

Decision in case 896/2019/JAP on the failure of the European Anti-Fraud Office (OLAF) to make the fraud notification form on its website accessible for persons with a visual impairment

Decision

Case 896/2019/JAP - Opened on 28/05/2019 - Decision on 21/08/2019 - Institution concerned European Anti-Fraud Office (No further inquiries justified) |

Background to the complaint

1. The complainant, a Hungarian citizen with a visual impairment, tried to report a case of fraud using the online tool of the European Anti-Fraud Office (OLAF) available on its website.
2. OLAF's website uses CAPTCHA test, a method of verification used in computing to determine whether or not the user is human. This method is unfortunately not compatible with the available screen reader [1] the complainant uses. Therefore, he could not report fraud to OLAF.
3. When he tried to contact OLAF's webmaster to raise this issue, he faced the same difficulty. CAPTCHA verification was also necessary to send a message to OLAF's webmaster [2] . Therefore, he was effectively precluded from contacting OLAF.
4. Dissatisfied with this situation, in May 2019, the complainant turned to the Ombudsman complaining that OLAF has failed to make the fraud notification form on its website accessible for persons with a visual impairment.
5. The Ombudsman requested OLAF to inform the complainant directly of how he can contact it electronically, in particular so that he can report a case of fraud. Separately, the Ombudsman requested OLAF to provide her with feedback on the complainant's concerns about problems with the accessibility of its website tools for persons with a visual impairment.

OLAF's response

6. In June 2019, OLAF replied to the complainant directly and subsequently sent a copy of its



reply to the Ombudsman. It apologised for the difficulties the complainant had encountered and informed him of its efforts to find a way of improving its webforms to ensure that users with disabilities are able to contact it. OLAF also provided the complainant with an e-mail address where he could send information regarding a possible misuse of EU funds.

7. In July 2019, OLAF wrote to the Ombudsman, saying that it is fully committed to improve the accessibility of its website and online tools to users with disabilities. OLAF noted that it was working, in close co-operation with a number of European Commission's departments, on finding an appropriate and convenient solution regarding the use of CAPTCHA test, which is not compatible with screen reader software and prevents persons with visual impairments to contact OLAF.

8. OLAF further stated that CAPTCHA tests are used on its webforms as a security check to ensure that only human users (and no computers) fill in the webform. Currently, it uses visual CAPTCHAs with distorted characters, which indeed is problematic for persons with a visual impairment. Therefore, OLAF is in the process of testing an alternative technical solution. At this point, the test solution is available on one of the online forms on its website, i.e. "*Contact webmaster*" form [3]. If this solution proves successful, OLAF undertook to implement it on all online forms in the coming months.

9. OLAF also said that it was cooperating with the Commission's relevant departments dealing with accessibility issues with a view to further improving the accessibility of its website and online tools to users with disabilities.

The European Ombudsman's findings

10. Based on the information gathered during this inquiry, the Ombudsman is satisfied with OLAF's response. OLAF has settled the procedural aspect of this individual complaint. It has acted in a citizen friendly manner and provided the complainant with a convenient solution. The complainant was thus able to report alleged misuse of EU funds. Moreover, OLAF has made a commitment to improve the accessibility of its website for persons with a visual impairment.

11. In light of the above, no further inquiries into the complaint at this stage are justified. [4]

12. However, as the final solution to the general accessibility problem has not yet been found, the Ombudsman will monitor closely OLAF's actions to improve the accessibility of its web tools for persons with a visual impairment. Therefore, she invites OLAF to provide her with feedback on the progress made within 4 months.

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Strasbourg, 21/08/2019

[1] A screen reader is a software application that enables the user to “hear” or “read” what is usually “seen” on a screen including the digital content.

[2] The same test applies to OLAF’s information request contact forms, as verified by the Ombudsman’s inquiry team.

[3] https://ec.europa.eu/anti-fraud/contacts/contact-webmaster_en [Link]

[4] This complaint has been dealt with under delegated case handling, in accordance with Article 11 of the [Decision of the European Ombudsman adopting Implementing Provisions](#) [Link]