



# Emergency Resolution on the European Accessibility Act

Adopted by the EDF General Assembly on 13 May 2017 in Madrid, Spain

## An Internal Market that works for everyone

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Considering the importance for the Disability Movement 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));

Recalling that there are 80 million persons with disabilities in the European Union (EU) and that an accessible Internal Market would benefit not only persons with disabilities but everyone, responding to the demographic change, and take into account the needs of all consumers;

Highlighting the fact that EDF warmly welcomed the proposal for the Accessibility Act published by the European Commission in December 2015, honoring its commitment to the rights of people with disabilities;

Considering that the issues at stake are of great importance for persons with disabilities who still face significant barriers to access products, services and facilities across EU, including those funded by public authorities, and therefore will benefit greatly from a strong and progressive piece of legislation that prevents discrimination and ensures an inclusive European Internal Market;

Underlining that freedom of movement is one of the four basic freedoms under the EU-Treaties and that persons with disabilities can currently not exercise this right fully and freely;

Keeping in mind that the EU, having concluded the United Nations Convention on the Rights of Persons with Disabilities (UN CRPD), is obliged to adopt appropriate legislative measures to ensure the right to accessibility under Article 9 of the UN CRPD and keeping in mind that the Act does not establish any new obligations;

Stressing that actions at the EU level would be the most appropriate as they would ensure a common level playing field for both consumers with disabilities and industry;

Considering that the sectorial legislation is not sufficient to achieve a full coverage of mainstream products and services to be accessible and that accessible products and services are also of benefit to all other consumers and users;

Underlining that making products and services accessible is an opportunity to create economic benefits by making EU companies more competitive on the global market and that there is also a cost to excluding persons with disabilities from the Internal Market;

Considering that, in many EU Member States, the cost for social services and assistance to persons with disabilities is rising and making products and services as well as the environment more accessible will help mitigating those costs while opening the market to a new segment of consumers;

Underlining that if accessibility is taken into account from the outset it will not increase prices for consumers but will foster innovation and facilitate the participation of persons with disabilities in all aspects of life;

Recalling the concept of “language” as stated in the UN CRPD includes both spoken and sign languages;

Recalling that there already is a crisis of confidence in the European Union and that citizens expect the EU institutions to respond to their needs;

Recalling that the technological solutions to make products and services accessible often already exist and can also stimulate competitiveness and creativity;

Recalling that the Accessibility Act is also a tool to fulfill the objectives of the Sustainable Development Goals (SDGs);

Regretting that the draft report adopted by the Committee on Internal Market and Consumer Protection (IMCO) of the European Parliament on 25 April weakened the original proposal of the Commission in key provisions, and thereby did not meet the expectations of millions of Europeans with disabilities and the disability movement;

Recalling that this draft report fully contradicts all previous statements by the European Parliament on the European Accessibility Act and in particular the European Parliament’s resolution of 7 July 2016 on the CRPD;

Recalling the peaceful protest held on 6 March in front of the European Parliament in Brussels in which the disability movement and other civil society organisations called upon the EU institutions to support an Accessibility Act that removes barriers in the everyday life of persons with disabilities;

Recalling that EDF priorities for the legislative proposal for the Accessibility Act are:

- To define a wider and ambitious scope, including a compulsory clause on accessibility of the built environment
- To retain a broad application of the Accessibility Act for other pieces of EU legislation such as the Public Procurement Directive, the European Structural Funds, and the Trans-European Networks (TEN-T) in order to clarify the obligations already covered under those existing pieces of legislation.

- To ensure that Audiovisual Media Services, e-books, emergency services, as well as transport are covered by the Act in order to guarantee coherence across the EU and a high level of accessibility requirements covering all aspects of these services and, thus, complementing sectorial legislation.
- To strengthen the provisions on Market Surveillance and enforcement of the Act to support its implementation, including obligations on microenterprises and Small and Medium Enterprises (SMEs)
- To strengthen the accessibility requirements set out by the Act in order to respond to the specificities of the different products and services while allowing for innovative solutions.

Recalling that EDF offers all its expertise and experience to EU decision-makers as well as the industry to find concrete solutions and help implementing them in practice.

#### The European Disability Forum calls on:

- the **European Parliament's plenary assembly to significantly amend the IMCO report for a strong, ambitious and meaningful Act** in order to respond to the rights and expectations of the 80 million European persons with disabilities, as it has done successfully already with the recently adopted Directive on the Accessibility of Websites and Mobile Applications of Public Sector Bodies and with its resolution of 7<sup>th</sup> July 2016 on the implementation of the UN CRPD;
- the **Council of the EU to live up to its obligations to implement the UN CRPD in the EU** and to take appropriate steps for a swift adoption of the proposal while **keeping crucial parts of the text such as accessibility of the built environment, transport, and the relation with other Union Acts**, as well as consulting persons with disabilities and their representative organisations both at the EU and national levels at all steps of the decision-making process.