



Resolution on the European Accessibility Act

adopted by the Board of Directors of the European Disability Forum
Vienna, Austria, 17 November 2018

A disappointing law not living up to its name

Considering the importance of the proposal for the European Accessibility Act (Directive of the European Parliament and of the Council on the approximation of the laws, regulations and administrative provisions of the Member States as regards the accessibility requirements for products and services COM/2015/0615 final - 2015/0278 (COD)) for the Disability Movement;

Recalling that there are 80 million persons with disabilities in the European Union (EU) and that an accessible Single Market aware of the demographic changes and of the needs of all consumers would benefit not only persons with disabilities but all citizens;

Underlining that accessibility is the key pre-requisite for the enjoyment by persons with disabilities of basic rights such as inclusive education and employment, independent living and personal autonomy and freedom of movement, and that persons with disabilities can currently not exercise these rights fully and freely;

Keeping in mind that the EU and its Member States having ratified the United Nations Convention on the Rights of Persons with Disabilities (UN CRPD), are obliged to adopt appropriate legislative measures to ensure the right to accessibility under Article 9 of the Convention;

The EDF Board states that:

- The Disability Movement is disappointed with the political agreement that was reached on 8 November 2018 between the EU institutions.
- The agreement in its present form falls short of the expectations concerning certain key provisions resulting in the exclusion of millions of persons with disabilities from the full participation in society on an equal basis with others due to the lack of accessibility of fundamental goods and services.
- Especially important parts of the scope, such as the built environment, transport, public procurement and other Union Acts have fallen short of the potential of an ambitious and comprehensive Accessibility Act.

- There are, however, also some positive achievements, especially in the area of e-accessibility and the digital sector, such as accessibility requirements for computers, smartphones, telephony and emergency services, e-books, e-commerce, ATMs, or payment terminals.
- Therefore, we acknowledge that the current agreement brings an improvement of the status of the ICT sector, even if it does not solve all accessibility limitations that persons with disabilities face in their day-to-day life.
- Now EDF is looking ahead to the future and urges Member States to fully commit to go above and beyond the minimum obligations imposed by the Act in its transposition and implementation phase at national level.
- EDF will provide full support to its members to achieve an ambitious transposition of the Directive into national law, especially on the built environment.
- EDF expects EU policy makers to resume the work on the Horizontal Equal Treatment (Directive COM (2008) 426 final), also called “Non-Discrimination” Directive or “Article 19” Directive referring to article 19 of the consolidated version the Treaty on the Functioning of the European Union of 2012 (ex Article 13 TEC), and adopt it swiftly, including strong provisions on accessibility that in the Act are missing.
- EDF will request the UN Committee on the Rights of Persons with Disabilities (CRPD Committee) to assess the final text of the law in the next review of the European Union on the implementation of the UN CRPD and issue a specific recommendation regarding its alignment to the CRPD.