



EUROPEAN PARLIAMENT

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Committee on Culture and Education

2012/0340(COD)

17.10.2013

OPINION

of the Committee on Culture and Education

for the Committee on the Internal Market and Consumer Protection

on the proposal for a directive of the European Parliament and of the Council
on the accessibility of public sector bodies' websites
(COM(2012)0721 – C7-0394/2012 – 2012/0340(COD))

Rapporteur: Zoltán Bagó

PA_Legam

SHORT JUSTIFICATION

Web-accessibility is of great importance for public sector bodies, as it gives them the possibility to reach citizens, and to fulfil their public responsibilities. Unfortunately, the non-harmonised national approaches to web-accessibility create barriers in the Internal Market.

The Commission's Proposal for a directive of the European Parliament and of the Council on the accessibility of public sector bodies' websites proposes a harmonised European approach to lay down requirements for certain types of public sector bodies.

The rapporteur welcomes and fully supports the Commission's intention to promote approximation of national measures and reduce uncertainty for web-developers. He thinks all users should benefit from wider access to online public sector services - including audiovisual content of the websites. In this context, he thinks it is necessary to pay particular attention to the ageing population in the European Union, an ever increasing category of citizens, as well as to people with disabilities. Careful consideration should, in his view, be given to avoiding "Digital exclusion" of these groups.

He welcomes the fact that the current proposal demonstrates a genuine political will to implement in practical terms the commitments of the United-Nations Convention on the Rights of Persons with Disabilities (UNCRPD). He regrets, though, that the proposal covers only 12 types of public sector bodies' websites and that education and cultural activities are insufficiently covered in the Commission's proposal, despite the fact that these sectors have great significance in citizens' life. Therefore the rapporteur thinks it is necessary to add these types of websites to the Annex.

The rapporteur believes that further actions will still be needed to widen the scope of the proposal, and to ensure the accessibility of all websites and web-based services of public sector bodies.

AMENDMENTS

The Committee on Culture and Education calls on the Committee on the Internal Market and Consumer Protection, as the committee responsible, to incorporate the following amendments in its report:

Amendment 1

Proposal for a directive Recital 2

Text proposed by the Commission

(2) Web-accessibility refers to principles and techniques to be observed when constructing websites in order to render the

Amendment

(2) Web-accessibility refers to principles and techniques to be observed when constructing websites in order to render the

content of these websites accessible to all users, ***in particular people with functional limitations***, including persons with disabilities. The content of websites includes textual as well as non-textual information, and also the downloading of forms and two-way interaction, e.g. the processing of digital forms, authentication, and transactions like case handling and payments.

content of these websites accessible to all users, including persons with disabilities ***and elderly people***. The content of websites includes textual as well as non-textual information, and also the downloading of forms and two-way interaction, e.g. the processing of digital forms, authentication, and transactions like case handling and payments.

Amendment 2

Proposal for a directive Recital 4 a (new)

Text proposed by the Commission

Amendment

(4a) Elderly people are at risk of digital exclusion, due to factors such as lack of information and communication technologies (ICT) skills and access to Internet. The EU programme ‘E-Inclusion’ seeks to ensure that all groups of users should have the best possible opportunities to use the Internet and to become familiar with information and communication technologies. The Digital Agenda for Europe proposes a series of measures to promote the use of the new ICTs by disadvantaged groups of users such as elderly people.

Amendment 3

Proposal for a directive Recital 8 a (new)

Text proposed by the Commission

Amendment

(8a) The European Parliament resolution of 25 October 2011 on mobility and inclusion of people with disabilities and the European Disability Strategy 2010-2020¹ stresses that innovative and knowledge-based economies cannot

develop without accessible content and forms for people with disabilities governed by binding legislation, such as accessible websites for the blind and subtitled contents for the hard of hearing, including mass media services, online services for people using sign languages, smart phone applications and tactile and vocal aids in public media.

¹ OJ C 131 E, 8.5.2013, p. 9.

Amendment 4

Proposal for a directive Recital 8 b (new)

Text proposed by the Commission

Amendment

(8b) The Digital Agenda for Europe stresses that positive action to help people with a disability to access cultural content is key to full enjoyment of European citizenship and calls for full implementation of the memorandum of understanding on digital access for people with a disability. The production of documents, such as reports, books and legislative texts, made available on public sites in such a way as to make them fully accessible, can make a major contribution towards meeting this objective and promote the development of skills and service providers within the EU, alongside the support for the private sector that has been called for with a view to encouraging investment in this area.

Amendment 5

Proposal for a directive Recital 11 a (new)

Text proposed by the Commission

Amendment

(11a) The guarantee of net neutrality is essential for public sector websites to remain accessible now and in the future, and for the internet to be open.

Amendment 6

Proposal for a directive Recital 13

Text proposed by the Commission

(13) The approximation of national measures at Union level, based on an agreement on accessibility requirements for public sector bodies' websites, is necessary in order to put an end to fragmentation. It would reduce uncertainty for web-developers and would foster interoperability. By using accessibility requirements which are technology neutral, innovation will not be hampered and may possibly even be stimulated.

Amendment

(13) The approximation of national measures at Union level, based on an agreement on accessibility requirements for public sector bodies' websites, is necessary in order to put an end to fragmentation. It would reduce uncertainty for web-developers and would foster interoperability. By using accessibility requirements which are technology neutral ***and based on open standards***, innovation will not be hampered and may possibly even be stimulated. ***In particular, non-proprietary international standards should be adopted, covering both content production and the means used to catalogue and identify content.***

Amendment 7

Proposal for a directive Recital 14

Text proposed by the Commission

(14) A harmonised approach should also allow Union public sector bodies and enterprises to gain economic and social benefits from extending the provision of on-line services to include more citizens

Amendment

(14) A harmonised approach should also allow Union public sector bodies and enterprises to gain economic and social benefits from extending the provision of on-line services to include more citizens

and customers. This should increase the potential of the internal market for web-accessibility products and services. The resulting market growth should allow undertakings to contribute to economic growth and jobs creation within the Union. Strengthening the internal market should make investment in the Union more attractive. Governments should benefit from cheaper provision of web-accessibility.

and customers. This should increase the potential of the internal market for web-accessibility products and services **and further the completion of the digital single market**. The resulting market growth should allow undertakings to contribute to economic growth and jobs creation within the Union. Strengthening the internal market should make investment in the Union more attractive. Governments should benefit from cheaper provision of web-accessibility.

Amendment 8

Proposal for a directive Recital 15

Text proposed by the Commission

(15) Citizens should benefit from wider access to online public sector services and should receive services and information which will facilitate the enjoyment of their rights across the Union, notably their right to move and reside freely within the territory of the Union and their freedom of establishment and to provide services.

Amendment

(15) Citizens should benefit from wider access to online public sector services **and be able to access news and cultural and entertainment content enabling them to play a full part in social and working life**, and should receive services and information which will facilitate **their daily lives and** the enjoyment of their rights across the Union, notably their right to move and reside freely within the territory of the Union, **their right of access to information** and their freedom of establishment and to provide services.

Amendment 9

Proposal for a directive Article 1 – paragraph 1

Text proposed by the Commission

1. This Directive aims at approximating the laws, regulations and administrative provisions of the Member States related to the accessibility of the content of public

Amendment

1. This Directive aims at approximating the laws, regulations and administrative provisions of the Member States related to the accessibility of the content, **including**

sector bodies' websites to all users, *in particular people with functional limitations*, including persons with disabilities.

audiovisual content, of public sector bodies' websites to all users, including persons with disabilities *and elderly people*.

Amendment 10

Proposal for a directive Article 1 – paragraph 3

Text proposed by the Commission

3. Member States may extend the application of this Directive to other types of public sector websites than those referred to in paragraph 2.

Amendment

3. Member States may extend the application of this Directive to other types of public sector websites than those referred to in paragraph 2, *including websites containing cultural content or educational, scientific and research information*.

Amendment 11

Proposal for a directive Article 3 – paragraph 1 – point b

Text proposed by the Commission

(b) in a way which facilitates interoperability with a variety of user agents and assistive technologies at Union and international level.

Amendment

(b) in a way which facilitates interoperability *on the basis of open standards* with a variety of user agents and assistive technologies at Union and international level.

Amendment 12

Proposal for a directive Article 6 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. Member States shall provide ICT solutions which are user friendly and intended for persons with disabilities and

elderly people, and shall promote training and education to increase their digital knowledge.

Amendment 13

Proposal for a directive Article 6 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4a. Member States shall lay down penalties for failure by websites run by public bodies to comply with the accessibility requirements set out in this Directive.

Amendment 14

Proposal for a directive Article 7 – paragraph 2

Text proposed by the Commission

Amendment

2. Member States shall report *annually* on the outcome of the monitoring carried out according to paragraph 4 including the measurement data and, where appropriate, the list of the websites referred to in Article 1(3).

2. Member States shall report *one year after the publication of this Directive and then every two years* on the outcome of the monitoring carried out according to paragraph 4 including the measurement data and, where appropriate, the list of the websites referred to in Article 1(3).

Amendment 15

Proposal for a directive Article 7 – paragraph 3

Text proposed by the Commission

Amendment

3. This report shall also cover the actions conducted pursuant to Article 6.

3. This report *needs to be published and* shall also cover the actions conducted pursuant to Article 6.

Amendment 16

Proposal for a directive Annex – point 3

Text proposed by the Commission

(3) Social-security benefits: unemployment benefits, child allowances, medical costs (reimbursement or direct settlement), student grants.

Amendment

(3) Social-security benefits: unemployment benefits, child allowances, medical costs (reimbursement or direct settlement), student grants **and retirement pensions**

Amendment 17

Proposal for a directive Annex – point 4

Text proposed by the Commission

(4) Personal documents: passports or driving license

Amendment

(4) Personal documents: passports, **identity cards** or driving license

Amendment 18

Proposal for a directive Annex – point 6

Text proposed by the Commission

(6) Application for building permission

Amendment

(6) Application for building permission **or declaration of building work**

Amendment 19

Proposal for a directive Annex – point 9 a (new)

Text proposed by the Commission

Amendment

(9a) Public education

Amendment 20

Proposal for a directive Annex – point 10

Text proposed by the Commission

(10) Enrolment in higher education or university

Amendment

(10) Enrolment in *vocational and* higher education or university *plus enrolment for examinations*

Amendment 21

Proposal for a directive Annex – point 10 a (new)

Text proposed by the Commission

Amendment

(10a) Entry to civil service competitions

Amendment 22

Proposal for a directive Annex – point 10 b (new)

Text proposed by the Commission

Amendment

(10b) Enrolment in primary or secondary education and in final examinations

Amendment 23

Proposal for a directive Annex – point 12 a (new)

Text proposed by the Commission

Amendment

(12a) Cultural activities

Amendment 24

**Proposal for a directive
Annex – point 12 b (new)**

Text proposed by the Commission

Amendment

(12b) Public transport services

Amendment 25

**Proposal for a directive
Annex – point 12 c (new)**

Text proposed by the Commission

Amendment

(12c) Public postal services

Amendment 26

**Proposal for a directive
Annex – point 12 d (new)**

Text proposed by the Commission

Amendment

***(12d) Public services providing
information on election procedures***

Amendment 27

**Proposal for a directive
Annex – point 12 e (new)**

Text proposed by the Commission

Amendment

(12e) Public energy provision services

Amendment 28

Proposal for a directive

Annex – point 12 f (new)

Text proposed by the Commission

Amendment

(12f) Public communication services

PROCEDURE

Title	Accessibility of public sector bodies' websites
References	COM(2012)0721 – C7-0394/2012 – 2012/0340(COD)
Committee responsible Date announced in plenary	IMCO 10.12.2012
Opinion by Date announced in plenary	CULT 10.12.2012
Rapporteur Date appointed	Zoltán Bagó 9.1.2013
Date adopted	17.10.2013
Result of final vote	+: 22 –: 0 0: 0
Members present for the final vote	Zoltán Bagó, Silvia Costa, Santiago Fisas Ayxela, Lorenzo Fontana, Mary Honeyball, Petra Kammerevert, Morten Løkkegaard, Emma McClarkin, Emilio Menéndez del Valle, Martina Michels, Marek Henryk Migalski, Doris Pack, Monika Panayotova, Marco Scurria, Hannu Takkula, László Tőkés, Sabine Verheyen, Milan Zver
Substitute(s) present for the final vote	Iosif Matula, Mitro Repo
Substitute(s) under Rule 187(2) present for the final vote	Ioan Enciu, Gerben-Jan Gerbrandy