

EUROPEAN ACCESSIBILITY ACT

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86% of Europeans agree that having similar accessibility solutions across Europe would enable them to travel, study and work in another EU country. [Shawn Campbell / Flickr]

EU turns up pressure on accessibility rights of people with disabilities

The draft European Accessibility Act seeks to bring together “fragmented” national laws while creating new rights enabling full access to services ranging from transport to cash dispensers.

The debate about the policy framework for people with disabilities has climbed up a notch on the EU policy agenda.

Following UN recommendations, the European Commission published proposals in December to bolster the accessibility of products and services in the EU for people with disabilities – the so-called European Accessibility Act.

According to Eurostat, 80 million EU citizens are affected by some kind of disability, a number which is projected to increase to 120 million by 2020 considering the rising elderly population.

A UN obligation

Improving disabled persons' access to services like transport is a United Nation obligation,

connected with the 2030 Sustainable Development Goals (SDGs).

For Catherine Naughton, director of the European Disability Forum (EDF), accessibility is a fundamental right enshrined in the UN Convention for the Rights of Persons with Disabilities (CRPD).

“Accessibility is a pre-condition to enjoy other fundamental rights, such as access to the workplace, education, public services, free movement, leisure, etc. that persons with disabilities should enjoy on an equal basis with others,” Naughton told a conference in the European Parliament last month (8 November).

The EU and a majority of its member states have ratified the UN Convention on the Rights of Persons with Disabilities (CRPD). According to Article 9 of the Convention, disabled persons should be enabled to live “independently and participate fully in all aspects of life” – meaning all obstacles must be eliminated.

The Convention requires its signatories to create a legislative framework in order to improve access to buildings, roads, transportation and other indoor or outdoor facilities (schools, housing, medical facilities and workplaces). This also covers access to information, communications and other services, including electronic services.

A fragmented market

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The European Accessibility Act covers products and services like computers, ATMs, ticketing and check-in machines and smartphones. It also covers services related to all transport modes – air, bus, rail and waterborne.

Discussions among member states in the European Council and Parliament are underway but EU Commission sources say it is too early to say when final adoption could be expected.

Currently, EU member states have accessibility laws and rules on a national level covering, for instance, the accessibility of buildings (ramps, doors, and toilets). However, they generally do not cover things like acoustics and signaling, while access to banking services like ATMs remains poor in most member states.

“Using an ATM might be difficult or impossible for blind people if there is no voice output or for wheelchair users if they cannot reach it,” according to the European Disability Forum, an umbrella organisation representing 80 million persons with disabilities in Europe.

Parts of the Act are complementary to existing EU legislation concerning, for instance, the rights of persons with reduced mobility when traveling by bus or airplane. Regarding ICT-related services, the EU has adopted the Web Accessibility Directive, where people with disabilities take centre stage.

The Act will also make it easier for passengers with disabilities to book their tickets on the transport companies’ websites or directly via accessible ticketing machines.

For instance, according to the Commission, a blind person will be able to “use voice or tactile interfaces to interact with the ticketing machines and also to get information about the schedule of his/her journey” while deaf and hard of hearing persons will be able to get informed about possible changes in the schedule of their train or bus journeys in real time in text format, complementing oral announcements.

Backers of the Act claim that lack of EU harmonisation on accessibility and diverging national accessibility requirements lead to the fragmentation of the EU single market. They also believe that in the absence of coordinated action the divergence will most likely increase in the future as member states will have to meet the UN obligations.

The Commission objectives

According to the European Commission, its proposal has three objectives.

First, it aims to improve the functioning of the internal market by removing barriers created by divergent national legislation. Common EU rules will also facilitate cross-border business activity, resulting in costs reduction. Last but not least, it will also improve the everyday life of disabled and older people with functional limitations in the EU.

EU Spokesperson Christian Wigand told EurActiv that the Act had a wide range of benefits.

“It will, among other things, improve the accessibility of transport services, of banking services and of digital devices and services. It will also help companies and member states save substantial costs by removing existing fragmentation of the internal market and preventing future fragmentation,” he said.

Accessibility “in the centre”

The European Disability Forum (EDF), which has actively campaigned in favour of the Accessibility Act, is an enthusiastic backer of the Commission initiative.

But EDF President Yannis Vardakastanis believes the scope of the text should be broadened to “make accessibility of the built environment obligatory”. He also believes the Act should “include other products and services such as accommodation

services, household appliances, and payment terminals”.

Leftist MEP Kostadinka Kuneva, from the Confederal Group of the European United Left – Nordic Green Left (GUE-NGL), shares the same view and considers the accessibility of the built environment as a prerequisite.

“Based on the Directive, an ATM should be accessible to people with disabilities,” she told EurActiv. “If there is no bar, the right elevator for wheelchairs, special access for people with vision problems who want to enter a bank, if there is no suitable staff to understand the behaviour of a person with mental impairment, what sense would accessible products and services have?” she said.

Vardakastanis also recognises some key benefits of the draft Act, saying it places accessibility at the core of EU legislation, which is currently not the case. EDF also hails the horizontal approach of the Commission text, saying it sets minimum requirements for a range of goods and services in a coherent way.

“Currently, we have a very patchy approach across many different sectors and pieces of legislation which means accessibility is not always understood in the same way and is often only added as an ‘afterthought’,” Catherine Naughton, director of the European Disability Forum (EDF), told EurActiv.

“The Accessibility Act will ensure that accessibility is at the centre of the law and persons with disabilities can refer to a single law which guarantees their rights,” she said.

Hampering innovation?

BusinessEurope, the EU employers’ association, says it is generally supportive of EU laws that enable more consumers to buy products and services.

However, it said the draft Accessibility Act will limit businesses’ ability to offer

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innovative, useful solutions for disabled persons.

Patrick Grant, an adviser at BusinessEurope's Internal Market Department, denounced "vague provisions" open to diverging interpretations by national authorities that will act as "new internal market barriers for businesses".

Requirements that "dictate how to achieve something rather than what to achieve" will hamper innovation, Grant told EurActiv.

The EU employers' association claims that the approach to market surveillance is "black and white" but accessibility is something that "cannot clearly be measured and can always be improved".

Asked about what could be done to improve ease of business and innovation, Grant replied that EU legislation should set the end goal and let private sector companies decide how best to get there.

"The design for all approach is often useful for businesses but it should not be mandated. It often depends on the product, service or intended consumers," Grant said, adding that legislation should be made future-proof to enable emerging technologies to be added later on.

European Accessibility Act 'not future-proof enough'

The EU tech industry has criticised the European Commission's draft Accessibility Act, saying it is too prescriptive and fails to provide incentives for innovative businesses to develop the solutions that will make life easier for people with disabilities.

The Council of the EU, representing the bloc's 28 member states, has urged the European Commission to formulate rules that facilitate the "scale-up of innovative European businesses that wish to offer goods and services across borders and/or establish in other member states".

But tech industry association DigitalEurope believes the draft European Accessibility Act, presented in December, has not "completely succeeded" in creating a future-proof legal framework that meets the Council's requirements.

Digital technologies can have an "immense positive impact" on the lives of people with disabilities, said John Higgins, Director General of DigitalEurope.

"We want to ensure that the Act will allow us to continue on this very successful trajectory," Higgins told EurActiv.com, recognising the efforts made by the Commission to create a future-proof legislation.

However, he believes that the European Commission hasn't completely succeeded. "This is evidenced by the accessibility requirements in Annex I," he said. "They are currently formulated at a too specific and technical level and any attempt to define accessibility requirements for specific ICT product

and service types in legislation is almost certain to be ineffective because of the rapid development and evolution in this sector," Higgins said.

According to Higgins, the specific requirements mentioned in the Act should be replaced by outcome-oriented functional performance requirements, not detailed prescriptions.

Outcome-oriented requirements "will leave economic operators the flexibility to strive for creative accessibility solutions that fulfil users' needs", Higgins argued.

Inappropriate and ineffective

According to the tech industry association, accessibility cannot be subject to a generic pass or fail assessment because user requirements vary and usability is subjective. Moreover, usability criteria are not measurable in the same manner as compliance with safety standards.

"Instead of demanding complete accessibility at all times, the Directive should encourage economic operators to be as ambitious as they can and make all efforts possible to innovate and make their products and services accessible," Higgins said, citing the US Communication and Video Accessibility Act (CVAA) as an example of future-proof legislation that keeps administrative requirements at a minimum.

For the tech industry, a pragmatic approach to market surveillance and enforcement is needed in order to create an effective directive.

"It is inaccurate to refer to the term 'risk' in the accessibility context," Higgins said. "As products or services that lack a specific accessibility feature do not present a safety risk, it is disproportionate to demand their withdrawal or recall," he remarked, saying many issues related to accessibility could be solved through a constructive dialogue with consumers.

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“Disproportionate burden”

Civil society groups, for their part, have taken the opposite side of the argument, warning that the draft Accessibility Act was leaving businesses with too many loopholes for non-compliance.

The European Disability Forum (EDF), an umbrella organisation representing 80 million persons with disabilities in Europe, hailed the Commission’s proposal but expressed concerns related to its narrow scope.

It also criticised measures designed to shield private companies of any “disproportionate burden” in the implementation of the Act, as well as weak enforcement mechanisms.

Indeed, the Commission foresees exceptions for private companies who find it too complicated or expensive to make their products and service accessible to disabled persons.

Referring to this provision, EDF President Yannis Vardakastanis stressed said this provision should be used in exceptional circumstances, otherwise “you create a loophole for non-compliance”.

Vardakastanis said it also has to be ensured that the Market Surveillance Authorities, who would be responsible for checking compliance, have the necessary resources to do their jobs.

“It could be a problem if economic operators can get exceptions from the rules too easily and ignore the accessibility requirements,” the EDF president pointed out.

EU refuses to sign “a blank cheque”

Contacted by EurActiv, a European Commission official noted that certain safeguards were provided so that the application of the accessibility requirements only applies to the extent that they will not impose any disproportionate burden on businesses.



DigitalEurope: “Digital technologies can have an “immense positive impact” on the lives of people with disabilities.” [Honza Soukup / Flickr]

“However, this is not a blank cheque to circumvent the requirements,” the official stressed. “The safeguard clauses have been introduced to protect small-scale operators and take into account the size, resources, and nature of the economic operators concerned,” he said.

“For example, a small-scale bakery opening a webshop can examine whether the compliance with the accessibility requirements of the Directive would impose a disproportionate burden and can on the basis of this assessment decide not to apply these,” the EU source added.

For the executive, the European Accessibility Act will make it easier for small businesses to export products and services that comply with EU requirements because they will not have to adjust to divergent national rules.

“In particular, this will help small business to take full advantage of the EU market, and it will allow people with disabilities to benefit from a greater supply of accessible products and services at more competitive prices,” the official explained, adding that the legislation intends to avoid administrative burden and includes light procedures for industry.

Impact on public budgets

According to the Commission, the Act will also improve the chances of

people with disabilities following an education or finding an employment opportunity. Jobs related to accessibility expertise will also be boosted by the new law, he said.

Finally, the directive is expected to have a positive impact on public budgets, the official remarked.

“By bringing more people with disabilities to education and jobs, as well as by allowing older people to have longer working lives, the proposal will enable them to be active citizens and taxpayers,” the officials said.

“It can thus reduce dependency and pressure on pensions and public budgets,” the EU official said in conclusion.

INTERVIEW

Leftist MEP: EU Accessibility Act is an 'ideal chance'

The European Accessibility Act for people with disabilities opens a "huge horizon" and new innovation fields for everybody, but its scope should be widened to more products and services, MEP Konstantina Kuneva said in an interview with EurActiv.com.

Konstantina Kuneva is a Greek Syriza MEP affiliated with the European United Left/Nordic Green Left political group (GUE/NGL).

In 2008, Kuneva was attacked by two men in Athens who threw acid in her face causing permanent damage to her body, vision, and voice. "Someone decided to punish me for being a woman and trade unionist," Kuneva said.

In 2014, she was elected as a member of the European Parliament with the support of the Syriza-led government.

She spoke with EurActiv.com's Sarantis Michalopoulos.

What are the main challenges regarding EU plans to harmonise products and services to make them accessible for disabled people?

For me, the main challenges are five.

First, the timing and the scope of the Directive itself. The draft Directive provides an application in six years, a period long enough; especially if we think that we are talking about digital products and services very often revolving in a short life cycle. Also, the



Syriza MEP Konstantina Kuneva [European Parliament / Flickr]

scope of the Directive itself does not ensure the accessibility of the disabled in a number of activities, such as access to a hotel accommodation or the use of household appliances.

Secondly, it's the issue of supervision at European and national level. The EU itself should oversee the rapid harmonisation of national laws and not delay the implementation of the Directive. Then, the member states should set up powerful control mechanisms that will detect, for example, how well-founded the business applications for exemption from the uniform accessibility rules are. Let's not forget that in member states there are currently no market supervisory authorities for products and overall compliance of accessibility for people with disabilities.

Thirdly, it is important to include in the new legislation the built environment. For example, based on the Directive, an ATM should be accessible to people with disabilities. But the obligation of a bank should not be limited to it. If there is no bar, the right elevator for wheelchairs, special access for people with vision problems who want to get in a bank or in the office, if there is no suitable staff to understand the behavior of a person with mental retardation, what sense would accessible products and services have? The accessibility of the built environment is a prerequisite for all. This is underlined by all organisations and agencies in the disability field. And

they are right.

In addition, the European Accessibility Act results in obligations of private enterprises to adapt products and services they provide. But there are obligations arising for the member states. What will be the guarantor of economic accessibility to these goods and services? Will a citizen (a person with disabilities or elderly) have the financial means to purchase? So, we must make sure that the conversion cost for a product to become accessible will not pass to people with disabilities. Besides, we are well aware of the fact that disability leads to poverty easier. Unemployment rates in the disability field are very high. Consequently, accessibility cannot be only for those few who have some income.

Moreover, the new Directive is a good opportunity for the EU to control what is done with the previous directives. That is to check to what extent they have been implemented and how effective they are for people with disabilities.

How do you think that EU legislation should be structured so as to avoid "creating new barriers to innovation"?

I would say that the new directive is opening new horizons and a new, huge innovation field for businesses, researchers, scientists, and the 80

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million people with disabilities. But the EU should also provide incentives for research and design accessible products not only to multinationals but also to SMEs.

Could that Act be a “win-win” game for all?

Of course. We are talking about 80 million people with disabilities. And even the European Commission predicts that this number will increase in the coming years.

Speaking in strictly economic terms, it is a big market that opens for business. Businesses can see people with disabilities as consumers too, who must have equal opportunities like everybody else.

But the problem is that companies usually only see the short-term benefits, what will earn this year or in two years'

time. On the contrary, they should see the benefits in the long term in working for 500 million people, without exclusions and marginalisation.

On the other hand, the EU has ratified the UN Convention on the rights of people with disabilities. So it is obliged to apply this Convention, which explicitly defines accessibility in all areas of their rights.

What are your main concerns? The European Parliament's Culture and Education Committee recently voted to exclude the audiovisual media services, including television programs and e-books, from the European Accessibility Act. Does this make sense?

Truly, I do not understand this decision. The main criticism the European Commission's proposal for a European Accessibility Act received was that it had a limited scope. It is not

possible to limit it further, especially since the collective bodies representing the disabled people propose to extend the scope of the Act to more products and services.

I've heard that their position is that a specific and separate Directive on access to audiovisual services must be advanced. But I believe that this will delay things. With the European Accessibility Act, we are granted now an ideal opportunity.

For many people with disabilities, services for audiovisual means, a television program, a movie, is a window to the world. We cannot deny them the right of access to culture and art. It's also not right that we, the MEPs, should vote to cut the rights of disabled people in order to protect different business sectors. Because at the end of the day, we do not offer good services to the business sectors either, as we exclude them from a large group of people.

PROMOTED CONTENT

Why innovation should be accessible for all

Accessibility in technology should not be an afterthought, it should be celebrated as a motor for innovation, writes Adina Braha-Honciuc.

Adina Braha-Honciuc is Government Affairs Manager - Accessibility, Sustainability and Environment Policy, at Microsoft.

Steve Gleason, former American football star, loves to tweet about his team's latest victories. When he's not on Twitter, he's catching up on emails or reading to his son. Ordinary, everyday activities.

But the fact that he is doing them at all is extraordinary. Because Steve lives



[Microsoft]

with Amyotrophic Lateral Sclerosis (ALS), which has left him unable to talk or move. Steve is facing this with characteristic grit and determination, but also thanks to technology designed to assist those living with disabilities. And now he's channeling his energy into an advocacy campaign

underpinned by the belief that technology can transform the lives of people living with disabilities worldwide.

80 million people in the EU live with disabilities. 48% of these individuals are

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unemployed, whilst a third have never used the internet. And with a rapidly-ageing population, the number of citizens having to adapt to life with some form of disability is only set to increase. Even today's digital natives will face ageing at some stage. The same technology which has become ubiquitous to all our lives can help people living with both physical and cognitive disabilities to participate more fully in every aspect of society, enriching society itself in the process.

But to achieve this, technology needs to become more accessible. Technology companies like Microsoft are already making commitments to better serve people with disabilities by making their products more accessible. Creating the right policy frameworks is equally important. The European Commission's proposal for a European Accessibility Act (EAA) is a positive step forward in this regard, underpinning the EU's efforts to implement the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD).

The EAA's ambition to eliminate accessibility barriers isn't just about securing a better functioning internal market; it's about making the fundamental human right to equality fit for the digital age.

To make this possible, the EAA must strike the right balance between clarity and flexibility. Companies should understand what guidelines they must follow in order to reach a high level of accessibility. But to allow for innovation, it is also essential to avoid overly-prescriptive obligations based on today's technology. Otherwise we risk inadvertently hindering the development and use of new solutions which could achieve outcomes in even better ways.

Instead of mandating specific features which each piece of technology must incorporate to be considered accessible, policymakers should opt for "functional performance requirements". These would lay out what the technology should ultimately aim to achieve – e.g. allow for usage by persons with limited hearing,

or limited vision – rather than dictating exactly how to achieve it.

Taking this approach would allow the mainstream digital devices we all use to be built with accessibility in mind, adhering to the principle of "universal design". By working towards an end goal rather than a specific set of technical criteria, developers and designers can come up with new, creative means of technology intended for use by all. And by focusing on outcomes, we can also allow for the creation of specialist solutions such as the eye-tracking technology which has been Steve Gleason's lifeline, or the 3D Soundscape technology which guides those with visual impairments through their towns and cities.

Taking this approach wouldn't mean starting from scratch. There is already an existing EU accessibility standard (EN 301 549) developed with input from industry, consumers, academics and governments, that we can take inspiration from. And by modeling the EAA's functional requirements upon those of the standard, we can also ensure that technological innovations which cater to people with cognitive disabilities such as dyslexia or dyspraxia are also allowed to flourish given that cognitive disabilities are currently not clearly reflected in the EAA.

Technological development doesn't stand still. The EAA likely won't come into force before 2023 and the scope for unknown innovations before then is immense. In the US and Canada, it took just 5 years for smartphones to cross the tipping point for widespread adoption. Yet nowadays, few of us can imagine life without them. Nor is it possible to imagine what "must-have" technology we'll be touting seven years from now.

Of course, no journey of discovery is without its road bumps. Not every bright idea will work out in practice, not every prototype will make it to market. But those that do can truly make a difference. So let's make sure our policies support innovation and create an environment of possibility in Europe.

Accessibility in technology should

not be an afterthought, it should be celebrated, as a motor for innovation. The more solutions created to tackle the everyday challenges for those living with disabilities, the more human potential we are unlocking for society as a whole.

More often than not, those living with disabilities have a novel way of approaching challenges which can in fact benefit us all. It's time to let those using technology to improve their lives decide where it takes us all. If we all work collaboratively with one another towards new accessibility solutions, there are no limits to where imagination can lead us.

VIDEO

MEP: Accessibility laws ‘benefit everyone’

The European Accessibility Act has the potential to create new opportunities for European business but should avoid creating “barriers” to innovation, according to Helga Stevens, Vice-Chairwoman of the European Conservatives and Reformists (ECR) group in the European Parliament.

Helga Stevens is a Belgian MEP from the N-VA party, affiliated to the European Conservatives and Reformists Group (ECR) in the European Parliament. She is the rapporteur on the recently adopted European Parliament resolution on the Convention on the Rights of Persons with Disabilities.



Speaking to EurActiv.com through a sign language interpreter, Stevens stressed that excluding disabled people causes extra cost for society – and that inclusion, on the contrary, benefits everyone.

“When you exclude 15% of the population, that ultimately does cost us money because we need to provide separate goods and services,” she explained, adding that a functional approach is needed that will not tell the industry how to achieve the ultimate aims.

Stevens described the Act as a “win-win” situation for all, because if people with disabilities are included, that will create opportunities for businesses to provide more goods and services.

“People with disabilities will have access to these and if you look at the US Accessibility Act. You can see that it does benefit everyone in the society because people with disabilities are no longer excluded and are able to participate in the society,” she stressed.

Navracsics: New technologies are ‘unmatched vectors’ of integration

Technology can make “an enormous difference” for pupils with disabilities, offering them the same opportunities as other students, according to Tibor Navracsics, the European Commissioner for Education, Culture, Youth, and Sports.

Speaking at the Policies and Technology Supporting Inclusive Education event organised in the European Parliament, the Hungarian Commissioner pointed out the significant role new technologies can play in integrating people in school.

According to the European Commission, there are an estimated 45 million EU citizens of working age with a disability, and approximately 15 million children have special educational needs.

“Learners with special needs are still sometimes placed in segregated educational institutions – or in mainstream educational settings, but with inadequate support,” the Hungarian Commissioner said.

Inclusive education

Following UN recommendations, the European Commission published proposals in December to bolster the accessibility of products and services in the EU for people with disabilities – the so-called European Accessibility Act.

The EU was the first international organisation to ratify the UN Convention on the Rights of Persons with Disabilities.

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Article 24 provides a strong commitment to the principles and practice of inclusive education. The European Union as a whole is now accountable to the UN for the implementation of the Convention.

In March 2015, several weeks after the Charlie Hebdo attacks, EU education ministers also adopted the Paris Declaration on citizenship and inclusive education, which aims to foster the education of disadvantaged children and young people, by ensuring that educational and training systems address their needs.

Integration should start from schools

According to Navracsics, technology can offer the extra push needed to make sure that deaf or blind pupils, for example, have the same access and opportunities as other students in the classroom, and later in society or in the workplace.

New technologies are “unmatched vectors of integration for all, and especially for persons with disabilities,” he noted.

The executive believes that schools are the best place to start a virtuous circle of integration.

“Because this is our shared goal: to give a very concrete meaning to inclusion and make sure that persons with disabilities, and their families, are naturally integrated into mainstream schools and in our communities,” Navracsics said.

“With the possibilities offered by new technologies, there are little reasons not to render school materials accessible for all,” the Hungarian Commissioner noted, emphasising that when all children, regardless of their differences, are educated together, everyone benefits.

“At other times, indeed, it is much more complex. And this is precisely where new technologies can make, and already are making an enormous difference. Here, the key word is



*A class reads from books. A disabled student is in a wheelchair.
[World Bank Photo Collection Follow / Flickr]*

accessibility,” Navracsics added.

The EU official also announced the executive’s plans to launch the “Erasmus Virtual Exchanges” aiming to bring young people from the EU and third countries together for online discussion.

“We are supporting the creation of a network of role models for visits to schools, youth and sports clubs [...] as of next year, they will meet and hopefully inspire young people from disadvantaged backgrounds,” the Commissioner explained.

ICT

Speaking at the same conference, representatives from the tech industry argued that accessibility is a human right and that inclusive design was more efficient and economical.

Speakers representing Microsoft, Apple and Samsung agreed that technology could play a critical role in fostering independent living, which can ensure dignity and empowerment for persons with disabilities.

Hector Minto, Accessible Technology senior expert at Microsoft, said that accessibility starts from the design stage, which means that people with disabilities can create, design or programme these technologies.

Minto stressed that people with disabilities were part of the design process at Microsoft and create the products themselves.

“We employ blind programmers and coders in Microsoft as well as people with autism. We realise the neurodiversity skills they have and this is equally important that we make the building blocks for these tools accessible as well,” he said, adding that education is also important in order to adapt to fast-evolving evolving technology.

Referring to cloud sharing, Minto said it was an “exciting idea”.

“The tools for learning no longer remain in the school or in the classroom. They are going home,” the Microsoft technologist emphasised.

Minto also stressed that as people moved into mainstream schools, we have to make sure that the skills that existed within the special schools are taught out into the mainstream schools.

EU disability rights bill won't fix public transport problems, campaigners fear

Public transport authorities in cities around Europe are expecting that once an EU disability rights bill is passed, they'll have to improve ticket machines to make them easier to read for people who are partially or totally blind.

But they won't be forced to make drastic changes to help people with disabilities access transport stations and vehicles.

The European Commission proposed the EU Accessibility Act one year ago to make services, including electronic ones like ATMs, easier to use for people with disabilities. The bill is still caught up in negotiations with the European Parliament and national governments.

City transport authorities will have to make transport services like bus and metro stops easier to access under the new rules.

But disability rights advocates have argued that the proposal focuses mostly on requiring transport authorities to provide better information for people with disabilities, but doesn't do enough to ensure they have easier physical access to enter or exit transport hubs or ride in vehicles.

Public transport authorities pushed back against suggestions that the accessibility act should require cities to improve access.

The International Association of Public Transport (UITP) has asked for an exemption that would allow public



transport authorities to prove that they are overburdened by the cost of buying new ticket machines with disability access.

"The objective of making public transport accessible for persons with reduced mobility can be further pursued without the proposed directive", the lobby group wrote in a recent position paper.

Medical vs. human rights approach

Many cities around Europe do have some measures to help people with disabilities use public transport, but plenty of metro or bus stops don't have special access.

Gunta Anca, vice president of the European Disability Forum, which lobbies for the rights of people with disabilities, has to call city authorities 48 hours in advance if she wants to use a train in Riga, where she lives. Anca uses a wheelchair. Using buses and metro lines in Brussels is also "really difficult" for wheelchair users, Anca said. Public information about which lines and stops have access for wheelchairs is often wrong.

Anca said many European cities' public transport systems are lagging behind on helping people with disabilities: the UN convention on the rights of persons with disabilities marked a departure from a medical way

of talking about disabilities to a concern for human rights.

"One of the differences from the medical model is that people were previously supposed to use special kinds of services, but in the human rights model people are using services like everybody else," she said.

The European Commission has said its new accessibility act is consistent with the UN human rights treaty. Finland, Ireland and the Netherlands are the only EU countries that have not yet ratified it.

Passenger rights

EU passenger rights laws already guarantee assistance to people with disabilities when they use railways, airplanes, buses or ships—but those rights don't cover local public transport systems.

The Commission awards cities every year that deliberately improve their public transport systems to provide better disability access, highlighting the steps some local governments have taken.

The award, according to the Commission, is a gesture to "ensure equal access to a full city life for persons with disabilities" who otherwise risk becoming isolated.

Last week, Chester, a small city in northwestern England with a population

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of around 81,000, won the 2017 European Access Award, edging out bigger contenders like Rotterdam.

In Chester, the entire fleet of 192 taxis are wheelchair accessible and have hearing loop sound systems to help people with hearing aids understand their drivers and coloured seats to guide people with impaired vision.

The city also has wheelchair accessible buses and call-a-ride services.

One main reason why Chester officials made the city's transport system easier to access is economic: they don't want people with disabilities to move away—or, preferably, even to shop in other areas.

Chester's population of people with disabilities is slightly higher than the UK average of around 18%. The city also has a "significant" ageing population, one city official said.

According to Eurostat figures from 2012, 17.6% of adults in the EU have disabilities. The survey excluded Croatia and Ireland.

Chester's city council funds a service that offers scooters and wheelchairs to people with disabilities for their shopping trips. Each year, equipment is booked through the programme 3,000 times. The average amount of money spent on one of those shopping trips is £79, or around €93, according to Graham Garnett, a city council officer in charge of disability access issues.

Garnett cited studies that suggest people with disabilities have more disposable income as one argument for funding the service.

"It has a significant positive impact on the local economy," he said.

OPINIONS

DISCLAIMER: All opinions in this column reflect the views of the author(s), not of EurActiv.com PLC.

Better accessibility is good for consumers and businesses

The common standards brought in by the Accessibility Act will benefit businesses and consumers, bringing regulatory certainty and making sure no-one is left behind, writes Marianne Thyssen.

Marianne Thyssen is the European Commissioner for Employment, Social Affairs, Skills and Mobility.



This Commission has placed accessibility where it belongs, at the centre of our efforts to shape an inclusive future. While the contributors to Euractiv's special report series have voiced different views on the best way to make accessibility a reality for all, they all agree on the necessity to make it happen.

We need to act now and we need to act together. Accessibility is not an option. It is a right and a necessary investment in our future.

In 2020, it is expected that one in five Europeans will experience a degree of disability. Many everyday services and products have already become digital. They offer new opportunities for people with disabilities to take part in society and in the labour market on an equal basis with others.

This will only happen if new products and services also have the necessary accessibility features. We need to stimulate innovation, but we also need to make sure that no one is left behind.

That is why I welcome the recent adoption of the Web Accessibility Directive, which will finally bring accessible public websites and mobile apps. And that is why I have proposed the European Accessibility Act, on which the discussions in the Council and the European Parliament are now in full swing.

The Accessibility Act makes use of the full potential of our single market to trigger real change in people's lives. It sets common European accessibility requirements for key products and services, in order to step up accessibility and prevent further market fragmentation.

Take a practical example: automatic teller machines (ATMs) used in banks are regulated in some member states, for example as to their height. Did you know that a height considered accessible in France or in the UK is considered inaccessible in Austria?

This is just one example of a product where a lack of common standards is acting as a brake to the internal market. How can we encourage SMEs to invest and create jobs in the face of 28 diverging rules? Can we really expect European research centres and universities to pursue innovative solutions if they have to deal with different national and sectorial rules?

The Accessibility Act will lead to a larger market for accessible products and services at more competitive prices. That's good for business and for consumers. We can't afford to waste this opportunity to live up to our common commitment.

PROMOTED CONTENT

Technology opening new doors for people with disabilities

With almost 15% of the world's population living with a disability, building a more inclusive society is a key priority.

should empower all people to achieve more and that technologies need to be designed with accessibility in mind to allow every individual to play their part in society.

Forward-looking policies can turn accessibility into a motor for innovation.

To know more, read [Why Innovation should be accessible for all](#), by Microsoft.



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