



EDF feedback to European Commission draft Delegated Regulation with measures to ensure effective access to emergency services through emergency communications to the single European emergency number '112'

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[Link to consultation](#)

Submitted by Alejandro Moledo, EDF Deputy Director & Head of Policy

About the European Disability Forum

We, the European Disability Forum ([EDF](#)), are an umbrella organisation of persons with disabilities that advocates for the rights of over 100 million persons with disabilities in the EU. We are a unique platform run by persons with disabilities and their families, and a strong, united voice advocating for the implementation of the UN Convention on the Rights of Persons with Disabilities (CRPD) in the EU.

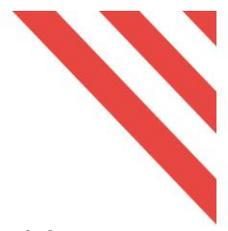
EDF feedback to the draft Delegated Regulation

After the initial consultation in 2021, in August 2022 the European Commission released the draft Delegated Regulation to ensure effective access to emergency services through emergency communications to the single European emergency number '112' under Article 109(8) of [Directive 2018/1972 – the European Electronic Communications Code \(EECC\)](#).

EDF welcomes the publication of this draft Delegated Regulation and shares the objectives of the Commission as for the provisions concerning equivalent access for end-users with disabilities to the single European emergency number 112.

We applaud the uptake of packet-switch technology that can enable an accessible communication of persons with disabilities with the Public Safety Access Points (PSAPs) by voice, real time text and total conversation (i.e. the combination of voice, real time text and video). It is positive that the Delegated Act specifically mention these accessible means of communication in its recital 12.

We also particularly agree with the requirement of ensuring emergency communication without pre-registration when travelling across the EU (article 4(b)), free of charge (art. 4(c)) and guaranteeing equivalent levels of accuracy and reliability of caller location information when using these accessible two-way interactive communications methods between the end-user with disabilities and the PSAP that will respond and handle the emergency call (art. 4(d)).



However, we are concerned about several aspects and wording of the draft Delegated Act, which we call the Commission to amend accordingly.

Functional equivalence and the link with the European Accessibility Act

Recital 11 states “Since there is no common understanding of the functional equivalence requirements, the requirements that replicate the functionalities of emergency communications enjoyed by other end-users, mainly voice based services, should be established”. We believe this statement is incorrect. There is a common understanding on the functional accessibility requirements for emergency communication, and these are laid down in the [European Accessibility Act](#).

We propose the Commission to make a clearer link between this Delegated Act and the European Accessibility Act either by introducing a definition in article 2 on equivalent functionality for end-users with disabilities, or in article 4(a) as follows:

“(a) the emergency communication enables two-way interactive communication between the end-user with disabilities and the PSAP ***complying with the functional accessibility requirements laid down in Directive (EU) 2019/882;***”

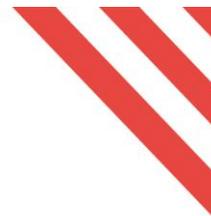
The draft Delegated Regulation should have a more robust link with the European Accessibility Act. Besides, we also believe that the wording in article 4 “subject to technical feasibility” is not necessary and may create a legal loophole. Such expression is not based on the reality of technological capabilities nowadays.

Mobile applications as an interim solution

There is an inconsistency between recital 16 and article 6. Whereas the recital states that “it should be possible” to enable real time text and total conversation via a mobile application, article 6 implies that this should be the way forward: “Member States shall cooperate with the Commission to identify common interoperability requirements that enable the emergency communication to the most appropriate PSAP via a mobile application anywhere in the Union”.

Even if the draft Delegated Regulation includes the expression of “without prejudice” of the implementation of the European Accessibility Act, which requires interoperable and accessible means to call 112 across Member States, the Commission must clearly specify in article 6 that the development of mobile applications is a complementary tool until the Accessibility Act is implemented in this regard (by 2027).

EDF wants to state once again that we do not want a special application only for us, persons with disabilities, as the final solution to the lack of access to 112 emergency communication. It should be an interim solution while the whole mainstream infrastructure becomes accessible to us.



Built-in mobile applications

Concerning the mobile application, an additional point of concern for us lays in the fact that the Commission proposes such mobile application to be an assistive tool that persons with disabilities will have to download and register before going to another Member State (thus, contradicting the provision in article 4(b)). We find this in recital 16 which reads: “Once a mobile application is downloaded and installed, the end-user may communicate with the most appropriate PSAP across the Union”.

As mentioned above, we do not think this should be the end solution, as most people, including persons with disabilities, do not think of emergencies before going abroad.

Furthermore, if such interim solution is allowed, EDF believes that such mobile application should be legally required to have it pre-installed in all capable handsets to avoid the need of downloading and registering.

Packet-switched technology should be available through the core network

Related to this, the Commission seems to give discretion to Member States in choosing how they should upgrade to packet-switched technologies. Recital 17 states: “The roadmap should contain the expected timeline and date of deployment of novel emergency communications through packet-switched technologies, whether these are enabled in the core network as number-based interpersonal communication services or deployed via a mobile application”.

We believe the Commission and Member States should aim for the core network to ensure everyone will be able to send caller location and communicate in an accessible manner using voice, real time text or total conversation without the need of downloading a specific mobile application.

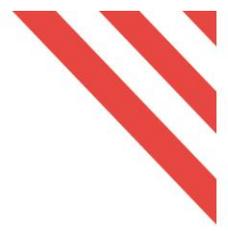
Awareness

The wording and the objective of article 4(f) is unclear:

“(f) the means of access through emergency communications enable, by design or through awareness raising measures, the end-users with disabilities to reach levels of awareness similar with other end-users about emergency calls to ‘112’.”

Several questions arise: How could the means of access (e.g. a real time text call) increase the level of awareness about the accessible way of calling 112? What does the Commission mean by “by design”? Why “similar levels” of awareness and not the same?

The Commission should be clearer in this specific provision. If it aims at raising awareness among end-users with disabilities about the accessible means to reach out to the 112



emergency number, then it should rather specify that these awareness raising measures must be accessible to persons with disabilities and provide further explanations.

Roadmap and reporting in line with the Accessibility Act

An important suggestion in article 7 is: “The roadmap shall indicate the date of the expected deployment of voice, **real time** text **and** [instead of “or”] video based emergency communications through packet-switched technologies”. This will prevent confusion on what “text” means (as it can be understood as SMS-like text messages over Internet Protocol), and the fact that Member States should also report on the accessible way of total conversation which conveys the use of voice, video and real-time text simultaneously, and not one or the other.

Equally important, we believe that the Roadmap should reflect the implementation timeframe of the European Accessibility Act, this is to ensure the accessible communication to the 112 emergency number by 28 June 2027. Therefore, this date should be established as the deadline for such roadmaps.

EDF related publications

- [2021 EDF feedback to the roadmap consultation about the Delegated Regulation ensuring effective access to the 112 emergency number](#)
- [EDF Recommendations for equal access and choice to electronic communications services](#)
- [EDF toolkit for transposition of the European Electronic Communications Code \(EECC\)](#)
- [EDF toolkit on transposition of the European Accessibility Act \(EAA\)](#)
- [EDF position on the European Commission’s draft standardisation for the European Accessibility Act \(EAA\)](#)
- [EDF recommendations on the recast Roaming Regulation](#)

Contact:

Daniel Casas, Accessibility Policy Officer | daniel.casas@edf-feph.org