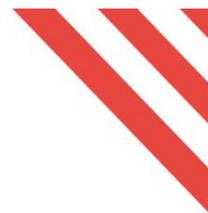




# Audiovisual Media Services Directive

## Toolkit for transposition

**November 2019**



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## About the European Disability Forum (EDF)

The European Disability Forum (EDF) is an umbrella organization of over 100 million persons with disabilities that defends the interests of persons with disabilities in the EU. It is a unique platform run by persons with disabilities and their families, and is a strong, united voice of persons with disabilities advocating for the implementation of the UN Convention on the Rights of Persons with Disabilities (UN CRPD) in the EU.

### Part 1 – Orientation and key information

The Audiovisual Media Services Directive<sup>1</sup> or AVMSD (referred to as **the Directive** throughout this text) was adopted on 14 November 2018. In this section of the toolkit we give a brief introduction of the Directive with key definitions, provide a timeline for transposition and implementation, and indicate who the key players of the process are. We will also explain that it is a ‘minimum harmonisation’ Directive and what this means in practice.

#### 1. Introduction

The Directive creates an EU-level framework to coordinate national legislation on all audiovisual media, both traditional TV broadcasts and on-demand services (for example, Netflix, Amazon Video, Now TV). It sets out requirements concerning aspects such as prohibition of hate speech and discrimination based on disability and other grounds, commercial information on TV programs, protection of minors, independence of the national regulatory bodies that monitor audiovisual services, and the promotion of European audiovisual productions<sup>2</sup>.

This new text is the revised version of a Directive first adopted in 2010. The previous version had a soft approach to media accessibility. So, we strongly supported this revision, which has led to improvements in relation to the accessibility of audiovisual media services for persons with disabilities, and the prevention of discrimination on the grounds of disability in commercial audiovisual services. The revised Directive was adopted in November 2018<sup>3</sup> and

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<sup>1</sup> Full name: Directive (EU) 2018/1808 of the European Parliament and of the Council of 14 November 2018 amending Directive 2010/13/EU on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the provision of audiovisual media services (Audiovisual Media Services Directive) in view of changing market realities

<sup>2</sup> More information can be found at the [Commission webpage about the AVMSD](#).

<sup>3</sup> Publication in the Official Journal of the EU on 28 November 2018, and entered into force on the 20th day following the publication, i.e. on 19 December 2018.



presents an opportunity for EU countries to advance media accessibility and consumer protection against discrimination and hate speech.

EU countries must transpose the Directive into national law by 19 September 2020 and communicate the text of those provisions to the European Commission. By “transposing” we mean to reform or adopt national laws that ensure the countries obey the Directive. This toolkit aims to give disability advocates tools and proposals to push for strong national legislation and adequate implementation to strengthen the right to access audiovisual media services that do not discriminate against us.

## 2. Key documents

- Directive (EU) 2018/1808 of the European Parliament and of the Council of 14 November 2018 amending Directive 2010/13/EU on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the provision of audiovisual media services (Audiovisual Media Services Directive) in view of changing market realities. [Full text of the revised Directive is available in all languages.](#)<sup>4</sup>
- Previous version of the Directive: Directive 2010/13/EU of the European Parliament and of the Council of 10 March 2010 on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the provision of audiovisual media services (Audiovisual Media Services Directive) (Text with EEA relevance). [Full text of Directive 2010/13/EU \(before revision\) is available in all languages.](#)
- United Nations Convention on the Rights of Persons with Disabilities (the Convention). [Link to the Convention in different languages.](#) All EU countries and the EU itself have ratified the Convention and therefore committed themselves to guaranteeing the right to access for persons with disabilities, on an equal basis with others, to, among others, information and communication technologies and systems.<sup>5</sup> They also committed to “fostering respect for the rights and dignity of persons with disabilities”<sup>6</sup> and to “taking all appropriate measures to ensure that persons with disabilities: a) enjoy access to cultural materials in accessible formats; b) enjoy access to television programmes,

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<sup>4</sup> The published text of the revised Directive makes several references to the original text of the Directive. It does not completely replace the original text but notes the additions, replacements and repeals to the original text. Therefore, Directive (EU) 2018/1808 and Directive 2010/13/EU should be consulted in parallel.

<sup>5</sup> United Nations Convention on the Rights of Persons with Disabilities, [Article 9 – Accessibility](#)

<sup>6</sup> United Nations Convention on the Rights of Persons with Disabilities, [Article 8 - Awareness Raising](#)



films, theatre and other cultural activities, in accessible formats”.<sup>7</sup> Finally, the EU and EU countries are also obliged “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.”<sup>8</sup>

### 3. Timeline from transposition to implementation

- |                   |  |
|-------------------|--|
| 19 September 2020 | Deadline for EU countries to bring laws, regulations and administrative provisions needed to obey this Directive into force. They shall immediately communicate the text of the provisions to the European Commission.                                       |
| 19 December 2022  | Deadline for the first report by EU countries to the European Commission on the implementation of Article 7, paragraph 1, i.e. accessibility of the audiovisual media services for persons with disabilities. This reporting must be done every three years. |
| 19 December 2022  | Deadline for European Commission’s first report on the application of the Directive. This reporting must be done every three years.  |
| 19 December 2026  | Deadline for evaluation by the European Commission on the impact of the Directive and its added value, accompanied by proposals for its review.  |

Please note that the above are final deadlines; there is nothing stopping EU countries from implementing and submitting the above earlier.

### 4. Key definitions<sup>9</sup>

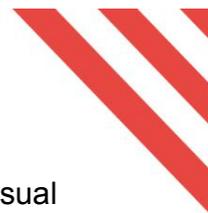
**Audiovisual media service** means a service which is under the editorial responsibility of a media service provider and has the primary purpose to provide programmes to the general public through electronic communication networks. This service is either a television broadcast or an on-demand audiovisual media service; audiovisual media service also includes audiovisual commercial communication (for example, TV ads).

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<sup>7</sup> United Nations Convention on the Rights of Persons with Disabilities, [Article 30 - Participation in cultural life, recreation, leisure and sport](#)

<sup>8</sup> United Nations Convention on the Rights of Persons with Disabilities, [Article 21 - Freedom of expression and opinion, and access to information](#)

<sup>9</sup> See Article 1 of [Directive \(EU\) 2018/1808](#) for full list of definitions.



- **Television broadcasting** or **television broadcast** (also called linear audiovisual media service) is an audiovisual media service provided by a media service provider for simultaneous viewing of programmes on the basis of a schedule. Broadly speaking, these are regular TV shows, news broadcast and other segments that pass on TV channels and were already scheduled.
- **Audiovisual commercial communication** means images with or without sound which are designed to promote, directly or indirectly, goods, services or companies. This includes television advertising, sponsorship, teleshopping and product placement.
- **On-demand audiovisual media service** (also called non-linear audiovisual media service, or OTT's: Over the Top services, or video on-demand (VOD) services) is an audiovisual media service provided by a media service provider for the viewing of programmes at the moment chosen by the user and at their individual request on the basis of a catalogue of programmes selected by the media service provider. Examples of on-demand audiovisual media services are Netflix, HBO or Hulu.

**Audiovisual Media service provider** means the natural or legal person who has editorial responsibility for the choice of the audiovisual content of the audiovisual media service and determines the manner in which it is organised. This means for example, TV channels or video on-demand services such as Netflix.

**Broadcaster** means a media service provider of television broadcasts.

**Programme** is a set of moving images with or without sound constituting an individual item within a schedule or a catalogue established by a media service provider and the form and content of which are comparable to the form and content of television broadcasting. Examples include feature-length films, sports events, situation comedies, documentaries, children's programmes and original drama.

**Video-sharing platforms** are platforms which allow users to upload and share videos or live stream their own videos to the Internet. These can either be for the general public to watch, or particular users on a shared network. Examples are YouTube, Vimeo, Dailymotion, etc.

Other definitions not included in the Directive:

**Subtitles** (also called captions) provide a textual representation of dialogue within the same language or translated into another language. There is an important difference between subtitles and subtitles for the deaf and hard of hearing (see definition below), as the latter is an access service as opposed to 'regular' subtitles. Subtitles are intended for hearing viewers



who do not understand the language. For this reason, subtitles only show the spoken content but not the sound effects or other audio elements. They are usually used to refer to translations, for instance subtitles for a foreign film.

**Access services:** term used to refer to accessibility services (for example, subtitles for the deaf and hard of hearing, audio description, sign language and spoken subtitles) that are described below, but is not limited to them, as other features may be introduced, such as clean audio, slow video, etc.

- **Audio description** communicates important visual content with spoken information inserted as a narrative between the dialogue and other programme sounds. It is essential for the full understanding and enjoyment of television programmes by persons with visual and intellectual disabilities. The term '**video description**' is often used to refer to audio description of audiovisual material, with the term 'audio description' used for the describing of visual presentations in general, including theatre, sports and events.
- **Clean Audio:** Allows users to separate and emphasize spoken dialogue and important non-verbal information from background sounds. This access service can be useful for hard of hearing persons and other viewers especially in noisy environments.
- **Cognitive Accessibility:** this includes easy to understand language, accessible user interface (for example, by avoiding too many impressions in image composition), provides users enough time to read content, etc. **Extended video description** is an example of cognitive accessibility measure in audiovisual media. The audiovisual content is paused at key moments and longer description of the situation or scene is provided, by allowing viewers with cognitive and learning disabilities, among others to process content in a more accessible manner.
- **Sign language interpretation** is the use of a sign language to convey the information contained in the programme audio (speech and other important sounds) to viewers who are deaf, or for whom sign language is their first language, and other sign language users (for example, some heard of hearing persons). Provision of subtitles and closed captions by no means removes the need for sign language interpretation.
- **Spoken subtitles** are the reading aloud of interlingual subtitles in a spoken voice. These are accessibility measures especially useful for persons with visual or reading impairments and for blind/deafblind persons, particularly in countries which do not dub programmes into the national language. Spoken subtitles are also known as **audio subtitles**.



- **Subtitles for the Deaf and Hard of Hearing (SDH)** differ from regular subtitles in so far that they provide important non-speech information as well as speaker identification, which may be useful when the viewer cannot otherwise visually tell who is saying what. An example of non-speech information can be “footsteps”, “dog barking” or “cracking window”. Subtitles for the Deaf and Hard of Hearing are also referred to as **captions** in some countries such as the US. Captions or SDH can be closed or open.
- **Closed captions** or closed SDH are not visible until activated by the viewer, usually via the remote control or menu option. They can be personalised, and they are particularly useful for deafblind users. **Open captions** or open SDH, on the other hand, are ‘burned-into’ or ‘hard-coded’ onto the video and are visible to all users. They cannot be personalised.

**Services providing access to audiovisual media services** are transmitted by electronic communications networks which are used to identify, select, receive information on, and view audiovisual media services and any provided features, such as subtitles for the deaf and hard of hearing, audio description, spoken subtitles and sign language interpretation, which result from the implementation of measures to make services accessible as referred to in Article 7 of AVSMD; and includes electronic programme guides (EPGs).<sup>10</sup>

## Advice for organisations of persons with disabilities:

- Ensure the national legislation includes explicit references and definitions of the access services as the Directive does not define them. You may use the abovementioned definitions for guidance or take them from national or international standards (see [reference documents](#)). This will ensure the deployment of the necessary accessibility features and that these are provided correctly (for example, regular language subtitles do not count as Subtitles for the deaf and hard of hearing (SDH)).

## 5. Key players for transposition at national level

### 1. Member States (EU countries)

Each government is responsible for transposing the Directive into national law, meaning that they need to adopt new legislation or reform existing laws and legal dispositions in order to comply with the Directive. The national laws can go beyond the Directive or can regulate aspects not included in it. It is worth bearing in mind that some of the responsibilities derived

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<sup>10</sup> As defined in Article 3(6) of [Directive \(EU\) 2019/882 \(European Accessibility Act\)](#)



from these laws will be assigned to the national regulatory body (for example, quality of access services).

## 2. National regulatory authorities and/or bodies

Each EU country shall designate one or more independent national regulatory authorities and/or bodies<sup>11</sup> to ensure that the implementation of the Directive is carried out effectively. They will be responsible for the enforcement of the national measures that exist due to the Directive and for ensuring compliance with European and national rules. Close cooperation between these bodies is necessary to ensure the correct application and address issues of misinterpretation of the Directive. The European Commission can approach the national authorities to ask for additional information or to inform them of potential issues in relation to the transposition or the implementation of the Directive in their national legislation before initiating an infringement procedure against a Member State.

## 3. Organisations of persons with disabilities (DPOs) and other civil society organisations

Organisations of persons with disabilities are key players for the good implementation of the Directive. They have expertise in media accessibility and some also have expertise in developing access services. So, and they can influence how effectively the Directive will be implemented in their respective countries. Even though the Directive does not explicitly state their right to be consulted, all EU countries are obliged to involve organisations of persons with disabilities from the outset in line with the UN Convention on the Rights of Persons with Disabilities<sup>12</sup> to ensure adequate quantity and quality standards. DPOs' role is important because Member States have significant freedom in how they can implement different aspects of the Directive. Some countries have come further in implementing access services. Others need more involvement to reach better laws with ambitious deadlines and a wider scope.

The Directive mentions the importance of accessible point of contact and complaint point for persons with disabilities to provide feedback in Article 7.4 (see [Part 2.4](#)).

## 4. Providers of Audiovisual media services

The Directive imposes increased obligations on broadcasting companies, both public and commercial, including TV and on-demand audiovisual media services. These providers will be

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<sup>11</sup> You can find [contacts of your national regulatory authority or body in the website of the European body that groups them \(ERGA\)](#).

<sup>12</sup> UN Convention on the Rights of Persons with Disabilities, [Article 4.3 – General obligations](#)



active players during the national transposition of the Directive, most likely to advocate for softer and more flexible rules. They may also be represented by umbrella organisations, such as the [European Broadcasting Union](#)<sup>13</sup> or the [Association of Commercial Television](#) at European level. In relation to making their services accessible to persons with disabilities, they will likely have to invest financially and understand better the needs of their users and their expertise in providing access services.

Each country will establish and regularly update a list of providers under their jurisdiction and share it with the European Commission, which is obliged to make it public in a centralised database. This will be especially important for [monitoring and reporting](#) during the implementation of national rules stemming from this Directive.

## 5. The European Commission

The Commission has the power to pursue infringement proceedings against a particular Member State in case of late and/or incorrect transposition or application of the Directive. The Commission may learn about such infringements through [complaints by citizens](#), questions posed by Members of the European Parliament to the Commission or monitoring carried out by independent consultants.

### Advice for organisations of persons with disabilities:

- Identify which ministries are involved in transposing the Directive into national law; if you don't know who oversees this work, ask your minister in charge of disability affairs or digital affairs/telecommunications.
- Exercise your right to be consulted as soon as possible. Governments must draft and adopt national laws before the deadline. Relevant ministries are already preparing for this, so you should already contact your government and get involved at national level to ensure you can brief officials and get the best out of the Directive for persons with disabilities in your country.
- [Visit the website of the European Regulators Group for Audiovisual Media Services Secretariat](#) to find the contact information of national regulatory authorities or bodies, and locate the responsible experts for audiovisual matters, and on media accessibility, as they will be involved in the enforcement and monitoring of the new rules. They might also guide

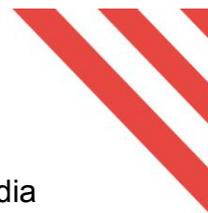
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<sup>13</sup> EBU has an [expert group on access services](#).



you to the ministries/government officials responsible for the transposition of the Directive and support later on during any irregularities regarding implementation.

- Maintain ongoing dialogue with technical professionals and with decision-makers, officials at management level. Political will at higher level will ensure support and resources to technical experts, so that they can realise their roles effectively.
- Contact the EDF Secretariat if you need advice locating your national regulatory body.
- Once you have identified the right official or minister: write to them and request an appointment to set out your position and offer your advice.
- Engage with other groups (for example, representing persons with a range of disabilities, representing older people, viewers' associations, or other consumers' organisations) to find out if you can work together on the Directive. If you can have a dialogue with your national authorities as part of a large coalition, this is likely to be very effective. If you decide to work as part of a coalition, agree a common strategy before any meeting with representatives of your government.
- Contact members of your national parliament who have an interest in disability and media accessibility. They may be able to help by putting pressure on your government to ensure an effective implementation of the Directive. Members of the European Parliament from your country can also be allies.
- When negotiating with national authorities, especially in regard to aspects not covered by the Directive (see [Part 2.11](#)), always refer to their existing obligations to ensure the right to access information by persons with disabilities under the UN Convention on the Rights of Persons with Disabilities, as well as existing EU legislation (for example, public procurement law), and national laws (for example, antidiscrimination law).
- Refer to relevant consumer rights protection legislation to stress your right as a consumer.
- Ask your national regulators to give you the list of providers of audiovisual media service under their jurisdiction. Emphasise that they should make these lists publicly available in accessible formats. This will be important for future monitoring and reporting during application of the rules stemming from the Directive.



- Stay informed on who the biggest public and private providers of audiovisual media services in your country are. Check if they have specialists working on accessibility and offer your support as users in understanding your needs, the importance of media accessibility and quality access services. Try to meet with the persons that have the power to make decisions in their organisations. Inform about the benefits of making audiovisual content accessible too, and how this leads to reaching wider audiences (for example, non-native speakers, or older persons) and to increased competitiveness in the market (for example, an increasing number of users make use of subtitled videos on their mobile devices).

## 6. Other stakeholders

These players are not essential during the phase of transposition, but it is good to know about them as they will be important for us to engage at European-level.

### ***European Regulators Group for Audiovisual Media Services (ERGA)***

The [European Regulators Group for Audiovisual Media Services \(ERGA\)](#) is the advisory body composed of national independent regulatory bodies (see [Part 1.5.2](#)) in the field of audiovisual media services. Its main objectives are to support the European Commission ensuring consistent application of this Directive, and to facilitate cooperation and exchange of good practices among the national regulatory bodies. To advise the Commission, ERGA may consult with market participants, consumers and end-users, therefore it is important to establish good contact with this body member bodies as soon as possible.

### ***Contact Committee***

Contact Committee was established by the European Commission to monitor the implementation of the Directive and the developments in the sector. It is chaired by the European Commission and composed of country representatives. The Committee also helps the countries with their national reports which must be written every two years. Unlike ERGA, where only regulatory bodies are represented, the European Commission and officials from governments of EU countries are also represented at the Committee as well.



## 6. What is a 'minimum harmonisation' Directive?

The Directive only sets out the **absolute minimum requirements** without detailing how to comply with them<sup>14</sup>. Regarding advancement of audiovisual content accessibility by TV broadcasters and on-demand service providers, the Directive does not specify how or how much providers should progress. Countries must decide how to do it, and can go beyond the Directive in their national rules. The Directive states: "Member States shall remain free to require media service providers under their jurisdiction to comply with more detailed or stricter rules in the fields coordinated by this Directive, provided that such rules are in compliance with Union law."<sup>15</sup> Therefore:

- If there are better provisions already in place in a country, the government of that country does **not** have to weaken these provisions. These provisions certainly **cannot** be weaker than those of the Directive.
- Governments can decide to implement new provisions that go beyond what is in the Directive (for example, stronger rules, earlier deadlines).

### Advice for organisations of persons with disabilities:

- Tell your government to keep existing provisions in your country that are more beneficial to persons with disabilities (please note: this will not be the case in many countries, and it is important to consider all the provisions in the Directive carefully before you do this).
- Stress that the Directive requires **continuous and progressive** advancement on accessibility of audiovisual media services. Even countries with advanced accessibility requirements need to make further progress to ensure the right of access to audiovisual content by persons with disabilities. Universal approach to accessibility should be promoted when setting national guidelines and standards, as required by UN Convention on the Rights of Persons with Disabilities.<sup>16</sup>
- Use discussions with your national authorities as an opportunity to strengthen and extend persons with disabilities' rights to access audiovisual media services at national level. Consider that this work will be beneficial for future advocacy work regarding the transposition of the European Accessibility Act (see [Part 2.11](#)).

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<sup>14</sup> You can read more what an 'EU Directive' is in our ['Did EU know? Legal tools' article](#).

<sup>15</sup> Article 4.1 of Directive (EU) 2018/1808

<sup>16</sup> [Article 4.1\(f\) – General obligations](#)



- Be prepared to demonstrate the benefits for persons with disabilities and the wider society of more ambitious provisions on media accessibility.

## Part 2 – Working towards effective transposition

In this section of the toolkit we aim to explain what the Directive covers, how will it work together with the European Accessibility Act for a more accessible EU, and other aspects that could be added to national law to advance accessibility of audiovisual media content.

The main accessibility focus of the Directive is summarised in Article 7. We will go through its five paragraphs, adding recommendations on how to advance them. We will then cover important aspects regarding protection from discriminatory and hate speech, enforcement, monitoring and reporting of the Directive, and the European Commission's review of how EU countries implement it in the years to come.

### 1. Making audiovisual media services accessible

**Article 7.1. - Member States shall ensure, without undue delay, that services provided by media service providers under their jurisdiction are made continuously and progressively more accessible to persons with disabilities through proportionate measures.**

This phrasing is subjective, which can reduce the impact of the Directive in practice. At national level, it is important that rules are formulated in very concrete language with clear targets and timelines.

### Advice for organisations of persons with disabilities:

#### Quantitative targets and timelines

- Push national regulators to set specific **targets** stating **what percentage of audiovisual content should be made accessible**: that is, percentage of content with access services.
- Push for quantitative targets linked to **clear timelines**. For example, what percentage of content should have Subtitles for the deaf and hard of hearing in one year, two years, three years, four years, etc. after national law comes into force.

**The table below is an example on how this could be done in a country that would start from no accessibility requirements whatsoever.**



<b>Access service/Year</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>	<b>2024</b>
Subtitles for the deaf and hard of hearing	20%	40%	60%	80%	100%
Signing	7%	10%	12%	15%	18%
Audio description	7%	8%	10%	12%	15%
Spoken subtitles	20%	40%	60%	80%	100%

These targets can be defined either by the government or delegated to the regulatory authority, (see example of Ofcom in the UK<sup>17</sup>), and can be done for each public and private TV broadcaster and on-demand audiovisual media service platform in the country.<sup>18</sup> Once set, these targets should be revisited regularly, considering developments in the sector and opportunities created by emerging technologies allowing for faster progress.

We recommend that organisations representing different disability groups gather first and agree on a common approach towards the quantitative targets to avoid conflicting positions when negotiating with the government.

Other aspects to consider include the type of program and broadcasting time (for TV channels) to prevent situations such as accessible content only available late at night, or the same content re-casted repeatedly to meet the target.

Usually, when this approach is taken, there are thresholds for TV channels with small resources (for example, local TV channels). The way of discussing these are by referring to the audience they reach. For example, TV channels with less than 1% of *share* (audience) will not need to produce the access services themselves but will need to require them when procuring content by audiovisual producers (so when they “buy” a film, they will need to request Subtitles for the deaf and heard of hearing and audio description).

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<sup>17</sup> [Ofcom's Code on Television Access Services](#)

<sup>18</sup> It is important to note, the UK example is based on 24-hour broadcasting time or whole time if a specific channel is live.



It is extremely important to require that when an audiovisual content is made accessible, it always contains the access services regardless of the means through which the content is watched. This is to prevent situations such as an audio described movie being broadcasted on air, but the audio description not available when the users want to watch it through the online catalogue of the TV channel.

Push for penalties for those audiovisual media service providers that do not meet the targets.

### Qualitative targets

In addition to quantitative and temporal targets, push for setting **qualitative indicators**. It will be almost pointless to have services in place with insufficient quality. To ensure high level of quality of access services, it is important to agree on indicators in close consultation with consumers of audiovisual media services and their representing organisations. In addition, national and international standards, as well as state-of-the-art research are important resources to ensure proper quality as well (see [reference documents](#) below).

Below we highlight **some** aspect of quality assurance, which are by no means exhaustive.

- Proper synchronisation of access services in audiovisual media content is crucial. For example, if subtitling and/or spoken subtitling is placed at the wrong time during a broadcast, or the reading speed is too fast, it will make the content more confusing for viewers.
- Subtitles should also be provided as closed captions, to allow the user to adjust it to their needs. For example, deafblind viewers with limited vision might need changeable size of subtitles on the screen.
- When it comes to audio description, it is important to ensure an adequate audio mix of the audio track of the content and the audio track of the audio description. A dynamic audio description adjustable by the user can be further helpful.
- For the sign interpretation to be of high quality it is important to consider aspects related the position, shape and size of the interpretation window, colour contrast between the interpreter and background, visual information (for example, subtitles, banners) blocking the signer and avoiding delays in live interpreting.

### Advice for organisations of persons with disabilities:

- Highlight the above aspects to national authorities and regulators. This will inform them of the importance of not only having access services in place but also setting quality indicators.



- Encourage state authorities to initiate consultation meetings with national regulatory bodies, service providers and consumer representatives to set realistic and targets agreed between stakeholders.
- Discuss what happens if set quantitative, timeline and qualitative targets are not met. (for example, possibility of sanctions on providers that fail to meet the requirements).
- Suggest creating platforms to exchange knowledge and peer-support. This can be a constructive way of achieving good results for persons with disabilities.
- Expect that there might be some audiovisual service providers that need more support to better understand of access services, and offer to discuss and support them to put measures in place.
- Bear in mind that requirements for pre-recorded content and live broadcasts might differ. It is of course, more difficult to ensure high quality of livestream, but adequate quality and quantity indicators for those should be set as well. In case of broadcast of emergency information provision of access services and their proper quality is especially crucial (see [Part 2.5](#)).

## 2. Reporting on progress made on making audiovisual media services accessible

**Article 7.2. - Member States shall ensure that media service providers report on a regular basis to the national regulatory authorities or bodies on the implementation of the measures referred to in paragraph 1. By 19 December 2022 and every three years thereafter, Member States shall report to the Commission on the implementation of paragraph 1.**

The wording of the article leaves room for interpretation. It does not ensure that the reporting exercise will be publicly available, neither does it specify what regular basis means. It also does not state what the content of the reports should be.

### Advice for organisations of persons with disabilities:

- Push for national rules to state clearly when the first reporting should take place; and how often they should be submitted thereafter. Also, push to ensure the reporting is made public in an accessible manner.



- Encourage national regulators to create an accessible online database where reporting can be easily searchable and found. Discuss what happens if reporting is not done (for example, possibility of sanctions on providers that fail to comply with reporting requirements).
- Ensure reporting on quantitative progress and quality of the access services. The basis for this report should be the quantitative, time-based and qualitative targets that were mentioned in reference to Article 7.1. These should include users' satisfaction when it comes to accessibility.
- Highlight that in addition to the action plans (See [Part 2.3](#)), it is important to report where and how to find accessible content from different providers and how to reach an accessible point of contact of the provider, among other information you would find useful as users.
- Include future monitoring and reporting in the topics you discuss with your government authorities early on. Find out what plans your national authorities have about this. Make contact with national regulatory bodies that will be in charge of enforcement, to understand their procedures and how to get involved in them.
- Exercise your right to be consulted or involved by your national authorities when carrying out the monitoring and reporting exercises.
- Stress that consultations, monitoring and reporting procedures should be done in an accessible manner. For example, all surveys, meetings and other measures should be fully accessible for persons with disabilities regardless of access needs. Funding should be made available to ensure representatives of organisations of persons with disabilities can attend in-person meetings.

### 3. Procedure of making audiovisual media services accessible

**Article 7.3. - Member States shall encourage media service providers to develop accessibility action plans in respect of continuously and progressively making their services more accessible to persons with disabilities. Any such action plan shall be communicated to national regulatory authorities or bodies.**

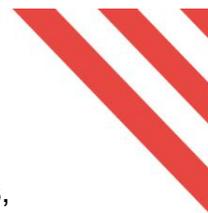
The current text is vague and raises concerns. First, encouragement is not sufficient, and national rules should make it obligatory for service providers to communicate how they are



making their services accessible for persons with disabilities. Secondly, it is unclear when and in what frequency such communication should be done, and whether this communication will be public. Lastly, and most importantly, experience shows that action plans as means of self-regulation are not effective, particularly if they do not involve users' views.

### Advice for organisations of persons with disabilities:

- Stress to your country officials that they should set the quantitative and qualitative targets themselves, whereas the action plans by TV broadcasters and on-demand audiovisual media service platforms can further specify how providers plan to reach them.
- Stress that encouragement is not sufficient, and action plans should be mandatory for each audiovisual media service provider under their jurisdiction. This will facilitate the monitoring exercise of the regulatory body. Discuss possibility of sanctions in case of non-compliance.
- Push for having the action plans publicly available in accessible formats, for example, on online platforms. This will help you more effectively participate in monitoring and reporting exercises.
- Meet the relevant providers (TV broadcasters and on-demand audiovisual media service platforms) to offer your help designing an action plan. For example, you may suggest reliable providers of access services, or the content that you would like prioritised in their action plans.
- Encourage service providers and regulators to discuss a common approach to action plans in consultation with organisations of persons with disabilities.
- Suggest to providers that they adapt their contracting policies to only buy audiovisual content that includes the access services.
- Encourage providers to use the European Standard 'Design for All - Accessibility following a Design for All approach in products, goods and services - Extending the range of users'



to develop and provide services which are accessible to a wide diversity of users, including persons with disabilities.<sup>19</sup>

#### **4. Information, complaints mechanisms regarding accessibility of audiovisual media services**

**Article 7.4. - Each Member State shall designate a single, easily accessible, including by persons with disabilities, and publicly available online point of contact for providing information and receiving complaints regarding any accessibility issues referred to in this Article.**

This is an important provision and should be maintained at national level. However, it only requires one – online - way of contact. For many users with disabilities this is insufficient. Not everyone has means to communicate online (computer, smartphone, internet access), not to mention many devices and software are inaccessible. Designated contact points should be able to provide information and receive complaints also over the telephone and in person. All these channels should be accessible. The wording of the provision is also not specific enough. It is better to specify that the contact point should be accessible for persons with disabilities.

#### **Advice for organisations of persons with disabilities:**

- Push for national rules to go beyond what the Directive suggests, allowing contact through other means as well. Ensure that national rules state clearly that the contact point must be easy to find and accessible for persons with disabilities.
- Ensure that the accessible contact point includes all kinds of accessible communication, for example, possibility to receive information and launch a complaint in sign language.
- Make sure this contact point will be able to provide information about the current programmes scheduled for at least the next 7 days in all the main audiovisual media service providers, including whether these programmes will or will not contain the necessary access service.

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[https://standards.cen.eu/dyn/www/f?p=204:110:0:::FSP\\_PROJECT,FSP\\_ORG\\_ID:62323,2301962&cs=1D28CFDC66E7CEF3CE441294CAA9FEABE](https://standards.cen.eu/dyn/www/f?p=204:110:0:::FSP_PROJECT,FSP_ORG_ID:62323,2301962&cs=1D28CFDC66E7CEF3CE441294CAA9FEABE)



- Discuss with your government what would happen in case of a complaint being lodged: how many days will pass to receive a response from the contact point or the audiovisual media service providers, and what remedy or sanction will be put in place.
- This contact point should be placed in an independent body, like the national regulatory authority or another independent entity monitoring media accessibility. This body should also make public the cases handled.

## 5. Accessibility of emergency information

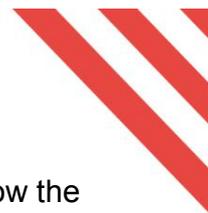
**Article 7.5 - Member States shall ensure that emergency information, including public communications and announcements in natural disaster situations, which is made available to the public through audiovisual media services, is provided in a manner which is accessible to persons with disabilities.'**

This article is another crucial point that EU countries should incorporate into national laws.

Be aware however, that currently recital 24 of the Directive hints that emergency information in some cases might not be possible to provide in accessible manner to persons with disabilities. It says 'In some cases, it might not be possible to provide emergency information in a manner that is accessible to persons with disabilities. However, such exceptional cases should not prevent emergency information from being made public through audiovisual media services.' This is totally unacceptable, because if it is possible to transmit information in an audiovisual manner, it can be made accessible at least in two different means of communication: visually and by audio.

### Advice for organisations of persons with disabilities:

- Emphasise to your national authorities that they have the obligation to protect persons with disabilities in natural disaster situations. Stress that a code or procedure should be put in place in consultation with audiovisual service providers and persons with disabilities to ensure that the messages are accessible to all persons with disabilities.
- Advise that accessibility of emergency information can be ensured by using skilled professionals and state-of-the-art technology (for example, text-to-speech, speech-to-text)



that ensures high quality, etc.<sup>20</sup> In case a national code is put in place, it can follow the approach of the United States, where video programming distributors have an obligation to make televised emergency information accessible to persons who are blind, visually impaired, deaf, or hard of hearing.<sup>21</sup>

The code *may* include considerations<sup>22</sup>, such as:

- All emergency messages need to be clear and action-based. For example, saying a factory has exploded is not enough. Clear, easy to understand instructions for behaviour should follow (for example, stay inside, do not open windows, etc.).
- Emergency information should be broadcasted simultaneously with all access services.
- Running text on lower or upper part of the screen is not accessible for many persons with reduced vision, cognitive disabilities, or deafblind persons.
- Live captioning should be adjustable in format. For example, adjusting font size can make it accessible for deafblind viewers.
- Emergency information should be accessible for deaf and hard of hearing persons through the provision of sign language interpreters and live captioning. It is crucial to ensure that all elements of the information (such as sense of urgency, tone of voice, etc.) are properly transmitted and understood, which can only be ensured by live sign language interpreters.
- Pictograms should also be used to make information accessible for viewers who might not understand the language, or persons with cognitive disabilities.

## 6. Non-discrimination and protection against hate speech

Under the Directive, EU Countries must ensure that audiovisual commercial communications shared by media service providers **do not include or promote any discrimination** based on several grounds, including disability.<sup>23</sup>

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<sup>20</sup> For example, [Japanese J-Alert nationwide warning system](#) uses ISDB with 1seg to automatically turn on all radios and televisions with 1seg technology and tunes to NHK (Japan's national broadcast organisation) for the areas at risk.

<sup>21</sup> <https://www.fcc.gov/document/emergency-information-tv-accessibility-requirements>

<sup>22</sup> This list is by no means exhaustive.



EU countries need to ensure that audiovisual media services do not contain any incitement to violence or hatred directed against a group of persons or a member of a group based on any of the grounds referred to in Article 21 of the EU Charter of Fundamental Rights. The charter notes disability as one of the grounds.<sup>24</sup>

Similarly, they need to ensure that video-sharing platform providers take appropriate measures to protect the general public from programmes, user-generated videos and audiovisual commercial communications containing incitement to violence or hatred directed against a group of persons or a member of a group based on any of the grounds referred to in Article 21 of the Charter.<sup>25</sup> Further, video-sharing platform providers need to comply with the same requirements detailed above for audiovisual commercial communications.<sup>26</sup>

Finally, Recital 4 of the Directive, notes that due to the considerable impact on shaping and influencing public opinion social media services have, these services need to be included in the scope of the Directive to the extent that they meet the definition of a video-sharing platform service. So, similar rules to safeguard against discrimination and hate speech would apply to them.

### Advice for organisations of persons with disabilities:

- Make sure that protection from discriminatory content, incitement to violence or hatred against persons with disabilities is clearly stated in your national law under this Directive.
- Raise awareness of this provision to the equality body in your country, as they are tasked to protect individuals from discrimination and many also have mandate to tackle hate speech.<sup>27</sup>

### 7. Enforcement of the Directive

National regulatory authorities and/or bodies will enforce the Directive and national rules based on it. This will relate to important matters such as media pluralism, consumer protection, non-discrimination, and of course – accessibility. As set out in the Directive, it is vital they have enough powers, human and financial resources to exercise their role

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<sup>23</sup> Directive (EU) 2018/1808, Article 9 (c) (ii).

<sup>24</sup> Directive (EU) 2018/1808, Article 6 (a).

<sup>25</sup> Directive (EU) 2018/1808, Article 28b (b).

<sup>26</sup> Directive (EU) 2018/1808, Article 28b 2.

<sup>27</sup> You may find the contact of your equality body in the [European Directory of Equality Bodies](#).



independently and effectively. The definition of these powers and competences are left to the national governments.<sup>28</sup>

EU countries also have to make sure that effective appeal mechanisms exist, and that bodies handling appeals (for example, courts) are independent.<sup>29</sup>

### Advice for organisations of persons with disabilities:

- Make sure that national laws defining competences and powers of the aforementioned national authorities or bodies ensure high degree of independence and sufficient human and financial resources to exercise their mandates effectively. Standards for equality bodies or national data protection authorities can serve as inspiration to define the minimum standards as regards to independence, powers and resources of national regulatory authorities or bodies tasked to enforce the Directive. This will be an important topic for you to discuss with your national authorities.
- Emphasize the importance of adequate resourcing for national regulatory authorities or bodies to carry out their functions effectively.
- Ask how the independence of these bodies and the effective enforcement of the Directive will be ensured. Make sure that your position is known early in the process.
- Think about what your requests will be in relation to the enforcement procedure: what kind of measure do you want to see? Do you want penalties, for example? All this will need to be negotiated during the transposition period and it is likely that different countries will have different views on what “adequate and effective” means.
- Be prepared to campaign at national level to ensure the enforcement procedure you get is fit-for-purpose.
- Ensure that dialogue with and participation of organisations of persons with disabilities in the enforcement procedures are ensured, not least by making these procedures accessible.

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<sup>28</sup> See Article 30.3 of Directive (EU) 2018/1808

<sup>29</sup> See Article 30.6 of Directive (EU) 2018/1808



## 8. Principles of ‘country of origin’ and ‘freedom of reception’

One of the core aspects of the Directive is the ‘country of origin’ principle.<sup>30</sup> This means a particular service provider needs to follow the rules of only one country and not multiple ones even if it is providing cross-border services. If an EU country adopts stricter rules on accessibility than are set in the Directive, these rules would only apply to providers that fall under the jurisdiction of that country. Consequently, this also means that if the recipient country has stricter rules on accessibility than the country of origin of the provider, the broadcaster does not have to meet the stricter requirements of the ‘hosting country’ but the softer ones set by the country of origin.

Another important principle is ‘freedom of reception’. This ensures that national governments do not restrict broadcast of programmes originating from another EU country for reasons which fall within the fields coordinated by this Directive.<sup>31</sup> However, the Directive allows some derogation from this principle: a recipient country can restrict the reception of certain content that is not banned in its country of origin but violates local laws of the hosting country.<sup>32</sup> This is allowed when broadcasted content includes incitement of violence or hatred against a group of persons or a member of a group based on the grounds referred to in Article 21 of the EU Charter of Fundamental Rights, including persons with disabilities. This also applies in cases when content includes provocation of terrorism,<sup>33</sup> or may have harmful effect on physical, mental or moral development of minors (for example, violent or pornographic content).<sup>34</sup>

In case of accessibility requirements, the Directive does not allow derogation from the freedom of reception principle, so an EU country with stricter rules on accessibility cannot restrict broadcast of audiovisual content originating from a country with less strict rules.

In cases when an audiovisual service provider under the jurisdiction of an EU country provides all or most of its services in another Member State, the hosting country may request the country of origin to address any identified problems. Both Member States need to cooperate closely to reach a compromise solution.<sup>35</sup>

### Advice for organisations of persons with disabilities:

<sup>30</sup> Recital 33 of Directive 2010/13/EU

<sup>31</sup> Article 3.1 of Directive (EU) 2018/1808

<sup>32</sup> Article 3.2 of Directive (EU) 2018/1808

<sup>33</sup> Article 6.1 (a), (b) of Directive (EU) 2018/1808

<sup>34</sup> Article 6a (1) of Directive (EU) 2018/1808

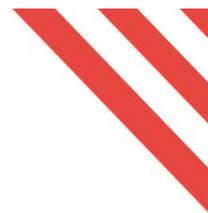
<sup>35</sup> Article 4.2 (b) of Directive (EU) 2018/1808



- Discuss with your national regulators the conditions under which they can restrict broadcast of content that originates in another EU country. Highlight that they have the obligation to protect persons with disabilities from discriminatory content broadcasted not only by providers under their jurisdiction but also the jurisdiction of another country.
- Raise awareness to your national regulatory bodies that monitor the application of Directive and to the equality body in your country. Many equality bodies have a mandate on hate speech, so they can be strong allies to ensure that incitement of hate speech or discrimination against persons with disabilities is not allowed.
- Make sure that your national laws have strict requirements on accessibility of audiovisual media. By this you will not only ensure that content created by providers in your country is accessible, but will help persons with disabilities in other EU countries (with weaker laws) receive accessible content in case the provider from your country broadcasts into theirs.
- Encourage your national regulators to closely collaborate with national regulators of other countries that are “countries of origin” of providers that broadcast in your country. Countries have this obligation and should make effective use of this to ensure harmonised approach to accessibility and protection from discriminatory content.
- Cooperate with organisations of persons with disabilities from other EU countries. Share information and list of providers between each other. When you are based in the hosting country and are aware of a broadcaster based in another EU country that provides significant content in yours, reach out to the organisations of persons with disabilities in the country of origin, so they can negotiate with their national governments on aspects which are important for you. EDF Secretariat is also available to support cross-border communication.

## 9. Monitoring and Reporting

By 19 September 2022 EU countries must report to the European Commission on the implementation of Article 7, paragraph 1, i.e. how providers under their jurisdiction are making audiovisual media content continuously and progressively more accessible to persons with disabilities through proportionate measures. This reporting must be done every three years thereafter.



At the same time, the European Commission will have to submit its first report to the European Parliament, to the Council and to the European Economic and Social Committee on the application of the Directive. This reporting must be done every three years thereafter.

### Advice for organisations of persons with disabilities:

- Include future monitoring and reporting in the topics you discuss with your national authorities early on. Find out how your national authorities plan to do this. It is possible, that they allocate these responsibilities to the national regulatory bodies that will be in charge of enforcement, but not necessarily.
- Exercise your right to be consulted or involved by your national authorities when carrying out the monitoring and reporting exercises.
- You can also flag any infringements regarding the implementation of the Directive by EU countries to the Commission. You can do this directly [contacting the Commission](#) or through us. In any case, please us informed when any malfunction on behalf of national regulatory bodies and/or EU countries occur.
- Request Members of the European Parliaments to raise parliamentary questions to the Commission to start an infringement procedure if your country does not comply with the Directive or if it fails to transpose and implement adequately in the required timelines.

### 10. European Commission review

The European Commission must submit their report on the impact of this Directive (including proposals for its review where appropriate) to the European Parliament and the Council by the 19 December 2026.

### 11. What does the Directive not cover?

Accessibility of services providing access to audiovisual media services: synergies between this Directive and the European Accessibility Act

To achieve the accessibility of audiovisual media content, services “should include, but need not be limited to, sign language, subtitling for the deaf and hard of hearing, spoken subtitles, and audio description.”<sup>36</sup> However, the Directive does not cover features or services providing access to audiovisual media services, such as websites, online applications and electronic

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<sup>36</sup> Recital 23 of Directive (EU) 2018/1808



programme guides (EPGs), or the provision of information on accessibility and in accessible formats. These will be covered under the European Accessibility Act. [See full text of the Accessibility Act in all EU official languages.](#)

The Accessibility Act precisely covers “services providing access to audiovisual media services” meaning “services transmitted by electronic communications networks which are used to identify, select, receive information on, and view audiovisual media services and any provided features, such as subtitles for the deaf and hard of hearing, audio description, spoken subtitles and sign language interpretation, which result from the implementation of the [AVMSD]; and includes electronic programme guides (EPGs).”<sup>37</sup>

The Accessibility Act also obliges providers to ensure that viewers are informed about the existence or absence of an access service before interacting with the audiovisual media.

It is important to see these two EU regulatory frameworks as complementing each other with the aim of ensuring the rights of persons with disabilities to information, cultural, educational and other content.

### Advice for organisations of persons with disabilities:

- Explain to your national government that the following services providing access to the actual audiovisual content will need to be accessible because of the European Accessibility Act:
  - Websites and online applications
  - set-top box-based applications
  - downloadable applications
  - mobile device-based services including mobile applications and related media players and connected television services
  - electronic programme guides (EPGs).

Stress that the users will not enjoy the benefits of the Directive if the Accessibility Act is not properly implemented. It is nearly worthless to make a TV program accessible if the viewer does not know that it includes access services, or if they cannot access them.

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<sup>37</sup> See European Accessibility Act article 3 paragraph 6.



## Accessibility of video-sharing platforms

Content that is shared through video-sharing platforms (like YouTube, Vimeo, Dailymotion or social media platform like Facebook, Twitter and Instagram) does not have to be made accessible by the current Directive. While media service providers will have to progressively make their content accessible to persons with disabilities, video-sharing platform providers such as YouTube, Dailymotion, or social media platforms - where users often share content - do not have such obligations. Accessibility of content shared through video-sharing platforms is not mandatory despite the recognition by the Directive of the increasing public importance of these platforms as mediums to share information, entertain, educate, and shape and influence public opinion.<sup>38</sup>

While newspaper websites remain outside the scope of the Directive, standalone parts of newspapers' websites which feature audiovisual content will be considered as video-sharing platforms for the purpose of this Directive.<sup>39</sup> So, if audiovisual content is provided as stand-alone videos and has no relation to the text-based material offered on the website, then it is regulated by the Directive. As we have noted above, the Directive does that have accessibility obligations for video-sharing platforms. This means that the Directive does not set obligations for independent audiovisual content of online newspapers to be accessible.

The Directive **does set** obligations for video-sharing platforms to take measures to protect citizens (especially minors) from harmful and violent content, and content inciting violence and hatred, and or any content the dissemination of which constitutes a criminal offence under Union law<sup>40</sup>. These obligations will apply to independent sections of audiovisual content of online newspapers.

EU countries are obliged to ensure that the platforms take the appropriate measures noted above.<sup>41</sup> Furthermore, **countries may impose on video-sharing platforms measures that are more detailed or stricter than what is required by the Directive**. This can be used to advocate that accessibility requirements are applied to video-sharing platforms, at minimum to provide the possibility to generate and publish accessible content through their services.

## Advice for organisations of persons with disabilities:

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<sup>38</sup> See recital 4 of Directive (EU) 2018/1808

<sup>39</sup> [Digital Single Market: updated audiovisual rules \[updated on 02/10/2018\]](#)

<sup>40</sup> See recital 47 and Article 28b paragraph 1 of Directive (EU) 2018/1808

<sup>41</sup> See Article 28b paragraph 3 of Directive (EU) 2018/1808



- Ensure that when audiovisual media service providers make use of video-sharing platforms they incorporate the accessibility services they do to the content they broadcast through their means.
- Stress to your national authorities that newspaper websites must also make standalone parts which feature audiovisual content accessible.
- Stress to your national authorities that persons with disabilities have the right to information, education, and culture on equal basis to other citizens and that national governments are obliged to ensure this right. As extensive amount of content is increasingly shared on video-sharing platforms and social media, these gain greater importance as sources of knowledge, information and creative content.
- Make sure that national rules specify that video-sharing platforms have to make it possible for users to generate and share accessible content.
- Highlight the importance and social benefits of making content accessible on video-sharing platforms, to encourage users to generate and publish accessible content.
- Make sure that the point of contact for providing information and receiving complaints regarding any accessibility issues related to media service providers also realises these functions in relation to video-sharing platforms.

## 12. Other aspects you could advocate for

You can take the opportunity of the Directive's transposition to advocate for other aspects related to media accessibility. For example:

- Raise awareness about the importance of aspects such as findability, affordability, and suitability of access services.
- Push for any private audiovisual production receiving public funds to deliver an audiovisual content which is accessible for persons with disabilities.
- Push for the requirement of accessible content as part of awarding a new broadcast license.



- Set up an independent advisory committee with clear mandate and funding for experts with disabilities to participate in as part of national regulator responsibilities.

## Final considerations

- **Act now!** It is vital that organisations of persons with disabilities at national level get involved and influence the transposition process as soon as possible.
- **Raise awareness.** Organisations of persons with disabilities should also inform their members and persons with disabilities about this Directive and what we can expect from it, especially if advocacy actions are planned to put pressure on national governments to make the best out of this EU legislation. Once the Directive is in place, organisation should inform and encourage persons with disabilities to make use of the feedback and complaint mechanisms in the legislation when they find inaccessible audiovisual media content.
- **Inform the general public.** Start dialogue with audiovisual media service providers and video-sharing platform providers so they can already start improving the accessibility of their content. Additionally, inform web developers, private companies and other relevant stakeholders to facilitate the implementation of this Directive and prepare the path for the European Accessibility Act, which extends the legal obligations on accessibility of service providing access to audiovisual media services.

## Reference Documents

### Legal Documents

- [United Nations Convention on the Rights of Persons with Disabilities \(UN CRPD\)](#)
- [General comment No. 2 \(2014\)](#) of Committee on the Rights of Persons with Disabilities on Article 9: Accessibility of UN CRPD
- [Directive \(EU\) 2018/1808](#) of the European Parliament and of the Council of 14 November 2018 amending Directive 2010/13/EU on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the provision of audiovisual media services (Audiovisual Media Services Directive) in view of changing market realities
- [Directive 2010/13/EU](#) of the European Parliament and of the Council of 10 March 2010 on the coordination of certain provisions laid down by law, regulation or administrative



action in Member States concerning the provision of audiovisual media services (Audiovisual Media Services Directive) (Text with EEA relevance)

- [Directive \(EU\) 2019/882](#) of the European Parliament and of the Council of 17 April 2019 on the accessibility requirements for products and services (Text with EEA relevance)
- [Ofcom's \(UK Office of Communications\) Code on Television Access Services](#)
- Court of Justice of the European Union (CJEU) - [Case note on C-347/14 New Media Online GmbH v Bundeskommunikationssenat](#)

## Standards

- [ISO/IEC TS 20071-21:2015 Information technology](#) — User interface component accessibility — Part 21: **Guidance on audio descriptions**
- [ISO/IEC 20071-23:2018 Information technology](#) — User interface component accessibility — Part 23: **Visual presentation of audio information (including captions and subtitles)**
- [ISO/IEC TS 20071-25:2017 Information technology](#) — User interface component accessibility — Part 25: Guidance on the **audio presentation of text in videos, including captions, subtitles and other on-screen text.**<sup>42</sup>

## Guidelines

- Irish National Disability Authority (NDA) [guidelines for accessible digital TV equipment and services](#)
- Ofcom: [Making on-demand services accessible: What should regulations look like?](#)
- [BBC Subtitle Guidelines](#)
- [ITC Guidance on Standards for Subtitling](#)
- Autonomous University of Barcelona (UAB) – [Accessibility Guidelines](#)
- World Wide Web Consortium (W3C) - [TTML Profiles for Internet Media Subtitles and Captions 1.0.1 \(IMSC1\)](#)

## Research papers

- [Measurement of Subtitle Quality](#) – an R&D Perspective (Mike Armstrong)
- [The Impact of Subtitle Display Rate on Enjoyment Under Normal Television Viewing Conditions](#) (James Sandford)
- [Candidate Techniques for Improving Live Subtitle Quality](#) (Matthew Shotton)

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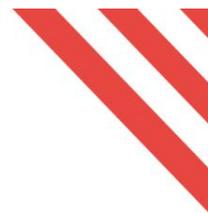
<sup>42</sup> Publication of similar standards for Easy to Read, and Sign Language Interpreting for TV are pending.



- [Accuracy Rate in Live Subtitling: The NER Model](#) (Pablo Romero-Fresco, Juan Martínez Pérez)

## Useful resources

- [Clean Audio – “Making Media Accessible to all: the Options and the Economics”](#), presentation by Harald Fuchs
- European Commission (EC) - [Principles for regulating Audiovisual Media Services at European level](#)
- EC - [Revision of the Audiovisual Media Services Directive \(AVMSD\)](#)
- EC – Fact Sheet - [Digital Single Market: updated audiovisual rules \[updated on 02/10/2018\]](#)
- EC – [Policies on Audiovisual Regulators](#)
- US Federal Communications Commission - [Emergency Information on TV Accessibility Requirements](#)
- US Federal Communication Commission - [Access to Emergency Information on Television](#)
- ERGA Special Task [Report on the provision of greater accessibility to audiovisual media services for persons with disabilities](#)
- European Broadcasting Union (EBU) – case analysis - [C-347/14 New Media Online GmbH v Bundeskommunikationssenat](#)
- International Telecommunication Union (ITU) - [Overview of remote captioning services](#)
- ITU and G3ict – The Global Initiative for Inclusive Information and Communication Technologies – [Making Television Accessible](#)
- IEC/ISO/ITU [Policy on Standardization and accessibility](#)
- World Federation of the Deaf (WFD) [Position Paper on Accessibility: Sign Language Interpreting and translation and technological developments](#)
- World Federation of the Deaf (WFD) and International Federation of Hard of Hearing People ( IFHOH) [Position paper on automatic speech recognition \(ASR\) in telephone relays services and in captioning services](#)
- OfCom - [Measuring live subtitling quality: results from the fourth sampling exercise](#)
- OfCom - [Television and on-demand programme services: Access services report 2018](#)
- World Association of Sign Language Interpreters (WASLI) - [Code of Ethics for sign language interpreters](#)
- European Audiovisual Observatory (Council of Europe) - [The legal framework for video-sharing platforms](#)
- European Platform for Regulatory Authorities (EPRA) - [Access to Audiovisual Media Services for persons with disabilities \(comparative overview of broadcasters’ obligations\)](#)
- TED Talk - [How captions increase ROI and audience for media creators](#) (Svetlana Kouznetsova)
- European Broadcasting Union (EBU) - [TT-D Subtitling Distribution Format](#)



- ERGA | EPRA - [Letter of Intent Cooperation](#)

### Useful contacts

- [List of EU Audiovisual Regulators - AVMSD](#)
- [European Commission - Audiovisual and Media Services Policy \(Unit I.1\)](#)
- [European Broadcasting Union \(EBU\) Access Services Experts Group](#)
- [European Audiovisual Observatory](#) (Council of Europe)
- [European Platform for Regulatory Authorities \(EPRA\)](#)

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