



Emily O'Reilly
European Ombudsman

Mr Jean-Claude Juncker
President
European Commission

Strasbourg, 16/02/2016

Accessibility for persons with disabilities of websites and online tools managed by the European Commission

Dear Mr President,

In September 2015, following its first review of the EU's compliance with the United Nations Convention on the Rights of Persons with Disabilities (CRPD), the UN Expert Committee made the following comments as regards Article 21 CRPD¹ on Freedom of expression and opinion, and access to information:

"82. The Committee is concerned that not all the websites of the various European Union institutions are fully implementing accessibility standards. It is concerned about the lack of information in sign languages, Braille, augmentative and alternative communication, and other accessible means, modes and formats of communication for persons with disabilities, including easy-to-read format.

83. The Committee recommends that the European Union take the necessary measures to ensure the full application of web accessibility standards to the websites of all European Union institutions and to offer information in sign languages, Braille, augmentative and alternative communication, and other accessible means, modes and formats of communication for persons with disabilities, including easy-to-read formats, in official interactions."

¹ Article 21 - Freedom of expression and opinion, and access to information:

"States Parties shall take all appropriate measures to ensure that persons with disabilities can exercise the right to freedom of expression and opinion, including the freedom to seek, receive and impart information and ideas on an equal basis with others and through all forms of communication of their choice, as defined in article 2 of the present Convention, including by:

a. Providing information intended for the general public to persons with disabilities in accessible formats and technologies appropriate to different kinds of disabilities in a timely manner and without additional cost;

b. Accepting and facilitating the use of sign languages, Braille, augmentative and alternative communication, and all other accessible means, modes and formats of communication of their choice by persons with disabilities in official interactions;

[...]"



As a member of the EU CRPD Framework², my office has a particular responsibility to ensure that the EU administration follows up on this concluding observation. I also believe it is in our best interest to address any shortcomings so as to pre-empt complaints to both the institutions and the Ombudsman. For this reason I have decided to gather information on the current position regarding the accessibility of websites and online tools managed by the European Commission.

While the Committee in no way singled out the Commission, I believe it will be helpful to focus initially on the Commission given its leading role in this area. As chair of the Inter-institutional Editorial Committee on the Internet (CEIII), the Commission sets an example of good practice in the area of web accessibility. As such, I trust that the Commission, also in its role as CRPD focal point³, has reflected on how best to give effect to this CRPD concluding observation. It would be reassuring were the Commission to share its reflections and plans with the public.

Against this background, it would be useful to know:

1. Whether the Commission intends to undertake a general accessibility assessment of the websites and online tools that it manages?⁴
2. How the Commission intends to *"take the necessary measures to ensure the full application of web accessibility standards to the websites (that it manages) and to offer information in sign languages, Braille, augmentative and alternative communication, and other accessible means, modes and formats of communication for persons with disabilities, including easy-to-read formats, in official interactions."*
3. The Commission's 'Information Providers Guide'⁵ (IPG) details the accessibility requirements that everyone who develops and publishes material for EUROPA websites managed by the Commission has to conform with. How does the Commission ensure that this Guide is complied with?
4. Since January 2010, all new EUROPA websites have been created in compliance with the Web Content Accessibility Guidelines (WCAG) 2.0⁶. However, updates can make them inaccessible to persons with a disability.

² Article 33 - National implementation and monitoring:

" [...]"

2. States Parties shall, in accordance with their legal and administrative systems, maintain, strengthen, designate or establish within the State Party, a framework, including one or more independent mechanisms, as appropriate, to promote, protect and monitor implementation of the present Convention. [...]"

³ Article 33 - National implementation and monitoring:

"1. States Parties, in accordance with their system of organization, shall designate one or more focal points within government for matters relating to the implementation of the present Convention, and shall give due consideration to the establishment or designation of a coordination mechanism within government to facilitate related action in different sectors and at different levels. [...]"

⁴ I understand that the CRPD Committee does not have a detailed list of shortcomings as regards accessibility of websites and online tools managed by the EU administration but that the Committee's concluding observations can be read as requiring a general accessibility assessment.

⁵ <http://ec.europa.eu/ipg/>

⁶ <http://www.w3.org/TR/WCAG20/>



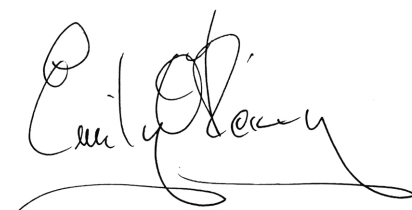
Against this background, it would also be useful to know:

- a) how staff members designing websites, and uploading content to them, are trained to ensure compliance with accessibility requirements?
- b) whether an accessibility check is undertaken systematically after updates or on an ad hoc basis?

Finally, I think it would be useful to share best practice examples from the EU institutions, bodies, offices and agencies. During the CEIII meeting of 9 December 2015, which my office hosted, my staff encouraged all institutional representatives to share such examples with us⁷. While I trust that the Commission's representatives will do so, please do not hesitate to mention best practice examples in your reply, which will be published on the Ombudsman's website.

I would be very grateful to receive your reply by 31 May 2016. Should your services require any further information concerning this matter, they can contact Ms Elpida Apostolidou (Tel.: 00 32 2 284 18 76).

Yours sincerely,



Emily O'Reilly

⁷ The European Ombudsman has, for example, developed an easy-to-read summary of its mandate and complaints procedure in cooperation with Inclusion Europe.