the process of accessibility.

4.2.3. Key values, priorities, and objectives

In general, the EAA aims to set up minimum requirements to improve accessibility of products and services for all persons, including persons with disabilities. As mentioned above, these requirements, as well as the deadlines included in the Directive's timeline, are indeed minimum requirements, and the European Commission provides support for Member States and civil society organisations to advocate towards more ambitious requirements together with shorter deadlines (more information on these perspectives is included in Section 6.5 and 7 of this document). Although it is important to consider that these efforts should not disrupt the EU's single market by carelessly including expansions of the scope and requirements in a way that would result in reduced harmonisation and renewed barriers across the EU Member States¹⁸.

The scope of the Act is limited to digital products and services while health care, education, transport, housing, or household products are not covered. Products covered in the Act range from general purpose hardware systems to terminal equipment and e-readers. On the other hand, the list of services comprised in these provisions includes electronic communication services, audio-visual media

¹⁸ Digital Europe – Our recommendations for an effective transposition of the EAA ([DIGITALEUROPE's recommendations for an effective transposition of the European Accessibility Act - DIGITALEUROPE](#))

services, ticketing and other features of transport services, banking services, e-book and e-commerce.

The Act covers the following products and services¹⁹:

Products

- Computers and operating systems
- Smartphones and other communication devices
- TV equipment related to digital television services
- ATMs and payment terminals (e.g., card payment machines in supermarkets)
- E-readers
- Ticketing and check-in machines

Services

- Phone services
- Banking services
- E-commerce
- Websites, mobile services, electronic tickets and all sources of information for air, bus, rail and waterborne transport services
- E-books
- Access to Audio-visual media services (AVMS)
- Calls to the European emergency number 112

¹⁹ European Commission - European Accessibility Act: Q&A ([European accessibility act - Employment, Social Affairs & Inclusion - European Commission \(europa.eu\)](https://ec.europa.eu/eas/accessibility-act-qa))

Besides, Member States may decide, in the light of national conditions, that the built environment used by clients of services covered by this Directive shall comply with key accessibility requirements, in order to maximise their use by persons with disabilities.

4.2.4. Structure and content

The EAA is structured along the following chapters:

- CHAPTER I - General provisions (including scope, definitions, etc).
- CHAPTER II - Accessibility requirements and free movement.
- CHAPTER III - Obligations of economic operators dealing with products (covering various types such as manufacturers, authorised representatives, importers, distributors, etc).
- CHAPTER IV - Obligations of service providers.
- CHAPTER V - Fundamental alteration of products or services and disproportionate burden to economic operators (setting up derogations).
- CHAPTER VI - Harmonised standards and technical specifications of products and services (including provisions for conformity).
- CHAPTER VII - Conformity of products and CE marking.
- CHAPTER VIII - Market surveillance of products and Union safeguard procedure.
- CHAPTER IX - Compliance of services
- CHAPTER X - Accessibility requirements in other Union acts (including provisions for other EU legislation)
- CHAPTER XI - Delegated acts, implementing powers and final provisions.
- As well as various Annexes.

Across these chapters, the main contents of the EAA include:

1. Scope: As mentioned above, the act applies to a wide range of products and services, primarily related to the digital sphere, such as computers,

smartphones, e-books, ATMs, transport services, banking services, and e-commerce.

2. **Accessibility requirements:** The EAA sets out specific and minimum accessibility requirements for the products and services covered, with the view of facilitating equal access to goods and services across the EU. These include accessibility requirements for audio and visual content, tactile information, the design of products, etc.
3. **Harmonisation:** As it applies to all Member States, the EAA aims to harmonize accessibility requirements across the EU, thus ensuring equal rights and also facilitating business, exchanges, and travel across the various Member States of the EU.
4. **Enforcement:** The EAA includes provisions for its transposition, enforcement and compliance, including the establishment of monitoring and enforcement bodies at the national level, as well as penalties for non-compliance.

4.2.5. Key stakeholders

The Directive foresees the involvement of various groups of stakeholders for its implementation via transposition into national legislation. These groups include²⁰:

- **European Commission:** The EC and its Working Group monitor and analyse the impact of the transposition of the EAA into national legislation and can initiate infringement proceedings when transposition and application are deemed delayed or incorrect. The EC can also provide Delegated Acts to clarify the content of the EAA requirements, or its provisions for derogations and interoperability.

²⁰ European Disability Forum (EDF) – EAA Toolkit ([European Accessibility Act Toolkit for transposition - European Disability Forum \(edf-fehp.org\)](https://www.edf-fehp.org/))

- EU Member States: The MS are legally bound to transpose the EAA into national law, via the elaboration and adoption of new legislation (or the amendment of existing legislation), before overseeing the EAA implementation.
- Market Surveillance Authorities: These agencies must monitor whether new services and products covered under the EAA and introduced into the EU market comply with its accessibility requirements and review the derogation cases linked to disproportionate burden.
- Economic actors: In cooperation with and under the supervision of Market Surveillance Authorities, economic operators must ensure that their products and services are compliant with the requirements of the EAA.
- Civil Society Organisations: In particular, Organisations of Persons with Disabilities (DPOs) are crucial to verify the EAA compliance of products and services. They are also key to monitoring the transposition of the EAA into national legislation by EU Member States and can bring complaints in cases of breach.

4.3. Other European accessibility regulations

This section reviews several EU acts which complement the EAA to form the EU's legal framework on accessibility.

4.3.1. Nature of various EU legislation

The legislative acts adopted by the European Union can be of various nature, differentiated primarily by the degree to which they are legally binding. Some legal acts, the Regulations, are directly binding across the entire EU. In this section, most of the legal acts reviewed are **Directives** (as is the EAA). Directives set out

goals that all EU countries must achieve, but these acts are not directly applied. Each Member State must devise their own laws on how to reach these goals²¹.

In addition to these Directives, this section also reviews various **Standards**. A standard is a technical document which has been designed via consensus among various key stakeholders (from public authorities to producers and manufacturers, to users and consumers) with the view of setting up clear definitions, criteria, and guidelines. Standards should not be confused with legislation. However, although there are not binding in themselves (i.e. they are voluntary), they can be linked to legal acts which are themselves binding.

There are various types of standards. In the EU²², a standard is “a technical specification, adopted by a recognised standardisation body, for repeated or continuous application, with which compliance is not compulsory, and which is one of the following:

- a. ‘International standard’ means a standard adopted by an international standardisation body;
- b. ‘European standard’ means a standard adopted by a European standardisation organisation;
- c. ‘Harmonised standard’ means a European standard adopted on the basis of a request made by the Commission for the application of Union harmonisation legislation;
- d. ‘National standard’ means a standard adopted by a national standardisation body.”

²¹ European Union – Types of Legislation ([Types of legislation | European Union \(europa.eu\)](https://european-council.europa.eu/media/en/press-communications/pages/Types-of-legislation-EU-Union.aspx))

²² European Union - European Regulation (EU) No 1025/2012 on European standardisation ([EUR-Lex - 32012R1025 - EN - EUR-Lex \(europa.eu\)](https://eur-lex.europa.eu/eli/reg/2012/1025/oj))

4.3.2. Web Accessibility Directive

The Web Accessibility Directive²³ is a legal act adopted by the EU in 2016. It sets out to establish a harmonised legal framework for online services. This includes provisions on the regulation of electronic contracts, online advertising, electronic payments, liability of online service providers, etc. It also includes provisions for the protection of personal data and the right to privacy in electronic communications.

Just as in the European Accessibility Act, this legislation is a **Directive**, meaning that its objectives must be pursued by all EU Member States, but they are free to devise their own methods of transposing them into national legal frameworks. Furthermore, and again similarly to the EAA, the Web Accessibility Directive does not lay down any additional rights or requirements but rather seeks to clarify and specify what is needed for the EU and its Member States to comply with the UN CRPD. In this sense, the Directive is a harmonising minimum, putting forth minimum accessibility requirements which facilitate the harmonisation of rules across the EU.

In terms of **scope**, the Web Accessibility Directive is focused on public online platforms, primarily the websites and mobile applications of public sector bodies (with exemptions foreseen for some broadcasting, archiving, or training platforms).

As an EU Directive, it constitutes an obligation for all the Member States to ensure that the products and services introduced within their market and falling under the scope of the Directive comply with its accessibility requirements. Under the requirements of the Web Accessibility Directive, these products and services need to be ‘perceivable, operable, understandable and robust.’ The public

²³ European Union – European Directive (EU) No 2016/2102 on the accessibility of the websites and mobile applications of public sector bodies ([EUR-Lex - 32016L2102 - EN - EUR-Lex \(europa.eu\)](#))

websites and applications falling under the Directive's scope must additionally provide specific and frequently updated information on their accessibility, including a statement detailing how and why certain aspects or features are not accessible, and referring to the feedback-mechanism enabling any citizen or organisation to notify failure to comply with the accessibility requirements²⁴.

Overall, the Web Accessibility Directive can be seen as **complementary to the EAA**. The primary distinction between the two is in their target groups and who, in essence, must comply with the requirements laid out in the Directives. As mentioned above, the EAA contains provisions for various types of stakeholders (e.g. manufacturers, representatives, importers, distributors, service providers), whereas the Web Accessibility Directive targets public sector bodies.

In terms of timeline, the window for transposition of the Web Accessibility Directive into national legislation has closed, meaning that all EU Member States must by now have amended or created the required national laws to implement the objectives of the Directive.

4.3.3. Public Procurement Directive

Public procurement is “the process by which public authorities, such as government departments or local authorities, purchase work, goods or services from companies. To create a level playing field for businesses across Europe, EU law sets out minimum harmonised public procurement rules.”²⁵ In 2014, the Council of the European Union and the European Parliament adopted two directives aimed at simplifying public procurement procedures and making them

²⁴ European Disability Forum (EDF) – Web Accessibility Toolkit ([final edf web and apps directive toolkit may 2017 0.pdf \(edf-feph.org\)](#))

²⁵ European Commission – Public Procurement ([Public procurement \(europa.eu\)](#))

more flexible while also ensuring greater inclusion of common societal goals in the procurement process.²⁶

For the first of these two, Directive 2014/24/EU on Public Procurement²⁷, the deadline for transposition of the Directive's objectives into national legislation closed in 2016.

This Directive foresees increased requirements for accessibility compared with the previous EU Directive on Public Procurement. These accessibility requirements primarily figure in Article 42:1

“For all procurement which is intended for use by natural persons, whether public or staff of the contracting authority, the technical specifications shall, except in duly justified cases, be drawn up so as to take into account accessibility criteria for persons with disabilities or design for all users. Where mandatory accessibility requirements are adopted by a legal act of the Union, technical specifications shall, as far as accessibility criteria for persons with disabilities or design for all users are concerned, be defined by reference thereto.”

The EAA and the Web Accessibility Directive are complementary to this increased requirement present in the Public Procurement Directive.

4.3.4. European Electronic Communications Code

The European Electronic Communications Code Directive²⁸ aims to implement a harmonised internal market for telecommunications, media, and information

²⁶ European Commission - EU public Procurement Directives ([Directives - GPP - Environment - European Commission \(europa.eu\)](#))

²⁷ European Union - Directive (EU) No 2014/24/EU on Public Procurement [EUR-Lex - 32014L0024 - EN - EUR-Lex \(europa.eu\)](#)

²⁸ European Union – Directive (EU) No 2018/1972 establishing the European Electronic Communications Code ([EUR-Lex - 02018L1972-20181217 - EN - EUR-Lex \(europa.eu\)](#))

technology to boost the take-up of capacity networks, sustainable competition, interoperability of electronic communications services, end-user benefits, and accessibility.

Regarding accessibility for people with disabilities, in recital 47 the directive provides that *“general authorisations should cover specific conditions governing accessibility for end-users with disabilities [...]”*.

In Article 1, the directive foresees *“the provision [...] of good quality, affordable, publicly available services, [...] to deal with circumstances in which the needs of end-users, including those with disabilities in order to access the services on an equal basis with others, are not satisfactorily met by the market and to lay down the necessary end-user rights.”*

The directive promotes several objectives. In Article 2 for instance, it is clearly demanded to Member States and local authorities to pursue, among other goals, *“the interests of the citizens of the Union, [...] by addressing the needs, such as affordable prices, of specific social groups, in particular end-users with disabilities, elderly end-users and end-users with special social needs, and choice and equivalent access for end-users with disabilities.”*

Accessibility is also considered in art 61, where *“national regulatory authorities [...] shall be able [...] to ensure accessibility for end-users to digital radio and television broadcasting services and related complementary services specified by the Member State, obligations on operators to provide access to the other facilities referred to in Part II of Annex II on fair, reasonable and non-discriminatory terms.”*

Adopted in 2018, the deadline for transposition into national legislation was 21 December 2020. At that date, various Member States had not yet completed their duty regarding transposition²⁹, but most countries have now adopted or amended

²⁹ European Commission - EU Electronic Communications Code: Commission refers 10 Member States to the Court of Justice of the EU ([EU Electronic Communications Code \(europa.eu\)](https://european-council.europa.eu/media/en/press-summaries/default/11723))

the required measures to ensure the implementation of the Directive's objectives at the national level³⁰.

4.3.5. Audiovisual Media Services Directive

The EU's Directive on Audiovisual Media Services Directive (AVMSD) is a regulatory documents devised to govern audiovisual media services across the EU Member States. A first Directive was initially adopted in 2010, later amended by a second (and the currently applicable) Directive in 2018³¹.

The AVMSD's aim is to reach a harmonised legal framework for audiovisual media services across the EU. This includes traditional broadcasting as well as emerging online platforms and new media, it thus applies to a variety of stakeholders such as broadcasters, platforms for video-sharing, and other on-demand audiovisual media services operating within the EU.

In terms of accessibility, the Directive requires that all audiovisual media services be made accessible to all citizens, including persons with disabilities, including ensuring that appropriate measures are taken to provide access to content and services. Understanding that accessibility requirements should be met through a progressive and continuous process, the Directive foresees accessibility features including, but not limited to, sign language, subtitling for the deaf and hard of hearing, spoken subtitles, and audio description.

As a Directive, it must be transposed into national law by the EU Member States. The transposition deadline for the 2018 Directive closed in 2020 and all Member

³⁰ European Union - European Electronic Communications Code Directive National Transposition ([EUR-Lex - 32018L1972 - EN - EUR-Lex \(europa.eu\)](#))

³¹ European Union – Directive (EU) No 2018/1808 amending Directive 2010/13/EU on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the provision of audiovisual media services (Audiovisual Media Services Directive) ([L_2018303EN.01006901.xml \(europa.eu\)](#)).

States have now adopted national legislation to implement the objectives of the Directive at national level.

4.3.6. Standards

As mentioned above, standards are guidelines, rules, or definitions devised and adopted with the view of reaching harmonized desired outcomes, such as a certain level of quality or accessibility. Standards are not legally binding in themselves but have set objectives to match, these objectives being sometimes tied to legislation which is binding. Standards exist for many different areas and dimensions, such as designing a product, building a process, implementing a procedure, or delivering a service³². Those standards play an essential role for every EU citizen daily, especially regarding accessibility. Standards are Important for the implementation of the key EU legislation to provide minimum standards as target objectives for economic operators, and for Member States to know how to harmonise national legislation across the EU. For the legislator, standards are often used as a reference, so that when the standards change the law does not need to change itself. They are often referred to in the Preamble of EU legislation to make sure the standards are linked to the legislation.³³

The European Committee for Standardisation (**CEN**) and The European Committee for Electrotechnical Standardisation (**CENELEC**) are two not for profit organisations which are recognised by the European Union and the European Free Trade Association (EFTA) to develop standards on European level together with **ETSI**, the European Telecommunications Standards Institute.³⁴

CEN provides standards for various of fields such as air and space, chemicals, construction, consumer, products, defence and security, energy, the

³² ETSI – Understanding ICT Standardization: Principles and Practice ([Understanding ICT Standardization: Principles and Practice \(etsi.org\)](https://www.etsi.org/standards-work))

³³ UNE – (Accessibility Standards at European Level)

³⁴ CEN and CENELEC - (<https://www.cenelec.eu/european-standardization/cen-and-cenelec/>)

environment, food and feed, health and safety, healthcare, ICT, machinery, materials, pressure equipment, services, smart living, transport and packaging. Within the services sectors, CEN standards for services are particularly important as they set benchmarks to measure quality of services.³⁵ CENELEC provides standards in the electrical field that help countries operate trade, create new markets, and support the Single European Market. It works on a wide range of fields as well from electromagnetic compatibility to solar electric systems. ETSI as one of the European Standard Organisations provides standards for ICT-enabled systems, applications, and services.³⁶

The EN 301 549 **European Standard on Accessibility Requirements for ICT Products and Services (EN 301 549)** is a standard focused on the level of accessibility ICT products and services, such as websites, must provide. It also applies to other electronic documents and non-web software like mobile applications. This was developed by a joint European Standardisation Technical Committee of CEN, CENELEC, and ETSI, and the standard now must be met by all public sector websites since September 2020 and for public mobile applications since June 2021. The European Commission reviews the subsequent revisions of EN 301 549 and, if it finds that the new version is valid to support the EC legislation, it publishes its reference in the Official Journal of the European Commission³⁷. Common accessibility standards are of utmost important to contribute to remove barriers for persons with disabilities.

The European Standardisation Organisations have accepted a Standardisation Request the European Commission and EFTA to develop three new harmonised standards and to review three existing standards in order to support the EAA.

³⁵ CEN – About CEN (<https://www.cencenelec.eu/about-cen/>)

³⁶ ETSI – A European Standards Organisation (<https://www.etsi.org/about>)

³⁷ https://single-market-economy.ec.europa.eu/single-market/european-standards/harmonised-standards/accessibility-websites-and-mobile-applications_en

For more information of Standards and their relevance to the ACCESSIBLE EU Project, please refer to the *ACCESSIBLE EU REPORT 01_ Acc Standards E.L.20230511*.

4.4. Relations between various EU regulations and the EAA

As mentioned above, accessibility represents one of the eight general principles of the CRPD. In Article 3, the Convention encourages State Parties to “*take appropriate measures to ensure to persons with disabilities access, on an equal basis with others, to the physical environment, to transportation, to information and communications, including information and communications technologies and systems*”. Measures should address – among others – the “*identification and elimination of obstacles and barriers to accessibility*” for a variety of products and services that span from information and communications to buildings, roads and transportation. Though accessibility remains a common thread throughout the European regulation framework presented in the report, a lot still need to be done to reach sufficient standards of accessibility, in particular around public infrastructures.

That said, the EAA directive goes beyond prior regulations on the topic by complementing them. Thus, within the directives there are traits and features that differentiate the way accessibility is addressed, in terms of targets, goals, and stakeholders involved, but ultimately, they share the common goal of improving and increasing accessibility of products and services within society. For instance, the Web Accessibility directive targets public sector bodies only, whereas the EAA contains provisions for various types of stakeholders (e.g. manufacturers, representatives, importers, distributors, service providers). At the same time, while the Web Accessibility Directive focuses on online services, the EAA covers a broader range of products and services across the EU. The 2014 directive on Public Procurement providing that “*the technical specifications shall, except in duly justified cases, be drawn up so as to take into account accessibility*

criteria for persons with disabilities or design for all users” is indeed connected to the EAA which – in its complementary role – strengthens and increases the provisions on the types of services and products that need to comply with the directive. Lastly, the European Electronic Communications Code represents the most recent directive – before the EAA – on accessibility covering a section of the services and products offered across Europe focusing on telecommunications, media, and information technology. All these legal texts are complementary and come together to form the body of the EU’s legislation on accessibility.

The European Commission considers these initiatives (as well as future ones), within their ongoing policy objectives. For instance, the European Strategy for the Rights of Persons with Disabilities³⁸ is the key policy framework which sets out the EC’s efforts on accessibility. Indeed, the EC fosters accessibility through various initiatives. For example, *AccessibleEU*’s main goal is to create a European research centre on accessibility, which – as per the report adopted in the European Parliament Internal Market and Consumer Protection Committee (IMCO)³⁹ – aims to “increase the coherence of harmonised accessibility policies, to support their implementation, and to facilitate access to relevant knowledge and skills, promoting a culture of equal opportunities and full participation in society for persons with disabilities, including at professional level, in a collaborative space between public administrations, business representatives, disability civil society, accessibility experts and users”. Among other initiatives, an *Inventory of Assets on rail infrastructure* was launched in 2022 to collect and exchange information on the accessibility of stations between the different actors of the railway sector at European level. As part of the Sustainable and Smart Mobility Strategy, the Commission started an evaluation of passenger rights regulations relevant to

³⁸ European Commission – Union of equality Strategy for the rights of persons with disabilities 2021-2030 ([Union of equality - Publications Office of the EU \(europa.eu\)](#))

³⁹ European Parliament resolution (2022) No (2022/2013(INI) on AccessibleEU Centre in support of accessibility policies in the EU internal market ([C_2023132EN.01002301.xml \(europa.eu\)](#))

passengers with disabilities, which should result in measures that will be adopted in the first quarter of 2023.

These initiatives are to be considered in the context of the previous Strategy (2010-2020) which has fostered the implementation of the directives illustrated in the previous sections, which, according to a study commissioned by the Parliament Policy department for Citizens' Rights and Constitutional Affairs ⁴⁰, are deemed to substantially contribute to the advancement in accessibility for persons with disabilities across the Union. Alongside legislation, funding opportunities had a significant impact on the achievements reached. For instance, the "Bridging the Gap" project helped support the socio-economic inclusion of persons with disabilities in low- and middle-income countries via ad hoc policies. However, despite the initial plan intended to achieve full implementation of the CRPD across Europe, its completion fell short. The creation of tailored indicators for disability did not reach its objectives, limiting the implementation of some of the Strategy's objectives addressing specific groups of people with disabilities. Additional issues arose due to a lack of a clear plan. Also, as some elements of the Strategy fall under the Member States' competence, no clear delineation was given, which further hampered the overall implementation.

Therefore, the current Strategy seeks to address these gaps and shortcomings, by focusing on the full implementation of the CRPD as called for by the Parliament in a resolution⁴¹, and by other European institutions. The Strategy also requires all the objectives to be implemented following a "CRPD-driven way". In addition, acknowledging the lack of clarity in the competences, the Commission claims that the achievement of this Strategy "can only be reached through coordinated action

⁴⁰ Waddington, L., & Broderick, A. (2020). The Post-2020 European Disability Strategy. European Parliament.

⁴¹ European Parliament resolution of 18 June 2020 on the [Post-2020 European Disability Strategy](#).

at both national and EU level, with a strong commitment from Member States and regional and local authorities to deliver on the actions proposed”.

4.5. How do these regulations lead to improved accessibility of environments, products, and services?

The European Accessibility Act, together with the other legal acts presented in the above sections, is a key instrument in ensuring that goods and services meet minimum accessibility requirements. In this perspective, the EAA aims to improve access to environments, products, and services for more than 87 million European citizens living with various disabilities or temporary impairment⁴². By improving equal access to public transport, computers, banking services, e-books, TVs, or online shops, among others, the EAA seeks to ensure the respect of the various Human Rights present in the UN CRPD. In light with the spirit of the Convention, the EAA conceptualises accessibility as a precondition for meaningful participation in society on equal basis with others, for persons with disabilities and others. In turn, the removal of such barriers significantly contributes to improvement in the quality of life of persons with disabilities.

According to the EC, the EAA’s common accessibility requirements benefits both companies and consumers:

- The harmonisation of rules should make it easier for companies (in particular SMEs) to trade with other EU countries and their products and services meet the minimum criteria to be sold and accessed throughout the EU.

⁴² European Commission - European Accessibility Act: Q&A ([European accessibility act - Employment, Social Affairs & Inclusion - European Commission \(europa.eu\)](https://ec.europa.eu/european-commission/european-accessibility-act-employment-social-affairs-inclusion))

- The EAA's impact on innovation for better products and a more open market, implies customers benefit from a wider and more socially inclusive offer at more competitive prices.

In addition to persons with disabilities, it is essential to keep in mind that all users benefit from products, services, and environments which are increasingly accessible.

To achieve such a considerable impact, the EAA can rely on the clarity of the roles it foresees for public authorities (for instance with regard to monitoring and sanctioning products in breach of the Act's requirements – decisions on which other Member States must follow suit), economic operators (for instance in their necessity to modify products which have been deemed to be in breach of the accessibility standards), and for civil society organisations (who take on an active role in monitoring and reviewing the transposition and impact of the EAA).

However, the EAA is not without weaknesses. For instance, the European Disability Forum highlights the following flaws and shortcomings⁴³:

- The scope is limited, and exemptions and loopholes are numerous, with various services and products (such as health care services, education, transport, housing, and household appliances) not included in the Act, and the mechanism of fundamental alteration and disproportionate burden being wide in its potential application.
- Member States do not follow strict accessibility requirements for the built environment related to the services covered by the EAA.
- The litigation enforcement mechanism does not apply to non-compliance cases brought forth by public authorities.

⁴³ European Disability Forum (EDF) – Our Analysis of the EAA ([Our analysis of the European Accessibility Act - European Disability Forum \(edf-feeph.org\)](https://www.edf-feeph.org/))

- The window for the transposition of the EAA’s objectives into national law by the Member States was lengthy, with additional extensions (i.e. “grace periods” for certain product categories).

In spite of these limitations, the EAA and the other pieces of EU legislation mentioned in this section provide a considerable opportunity and impetus for the improvement of accessibility of products, services, and environments across the EU. In order for these improvements to materialise, it is essential to ensure that the objectives and standards of these various Directives are adequately transposed into national legislation and that effective means of monitoring, complaints, and sanctions are implemented.

5. Implementation and Implications for EU Member States

This section examines the concrete impact of the various EU legislations presented in Section 6 and the current state of implementation.

5.1. Implications for EU Member States and other key stakeholders

As detailed in the previous sections, the EU legislative framework contains various obligations and implications for several types of key stakeholders. While each Directive includes specific provisions as to what these duties are, how and in what timeframe they must be followed, and what the penalties for non-compliance are, these roles can be categorised broadly as follows:

- European Commission:
 - While these Directives are adopted by the European Parliament and the Council, the Commission has a role in clarifying and specifying the content of the legal acts.
 - The Commission must also monitor the effective transposition of the legal acts at national level.
 - Likewise, the Commission is in the process of monitoring the impact of the Directives.
 - Finally, the Commission has a key role in complaints mechanisms.
- EU Member States and their market surveillance bodies:
 - By the time of this publication (2023), all four key EU Directives explored in Section 6 (i.e. the EAA, the Web Accessibility Directive, the Public Procurement Directive, and the European Electronic Communications Code) have seen their deadlines for transposition into national code pass. Thus all Member States must have created or amended national laws to pursue the objectives of these Directives.

- The Member States, together with the various national market surveillance agencies, have a key role in ensuring that all the products and services that are introduced within their markets are compliant with the accessibility requirements.
- Economic operators:
 - Manufacturers, producers, service providers, and other economic operators whose activities fall under the scope of the various EU Directives related to accessibility must ensure that their products and services meet the minimum accessibility requirements laid out by these Directives, at the risk of seeing their products and services banned in case of non-compliance.
 - In some cases, economic operators must also provide reviews and statements of the level of accessibility they provide, as well as justification for aspects and dimensions where the accessibility standards are not met.
- Civil society organisations:
 - It has been crucial to involve civil society organisations (in particular DPOs) in the development of the Directives, but also to involve them as advisors during the implementation at national level.
 - In this stage, civil society organisations also have a key role in monitoring the implementation and reporting cases of infringement.
 - Finally, civil society organisations will be involved in periodic reviews of some of the Directives.

It thus appears that the successful implementation of these Directives requires a significant degree of involvement and cooperation for various actors across the EU.

5.2. Factors for successful implementation

From the perspective of further exploration of these crucial roles for key stakeholders, this section reviews various factors which should be crucial in determining the success of the implementation of the EAA and the related Directives.

- Firstly, with regard to the **transposition into national legislation** by the Member States, it has been crucial to find **a balance between ambitious scope and requirements on one hand, and maximised harmonisation on the other**. Indeed, many stakeholders have sought to advocate for greater scope and stricter minimum requirements, which should in theory result in higher degrees of accessibility. At the same time, the EAA and related acts aim “to promote the smooth functioning of the EU internal market, by preventing fragmentation in the market of accessible products and services, and removing barriers to their free movement.”⁴⁴ Finding this balance is a key success factor, not only during the transposition into national legislation, but also for the ongoing implementation and monitoring.
- Secondly, as mentioned above, the **involvement of various organisations such as DPOs** is crucial for the successful

⁴⁴ Digital Europe - Recommendations ([DIGITALEUROPE's recommendations for an effective transposition of the European Accessibility Act - DIGITALEUROPE](#))

implementation of the accessibility-focused Directives.⁴⁵ The key role of DPOs in the effective implementation and monitoring of the objectives of the EAA and other acts requires various initiatives. For instance with regard to the Web Accessibility Directive, civil society organisations should follow up on the work of national public authorities to advocate for ambitious and scrupulous implementation of the accessibility objectives. This can take the form of **advocating** for public authorities to require all public bodies to use a similar approach when preparing (mandatory) accessibility statements for each website and mobile application under their responsibility. With regard to the evaluation of the relevance and impact of the EU legislation, civil society organisations can advocate for the establishment of public bodies for the **periodic review** of the legislation's impact and the accuracy and validity of the content of the submitted accessibility statements. As such practices require a significant allocation of resources, the **strengthening of cooperation** across multiple organisations and across multiple EU Member States is crucial.⁴⁶ This will facilitate the establishment of common advocacy policies as well as the development of common tools for the implementation and monitoring of the accessibility requirements. In

⁴⁵ European Disability Forum (EDF) - Recommendations on the Web Accessibility Directive Implementing Acts ([EDF minutes template \(edf-fehp.org\)](#))

⁴⁶ ACCESSIBILITECH - Document on policy recommendations to promote accessibility in the EU ([D4.2_ACCESSIBILITECH_Policy-Recommendations_EN.pdf \(accessibilitas.es\)](#))

essence, the proactive involvement of DPOs and other civil society organisations in the development, testing, and monitoring of new policies, products, and services is a key success factor for the EAA and the related legislations.

- For this **monitoring**, carried through extensive cooperation between Member States and DPOs, to be effective, a series of considerations with regard to the requirements and interpretation of the objectives of the EAA and related Directives is essential.⁴⁷ For instance, foreseeing and implementing severe enough **penalties**, so the accessibility requirements are considered unavoidable (i.e. by making the penalties substantial enough, public authorities avoid the risk that some economic operators find the cost acceptable as a way to bypass these requirements). Likewise, a strict interpretation of the “disproportionate burden” exemption and other derogations is an essential success factor for the scope of these Directives to be effectively enforced.
- The monitoring of the accessibility objectives of the EU should rely on **a robust standardisation process**, which must be supported by Member States and other key stakeholders. European harmonised standards have a determinant role in facilitating and ensuring the

⁴⁷ European Association of Persons with Disabilities (EASPD) - Study on the Implementation of the European Accessibility Act and Web Accessibility Directive ([final_report_eaa_and_web_accessibility_directive.pdf](https://easpd.eu/final_report_eaa_and_web_accessibility_directive.pdf) (easpd.eu))

process by which economic operators can prove the compliance of their products and services to the EAA and other Directives.⁴⁸ Such harmonised standards are essential to provide clear criteria for economic operators, as well as to facilitate the work of market surveillance authorities.

- For economic operators including manufacturers, producers, service providers, etc, being proactive in their engagement and active participation in the exchange of knowledge and practices on accessibility, including via the development of **networks for peer-learning**, will constitute a significant support for the wide-spread conformity with accessibility requirements. From this perspective, it is essential to allocate significant resources to the the **upskilling and reskilling** of the workforce (including in the digital domain) by providing lifelong learning opportunities about inclusive and accessible technology.⁴⁹
- In order to support the realisation of these ambitious objectives, it is important for the EU⁵⁰ to **mainstream accessibility as a paramount issue** across all European funding programmes, such as Digital Europe, Horizon Europe, ERDF, ESF, etc. Across all these

⁴⁸ Digital Europe - Recommendations ([DIGITALEUROPE's recommendations for an effective transposition of the European Accessibility Act - DIGITALEUROPE](#))

⁴⁹ ACCESSIBILITECH - Document on policy recommendations to promote accessibility in the EU ([D4.2 ACCESSIBILITECH Policy-Recommendations_EN.pdf \(accessibilitas.es\)](#))

⁵⁰ ACCESSIBILITECH - Document on policy recommendations to promote accessibility in the EU ([D4.2 ACCESSIBILITECH Policy-Recommendations_EN.pdf \(accessibilitas.es\)](#))

programmes, accessibility should be considered a requirement in calls and in funded projects. Similar approaches should be encouraged at the national, regional, and local levels.

- Finally, **raising awareness** about the nature of the rules and around the benefits and the availability of accessibility measures will be an essential task for the EU, the Member States, and the various civil society organisations. Indeed, the benefits for companies (in having clear targets applicable across the EU thus facilitating trade within the internal market) and for users or consumers (in having better designed and more competitive products and services) should be emphasised, as should be the existence of a wealth of resources and features to help reach these objectives.

5.3. Implementation results for June 2023

This section provides various elements linked to the state of play on the implementation of the legislation reviewed in Section 6, in particular the EAA and the Web Accessibility Directive, with the aim of reviewing the timelines and highlighting existing gaps or priority areas.

With regard to the EAA, as indicated above, its deadline for transposition into the national legal frameworks of the EU Member States was 28 June 2022. After this date, the measures presented in the transposed national laws must be applied from 28 June 2025. There are a few exceptions to these⁵¹:

⁵¹ European Union – EEA Document Summary ([Directive \(EU\) 2019/882 of the European Parliament and of th... - EUR-Lex \(europa.eu\)](#))

- Compliance for the accessibility of the European emergency 112 number may be delayed until 28 June 2027.
- Service providers whose facilities were already lawfully in use by 28 June 2025 may benefit from an additional extension of five years (until 28 June 2030).
- Self-service terminals may operate until the end of their economically useful life (with a maximum of 20 years after their entry into service).

This timeframe, however, has encountered significant challenges. When the deadline of 28 June 2022 passed, the following countries had not yet transposed the provisions of the EAA into national laws, and consequently received a letter of formal notice from the European Commission⁵²:

- Belgium, Bulgaria, Czechia, Germany, Ireland, Greece, France, Croatia, Cyprus, Latvia, Lithuania, Luxembourg, Hungary, Malta, the Netherlands, Austria, Poland, Portugal, Romania, Slovenia, Finland, and Sweden.

For the five countries who had transposed the EAA into national legislation (Denmark, Estonia, Italy, Slovakia and Spain), it remained essential to conduct analysis as to the quality and relevance of the national laws enacted or amended, as well as to foresee whether they would make full use of the delays and extensions mentioned above or whether they would seek to tighten these deadlines⁵³.

To follow progress made since this deadline, the European Union Law's online platform EUR-LEX tracks⁵⁴ the national transposition of the EAA into national law,

⁵² European Commission - Non-transposition of EU legislation: Commission takes action to ensure complete and timely transposition of EU directives ([Non-transposition of EU legislation \(europa.eu\)](https://ec.europa.eu/eu-lex/non-transposition-of-eu-legislation))

⁵³ European Disability Forum (EDF) - 24 Member States are running late with the European Accessibility Act ([24 Member States are running late with the European Accessibility Act - European Disability Forum \(edf-fehp.org\)](https://www.edf-fehp.org/en/24-member-states-are-running-late-with-the-european-accessibility-act))

⁵⁴ European Union – EAA National Transposition ([EUR-Lex - 32019L0882 - EN - EUR-Lex \(europa.eu\)](https://eur-lex.europa.eu/lexuri-lexuri.do?uri=CELEX:32019L0882:EN:EUR-Lex))

indicating for each Member State the number of measures, together with the publication date and link (in original languages). Many more EU Member States have since passed various measures (either creating new laws or amending existing ones) to implement the objectives of the EAA and prepare their application by 2025.

Preparing economic operators for the application of these laws after 2025 is a key challenge for the effective impact of the EAA, and the ACCESSIBLE EU project is a flagship initiative designed to support stakeholders in this transition. Numerous other resources are available online, such as the European Accessibility Act Peer Support Group set up by the European Disability Forum⁵⁵.

With regard to the Web Accessibility Directive, the window for national transposition came to a close in 2018, and all Member States have now adopted or amended various laws at national level to ensure the transposition of the objectives of the Directive⁵⁶. In 2022, the European Commission conducted evaluation of the first three years of the application of the Directive on the basis of the monitoring reports submitted by the EU Member States, as well as a public consultation held in 2021 and completed by an external study⁵⁷. The evaluation found significant progress overall, with all Member States having implemented laws and appointed enforcement bodies, as well as several having devised training schemes for staff and several MS electing to go beyond the scope and requirements of the Directive. Overall, this has resulted in improved accessibility, as reported by users, especially for websites at the national level.

⁵⁵ European Disability Forum (EDF) - European Accessibility Act Peer Support Group ([European Accessibility Act peer support group \(facebook.com\)](#))

⁵⁶ European Union – Web Accessibility Directive National Transposition ([EUR-Lex - 32016L2102 - EN - EUR-Lex \(europa.eu\)](#))

⁵⁷ European Commission - COMMISSION STAFF WORKING DOCUMENT EVALUATION Review of the application of Directive (EU) 2016/2102 of the European Parliament and of the Council of 26 October 2016 on the accessibility of the websites and mobile applications of public sector bodies (Web Accessibility Directive) ([EUR-Lex - 52022SC0410 - EN - EUR-Lex \(europa.eu\)](#))

Still, there are multiple areas in which much remains to be done⁵⁸, and analysing this might highlight pertinent areas to monitor for the implementation of the EAA:

- There is no consistent enforcement of the accessibility statements across all websites and mobile applications, with several statements missing or being inaccurate.
- Formal enforcement procedures and complaints mechanisms are inadequately developed, resulting in little use.
- The lack of clarity over compliance and over the timeline and use of standards complicates the task of both economic operators and market surveillance authorities, as well as hindering comparisons across multiple countries.
- There are not enough accessibility experts available to support the transition towards more accessible websites and mobile applications. The need for additional training is significant.
- Finally, the involvement of persons with disabilities in the application of the national laws has been inconsistent.

With regard to the Directive on Public Procurement, as mentioned in Section 6.3.3, the deadline for transposition of the Directive's objectives into national legislation closed in 2016. All EU Member States have since enacted or amended national laws to transpose the Directive's objectives into their national legal frameworks, the list of which is available on EUR-LEX⁵⁹. The European Commission has sought to better support the Member States in their application of the new rules on public procurement, including with regard to highlighting the favouring the purchase of goods and services bringing about positive social outcomes, as well as to review the existing tools and opportunities present in the EU legal framework to facilitate socially positive public procurement. To do so, a

⁵⁸ European Disability Forum (EDF) - [Web Accessibility Directive: better feedback mechanism, more expertise needed](#)

⁵⁹ [European Union – Public Procurement Directive National Transposition](#)

Guide to Taking Account of Social Considerations in Public Procurement⁶⁰ has been published by the EC. With regard to accessibility and design for all, the document explains how integrating these objectives into public purchases benefits society at large. It also discusses technical specifications and provides examples of inclusive practices. While directly addressed to public authorities, the document is also a great tool for civil society organisations involved in advocacy and cooperating with public authorities to improve accessibility, as well as to economic operators seeking to understand what public authorities will be looking for in terms of universal design in upcoming calls.

Finally, with regard to the **EC Strategy for the Rights of Persons with Disabilities 2021-2030**, considered a key policy framework for the improvement of accessibility in the EU, the European Commission is keeping track of the state of progression of various initiatives related to accessibility⁶¹.

⁶⁰ European Commission - [Guide to Taking Account of Social Considerations in Public Procurement](#)

⁶¹ European Commission - [Strategy for the Rights of Persons with Disabilities 2021-2030 Monitoring Framework](#)

These are:

Initiative	Timing	Status
Launch of European resource centre AccessibleEU to increase coherence in accessibility policies and facilitate access to relevant knowledge.	2022	On Track
Delivery of practical guidance to Member States to support the implementation of the accessibility obligations under the Public Procurement Directives	2021	Completed
Inclusion of accessibility and inclusion in the reinforced EU Governments Interoperability Strategy	2021	Delayed
Evaluate the application of the Web Accessibility Directive	2022	Completed
Review, in line with the Sustainable and Smart Mobility Strategy, the passenger rights regulatory framework including rights for persons with disabilities and reduced mobility in transport by air, water, bus and coach.	2021	Delayed
Launch an Inventory of Assets on rail infrastructure.	2022	On Track
Review the Regulation on Union Guidelines for the development of the trans-European transport network to strengthen the provision on accessibility.	2021	Completed
Revise the Urban Mobility Package to strengthen Sustainable Urban Mobility Planning which requires Member States to adopt local mobility plans taking into consideration the needs of different groups, including persons with disabilities.	2021	Completed

*Table 2. EC initiatives for the improvement of accessibility in the EU with regard to the **EC Strategy for the Rights of Persons with Disabilities 2021-2030**.*

Overall, it appears that the implementation of the key accessibility legislations, including transposition into national law and application across the EU, is progressing well. The interest and commitment of various stakeholders are increasingly visible, and concrete outcomes are being achieved. Still, the implementation of the EAA experienced a slow start, with notable delays in the national transposition for most EU Member States. Lessons learned from the review of the first three years of the implementation of the Web Accessibility Directive indicate that national transposition is only the first step. It is essential to review the quality, scope, and ambition of the national laws adopted, and significant efforts must be allocated to monitoring the effective implementation of these laws. Periodically reviewing the adequacy of new rules, monitoring their consistent application, and identifying gaps and priorities all require the involvement of civil society organisations, and it will thus be essential for public authorities to engage in constructive dialogue with both economic operators (manufacturers, service providers, etc) and user groups to ensure efficient cooperation.

To support these various groups, the creation of tools and the establishment of peer-learning platforms should be key priorities in the coming years. The [ACCESSIBLE EU](#) project aims to tackle these needs.

6. Further information

Links to the key legislations mentioned in this document:

- [UN CRPD](#)
- [EAA](#)
- [European Standardisation Regulation](#)
- [Web Accessibility Directive](#)
- [Public Procurement Directive](#)
- [European Electronic Communications Code](#)
- [Audiovisual Media Services Directive](#)

Links to other useful resources:

- [ACCESSIBILITECH project on accessible technologies and solutions](#)
- [EASPD Study on EAA and Web Accessibility Directive](#)
- [EDF Toolkit on EAA Implementation](#)
- [EDF Toolkit on Web Accessibility Directive Implementation](#)
- [European Commission site on harmonised standards supporting European Legislation](#)

This document is focused on European standardisation and therefore tiptoes on the international standardisation system, although it provides useful information on the analogies with the European one.