**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 14 September 2005

**12269/05
ADD 1**

**TELECOM 91
SOC 345
COMPET 174
RECH 171**

ADDENDUM TO THE COVER NOTE

from:	Secretary-General of the European Commission, signed by Ms Patricia BUGNOT, Director
date of receipt:	14 September 2005
to:	Mr Javier SOLANA, Secretary-General/High Representative
Subject:	Commission Staff Working Paper
	Annex to the : Communication from the Commission "eAccessibility" Extended Impact Assessment

Delegations will find attached a Commission document SEC(2005) 1095.

_____

Encl.: SEC(2005) 1095

EUROPEAN COMMISSION

Brussels, 13.9.2005
SEC(2005) 1095

COMMISSION STAFF WORKING PAPER

Annex to the:

Communication from the Commission

"eAccessibility"

EXTENDED IMPACT ASSESSMENT

{COM(2005) 425 final}

EN   EN

EXECUTIVE SUMMARY

Through the recently launched "**i2010 – A European Information Society for growth and employment**" initiative, the Commission proposed a new strategic framework and broad policy orientations to promote an open and competitive digital economy, emphasising information and communication technologies (ICT) as a driver of inclusion and quality of life, one of the priorities of which is to achieve an ***Inclusive European Information Society***.

The opportunity for this Communication stems from what is seen to be a lacklustre deployment of previously stated EU policy initiatives on eAccessibility across the European Union. Several Member States have gone further in putting those policies to practice than others, notably through the drafting of specific national legislation as well as through other policy measures.

The risk for the European industry is obvious: being forced to operate in a fragmented market with the consequent loss of competitiveness and effectiveness.

There is a corresponding greater risk for European consumers of ICT products and services, particularly for people with disabilities and older people: a fragmented market means costlier, more unfamiliar and incompatible products, more difficulty in accessing/moving information across borders, etc.

A wider availability of quality accessible ICT products and services has the potential to raise individual productivity levels, particularly in intensive ICT-using sectors, thus fostering a positive economic impact.

This document describes the main options considered for the forthcoming Commission Communication on eAccessibility. In short there were three feasible choices: 1) "Business as usual", accepting the current situation as the equilibrium *status quo*: 2) "Coordinate and promote" actions made possible by fully exploiting the current legislative and regulatory environment; and 3) "Legislate", proposing additional legislative instruments.

The line proposed leans towards option 2: the Communication examines the use of a number of existing but not yet widely used instruments aimed at harmonising guidelines, specifications and standards at EU level leading, for example, to common accessibility requirements in the ICT domain, to be used in public procurement, certification and legislation.

This option is likely to be accepted by industry, notwithstanding the fact that the users and their representatives, although accepting it, would prefer the stronger option 3, "Legislate".

A word of caution is due: it is too early to deliver a detailed analysis of impacts of the three options, particularly regarding option 3 "Legislate" as there is lack of quantitative data. That will only be possible after the results of the evaluation measures foreseen in the Communication are available.

Finally the document provides a description of the consultation initiatives undertaken for the preparation of the Communication.

TABLE OF CONTENTS

1.   THE ISSUES AT STAKE

1.1   Setting the scene in the context of the i2010 initiative and Lisbon Strategy

The Lisbon European Council of 23 and 24 March 2000 incorporated the promotion of social inclusion as an intrinsic issue of the Lisbon Strategy, to achieve the goal of making the European Union the most competitive and dynamic knowledge-based economy in the world, capable of sustainable economic growth, with more and better jobs and greater social cohesion. It also stated clearly that exclusion from the information society should be prevented and special attention should be paid to the needs of people with disabilities. This commitment to social inclusion was recently reaffirmed in the launch of the renewed Lisbon Strategy in the European Council on 22-23 March 2005[1].

Through the recently launched "**i2010 – A European Information Society for growth and employment**" initiative, the Commission proposed a new strategic framework and broad policy orientations to promote an open and competitive digital economy, emphasising information and communication technologies (ICT) as a driver of inclusion and quality of life, one of the priorities of which is to achieve an ***Inclusive European Information Society***.

We live in an information society. Information and communication technologies (ICT) permeate almost every aspect of our lives. They can be powerful tools for bringing people together, adding new value to life and creating new wealth, health, welfare, accounting for a richer and more rewarding professional and social life.

The other side of the coin is that in Europe (and elsewhere) millions of people cannot fully reap these benefits and a significant percentage is effectively cut off from them for a variety of reasons: geographic, social, economic, educational, cultural, physical or cognitive disabilities, age, etc.

Today, people with disabilities (irrespectively of their age)[2] and older people[3] are estimated to make up close to 20% of the European population or 90 million people. Many of them encounter barriers when trying to use ICT products and services.

Furthermore, the prevalence of both disabilities and other minor functional limitations is strongly related to age. The ongoing demographic shift in Europe, as a result of a greater life expectancy and decreasing birth rates, will cause a noticeable increase in these numbers over the coming years -- 18% of the European population was aged over 60 in 1990, while for 2030 that percentage is expected to rise to 30%. There are concerns that the European Social model will be unsustainable with too few working age people able to support the welfare and social security systems providing for older people. The renewed Lisbon Strategy calls for an extension of working life.

But the potential impact is even wider. There is a broader part of the population (than people with disabilities and older people) that has difficulties in using ICT products and services. A

---

[1]   "Presidency Conclusions of the European Council 22-23/March", under the heading "Growth and employment making for social cohesion", available at:
http://europa.eu.int/rapid/pressReleasesAction.do?reference=DOC/05/1&format=HTML&aged=0&language=en&guiLanguage=en

[2]   Gill, John - "Access-Ability: Making technology more useable by people with disabilities", available at: http://www.tiresias.org/guidelines/access-ability/

[3]   United Nations World Population Prospects (2002) and Eurostat 2004 Demographic Projections. See also SENIORWATCH project reports (www.seniorwatch.de)

recent study (in the USA[4]) found that 60% of working-age adults, aged between 18 and 64, are likely or very likely to benefit from the use of *accessible technology* due to mild difficulties and impairments, or to functional difficulties with current technologies. Additionally, we quote from the same study:

... technology currently aimed at people with severe difficulties and impairments can also improve the computing experience for the vast majority of computer users.

A large and growing potential market for accessible technology exists to serve individuals who have some degree of difficulty or impairment that impacts their ability to use a computer. Further innovation should be done to make technology even more accessible.

Accessible technology has the potential to powerfully extend, expand, and enhance user experience and productivity. Addressing the needs of those who are likely or very likely to benefit from the use of accessible technology requires an industry-wide effort.

These findings also aptly describe the relevant situation in Europe.

No European concept of the Information Society can be realized unless all Europeans have a chance to participate. Moreover, the economic loss of not bringing everybody along would be considerable. Unless the Information Society reaches out as widely as possible, the markets will be smaller and the services more expensive to deliver.

Consequently, if we are not vigilant, if we do not act, ICT can also set people apart, create new barriers, and increase social exclusion. Recently, the eEurope Advisory Group noted: "*Even if ICT penetration is actually progressing in the EU 25...the risk that Europe will evolve toward a more polarised, instead of a more inclusive knowledge society is still very present*"[5]

The implications are clear: making the benefits of ICT available to the widest possible number of people is a social, ethical and political imperative. Doing so not only creates a market niche of increasing economic significance but also contributes to further enhancing a proper functioning of the relevant general market. Furthermore, any action in this domain falls squarely under the objectives of the Lisbon Agenda.

1.2   The practical challenges

A study from 2002[6] found that more than 48% of persons over 50 years of age in Europe considered that they were not adequately addressed by manufacturers. Furthermore, between 10 and 12 million of them indicated that they were potential customers of new mobile phones, computer and internet services.

More specifically, persons with disabilities report a large number of problems when trying to use information technology products and services. Some examples follow (for which there might be already different specific technological solutions in some Member States):

---

[4]   "The Wide Range of Abilities and Its Impact on Computer Technology" – Forrester Research Inc. 2003; study commissioned by Microsoft Corporation, available at http://www.microsoft.com/enable/research/phase1.aspx

[5]   "e-Inclusion". Final Report, The Expert Section, eEurope Advisory Group, April 2005 (forthcoming)

[6]   "Older People and Information Society technology" - a market study produced by EC project Seniorwatch IST-1999-29086 (http://www.seniorwatch.de)

- lack of harmonised solutions, e.g. lack of access to the 112 emergency number from text phones in many Member States;
- software not compatible with assistive devices, screen readers for blind users are often impossible to use after releases of new operating systems;
- interference between mainstream products and assistive devices, e.g. GSM telephones and hearing aids;
- lack of European-wide standards, e.g. the seven different, incompatible text phone systems for deaf and hard-of-hearing persons;
- lack of adequate services, e.g. many websites too complicated for cognitively impaired or inexperienced users or impossible to read and navigate through for visually impaired persons;
- lack of products and services for certain groups, e.g. telephone communication for sign language users;
- physical design difficult to use, e.g. keypads and displays on many devices;
- lack of accessible content;
- restricted choice of electronic communication services, quality and price.

With new technologies and new applications around the corner, there will always be new accessibility issues arising. There is a fundamental advantage in addressing these design issues early on instead of having to introduce more expensive late changes or find separate solutions.

In the near future, examples of new technologies where accessibility aspects must be considered early include:
- digital television, e.g. regarding standards and compatibility as well as design of services and hardware;
- third generation mobile telephones, e.g. regarding design of hardware and software as well as services;
- broadband communication, e.g. using the possibilities of multimodal presentations in a way that enhances accessibility rather than the opposite.

These are different, sometimes complex problems and there may be different ways to tackle, avoid or solve them.

What is increasingly being realized is that addressing these issues previously thought to be of interest to a specific target segment of the population, will actually have positive consequences for the majority of technology users.

1.3 Market and economy issues

ICT research and the market have come up with innovative solutions for some (but not all) of these challenges. The main obstacles to their widespread availability are:

- until now they have been targeting a small market (seen essentially as people with disabilities and older people), mostly through SMEs at a national (or even regional) level;
- the scarcity of applicable technical standards and technical specifications;
- relevant European legislation only recently explicitly contemplated the possibility of using accessibility requirements in public procurement procedures;
- there are significant differences in the way some Member States have developed their own solutions.

As a consequence, we have an "accessible ICT products and services market" in Europe that is still in an initial development phase, largely fragmented at national borders, lacking harmonised legislation and applicable technical standards.

In practice, market fragmentation imposes barriers to a single market and an increased burden on industry to comply with differing requirements in different Member States.

Additionally, it is commonly accepted nowadays that labour productivity performance is strongly dependent on the investment in and quality of use of ICT. Important differences in those are among the reasons underpinning the relative economic performance of the USA and Europe in recent years[7]:

The analysis suggests that ICT diffusion in Europe is following similar industry patterns to those observed in the U.S., but at a considerably slower pace. The key differences between Europe and the U.S. are in the intensive ICT-using services, with U.S. productivity growth showing a strong acceleration during the second half of the decade, whereas growth stalled in the EU. More specifically, the U.S. showed rapid productivity expansion in retail and wholesale trade and securities, which account for much of the overall U.S.-EU gap in productivity growth since 1995.

Whilst these considerations address essentially the macroeconomic level, if we consider the study data quoted before, stating that 60% of working-age adults are likely or very likely to benefit from the use of *accessible technology*, there are grounds to expect a positive aggregated economic impact stemming from any contributions for productivity improvement at a micro level (enterprise or individual).

If the aforementioned challenges are properly addressed through a wider availability of accessible ICT products and services in Europe, it will result in significant "*microproductivity*" improvements everyday, at the level of the individual citizens, with a considerable economic value. Accessible ICT can for example help people with disabilities take active part in the labour market and in society.

On a different perspective, we note that in this area, particularly in *assistive technology*, the European *industrial tissue* is rather fragmented: the overwhelming majority of the industrial players are SMEs catering for the needs of people with low-incidence disabilities in their local market. That is why, while there is a large and growing customer base for AT products (and thus the market is potentially large – especially if considered from the EU-wide perspective), the business is not always highly lucrative for companies because of the specialized nature of the products, low production volumes and certain structural characteristics (e.g. related to national reimbursement schemes). AT industry would benefit from harmonisation, standardization and so wider, more homogeneous EU-wide market if it is to reach critical mass, share development costs and bring prices down.

Increasingly the target consumers are not seen anymore as only people with disabilities and older people, but as the whole population. This realization entails a market change we are just beginning to witness, as the bigger European industrial players are now turning their attention to this market sector, although they are still some time away before putting their full weight behind it.

---

[7] *"Changing Gear" Productivity, ICT and Services Industries: Europe and the United States* - Bart van Ark, Robert Inklaar, Robert H. McGuckin - EPWP #02 - 01 - Economics Program Working Paper Series – available at http://www.conference-board.org/pdf_free/workingPapers/EPWP0202.pdf

This is also the case of the Telecommunications area – the pervasiveness of telecommunications products and services is now such that even this (relatively small for now) market niche is significant as a differentiator and growth generator, attracting interest from the bigger market players.

In conclusion, eAccessibility and related assistive technology products and services are starting to be on the "midterm radar" of even the bigger mainstream technology providers, not only from Europe but also from other regions of the world.

1.4   Legal and Policy issues

The Universal Declaration of Human Rights, adopted and proclaimed by Resolution 217 A (III) of the General Assembly of the United Nations, on 10th December 1948[8], essentially recognises the right of all persons to equality before the law and protection against discrimination. Furthermore, the Treaty of Amsterdam includes an explicit prohibition of discrimination, *inter alia* on grounds of disability. The need to include all Europeans in the IS has been expressed by the European Institutions in many contexts.

Initiatives have been taken in the two eEurope action plans to build a more accessible IS. The eEurope 2002 Action Plan included a separate action line addressing these issues. It recommended the adoption of the WAI[9] guidelines, the development of a European Design for All (DFA) curriculum and strengthening assistive technology and DFA standardisation. In the eEurope 2005 Action Plan, the aim was to mainstream eInclusion in all action lines. It also proposed the introduction of accessibility requirements for ICT in public procurement.

The Telecommunications Council has expressed the need to improve eAccessibility in Europe[10]. Furthermore the Ministerial Declaration[11] on eInclusion, proposed taking all necessary actions towards an open, inclusive knowledge-based Society accessible to all citizens.

In its 2003 Resolution on eAccessibility[12], the Social Affairs Council called on Member States to tackle the removal of technical, legal and other barriers to the effective participation of people with disabilities in the knowledge-based economy and society.

The Commission Action Plan published in December 2003[13], on the follow up of the European Year of People with Disabilities included as one of its four areas the access to, and use of, new technologies.

The European Parliament, in its 2002 Resolution on web accessibility[14], "reiterates the need to avoid any form of exclusion from the IS, and calls for the integration of disabled and elderly

---

[8]   Available at http://www.un.org/Overview/rights.html

[9]   Commission Communication «eEurope 2002 : Accessibility of public websites and their content », COM(2001)529 final, Brussels 2001-09-25, available at http://europa.eu.int/eur-lex/en/com/cnc/2001/com2001_0529en01.pdf

[10]   Council Resolution on the eEurope Action Plan 2002 : accessibility of public websites and their content, OJ C 86, 10.04.2002

[11]   Ministerial Symposium «Towards an Inclusive Information Society in Europe», Ministerial Declaration on eInclusion, Crete, Greece, 11 April 2003 http://www.eu2003.gr/en/articles/2003/4/11/2502/

[12]   Council Resolution on "eAccessibility" – improving the access of people with disabilities to the Knowledge Based Society; Brussels, 14 January 2003; 5165/03

[13]   Equal opportunities for people with disabilities; A European Action Plan COM (2003) 650 Final

people in particular". Furthermore in another Resolution, the use of sign language in Telecommunications in Europe[15] is mentioned.

A number of European Directives related to the Information Society have clauses referring to the inclusion of persons with disabilities and older people. These include the Electronic Communications Directives, in particular the Framework[16] and the Universal Service Directives[17], the Directive on Radio and Telecommunication Terminals (RTTE)[18] the Public Procurement Directive[19] and the Employment Equality Directive[20].

Accessibility for people with disabilities has been raised by civil society and supported by the European Parliament as a critical issue in the revision of the TV without Frontiers Directive[21]. Today, content accessibility is a competence of the Member States[22] As a number of Member States are in the process of introducing accessibility legislation for the Digital TV platform, the European Commission may foster a dialogue among Member States so that common solutions are enacted. Market size is critical, in order to entice manufacturers to produce accessible equipment. The Commission services have already announced[23] a study, to begin in the last quarter of 2005, in order to identify and evaluate policy options aiming at improving eAccessibility in Europe.

Council Directive 2000/78/EC of 27 November 2000[24], has an explicit purpose (article 1) "*...to lay down a general framework for combating discrimination on the grounds of religion or belief, disability, age or sexual orientation as regards employment and occupation*". Quoting from the initial introductory recital:

(6)   The Community Charter of the Fundamental Social Rights of Workers recognises the importance of combating every form of discrimination, including the need to take appropriate action for the social and economic integration of elderly and disabled people.

(8)   The Employment Guidelines for 2000 agreed by the European Council at Helsinki on 10 and 11 December 1999 stress the need to foster a labour market favourable to social integration by formulating a coherent set of policies aimed at combating discrimination against groups such as persons with disability

(16)   The provision of measures to accommodate the needs of disabled people at the workplace plays an important role in combating discrimination on grounds of disability.

---

[14]   European Parliament resolution on the Commission Communication eEurope 2002: Accessibility of Public Web Sites and their Content (COM(2001) 529 – C5-0074/2002 – 2002/2032(COS))
[15]   European Parliament Resolution on Sign Language - Resolution B4/ 0985/98
[16]   Directive 2002/21/EC
[17]   Directive 2002/22/EC
[18]   Directive 1999/5/EC
[19]   Directive 2004/17/EC and Directive 2004/18/EC
[20]   Council Directive 2000/78/EC
[21]   Directive COM(2000) 778 final
[22]   National accessibility legislation exists in the following key areas: non-discrimination (e.g. in Finland, Germany, Spain, Ireland, Portugal), employment (e.g. Germany, Portugal, Sweden), ICTs (e.g. Denmark, Germany, Spain, Sweden, Portugal, UK), public procurement (e.g. Spain), copyright (e.g. Finland, Ireland, Portugal, Sweden)
[23]   "A sustainable policy model for e-accessibility in digital TV", TED 2005/S 40-037972
[24]   Available at
         http://europa.eu.int/comm/employment_social/fundamental_rights/pdf/legisln/2000_78_en.pdf

(20) Appropriate measures should be provided, i.e. effective and practical measures to adapt the workplace to the disability, for example adapting premises and equipment, patterns of working time, the distribution of tasks or the provision of training or integration resources.

More specifically, Article 5 ("*Reasonable accommodation for disabled persons*") states:

In order to guarantee compliance with the principle of equal treatment in relation to persons with disabilities, reasonable accommodation shall be provided. This means that employers shall take appropriate measures, where needed in a particular case, to enable a person with a disability to have access to, participate in, or advance in employment, or to undergo training, unless such measures would impose a disproportionate burden on the employer. This burden shall not be disproportionate when it is sufficiently remedied by measures existing within the framework of the disability policy of the Member State concerned.

*(...) Appropriate measures should be provided, i.e. effective and practical measures to adapt the workplace to the disability, for example adapting premises **and equipment.***

The conclusion is that European policies and legislation have recognised employment and occupation as key elements in guaranteeing equal opportunities for all, contributing strongly to the full participation of citizens in economic, cultural and social life and to realising their potential. The importance to have an accessible work place to achieve this goal is evident and of course equipment is an essential component.

The potential impact on this from a wider availability of quality accessible ICT products and services is clear – it will foster:

- greater employability (of those currently unable to properly use such products and services, namely of older people and disabled persons);
- better social inclusion (ditto);
- ability to live independently for longer.

2. THE NEED FOR ACTION AT EU LEVEL

The opportunity for this Communication stems from what several studies have shown to be a lacklustre deployment[25] of previously stated EU policy initiatives on eAccessibility (for example on the accessibility of public websites[26]) across the European Union.

On several occasions, Council has also encouraged further action, for instance when it called on Member States and invited the Commission to "*Tap the Information Society's potential for people with disabilities and, in particular, tackle the removal of technical and other barriers to their effective participation in the Knowledge Based Economy and Society*"[27].

---

[25]   Project "Top of the Web – Benchmarking Public Service: Survey on quality and usage of public e-services", available at
http://europa.eu.int/information_society/eeurope/2005/doc/all_about/quality_usage_final_report_2003.pdf

[26]   Commission Communication "eEurope 2002: Accessibility of public websites and their content", COM(2001) 529 final, Brussels 2001-09-25, available at http://europa.eu.int/eur-lex/en/com/cnc/2001/com2001_0529en01.pdf

[27]   Council Resolution on "eAccessibility for People with Disabilities", 2470th Council meeting on Employment, Social Policy, Health and Consumer Affairs**,** Brussels, 2-3 December 2002, available at http://www.socialdialogue.net/docs/cha_key/consilium_2002_14892en2.pdf

As already mentioned in the previous section, the European Parliament also supported this perspective[28].

Several Member States have gone further in putting those policies to practice than others, notably through the drafting of specific legislation as well as through other policy measures. Actions being undertaken by those Member States are leading to similar but yet different eAccessibility requirements for products and services, thus creating a high risk for European industry — being forced to operate in a fragmented market with the consequent loss of competitiveness and effectiveness.

The risk for consumers is even greater, particularly for people with disabilities and older people: a fragmented market means costlier, unfamiliar, incompatible and non-interoperable products, more difficulty in accessing/moving information across borders, etc.

Work at European level also takes into account international experiences of other countries, like the USA and Canada, with which a dialogue has been initiated by the European Commission, particularly regarding the use of legislative provisions in the context of public procurement as a powerful leverage factor.

Consequently, given that harmonisation issues among Member States are involved, not only at a strategic but also possibly (later) at a legislative level, and that a transcontinental dialogue and harmonisation needs to be ensured, basic conditions are set for the initiative to be taken at a EU level – this was the view expressed by an overwhelming majority of the stakeholders during the consultation process (see section 7 below).

3. MAIN POLICY OBJECTIVES

The main policy objective of this Communication is to increase the Accessibility of ICT products and services in Europe. It outlines the need for European policies and actions to promote accessibility to the information society. It focuses on removing barriers caused by inappropriate design of information products and services, regarding *groups at risk of exclusion*, particularly people with disabilities and the older people.

That is done through the promotion and evaluation of a number of instruments to achieve harmonisation among the Member States on a voluntary basis, whilst simultaneously encouraging industry self-regulation. The possibility to take other measures will be left open (including legislation at a European level), after evaluating the outcome of this initial approach during a period of two years.

Thus the Communication is also by itself an *evaluative measure*, to assess the effectiveness of the promotion/ harmonisation efforts it will put forward, in order to support a well-informed follow-up two years after its publication, on whether other measures will be needed.

The Communication proposes the use of several available instruments in the context of existing legislation, centred around three pillars:

1. **Accessibility requirements** in public procurement: The revised Directives on public procurement contain specific references to using Design for All and accessibility requirements as possible criteria for selecting tenders. Public authorities can lead by example and set up policies in favour of accessibility.

---

[28] European Parliament resolution on the Commission Communication eEurope 2002: Accessibility of Public Web Sites and their Content (COM(2001) 529 – C5-0074/2002 – 2002/2032(COS))

2. **Certification and assessment:** Adequate certification mechanisms for accessible products and services should be explored, providing guidance to customers and recognition to manufacturers and service providers.

3. **Explore legal measures**. Legislation demanding accessibility exists already in some Member States and in countries outside Europe. At European level, several legislative documents already have provisions which can be used to enforce eAccessibility. The potential of fully using these provisions needs to be explored.

To support these policy measures, a set of complementary ongoing actions must be continued:

- **Foster standardisation**. Standardised technical solutions facilitate the proper functioning of the single European market, also with regard to eAccessibility. Therefore, measures need to be taken not only to produce standards which support the development of accessible products and services but also to implement and use them (please check Appendix, A.3), thus fostering the use of interoperable solutions. Care should be taken to ensure that proprietary patented technologies are not promoted as standard solutions.

- **Design for all (DFA)**: The concept is now well established but not yet widely practiced. It is important to spread widely the knowledge and use of DFA methods, practices and tools. Introducing DFA in the education of future information society professionals is a way of investing in a more accessible and inclusive information society.

- **Web accessibility** is an enabler of accessible online services of public interest. The need to assess and certify accessibility of public web sites has emerged as a priority in the Member States after the adoption of the Web Accessibility Guidelines.

- **Raise awareness**. Experience and studies show that there is still a lack of awareness among key stakeholders about accessibility and the needs of people with disabilities. The clear message in the Communication on this matter will encourage key actors to address accessibility in their products and services.

- **Benchmark and monitor**. It is now necessary to set targets for accessibility and monitor progress. Several Member States are introducing benchmarking for accessibility and monitoring in their national legislation. At EU level, a proactive attitude should be taken to follow developments, identify opportunities and threats and anticipate European needs.

- **Research and technological development** remains a key instrument to investigate new technological solutions to address the needs of people with disabilities and older persons. It is a fundamental element in the way towards an accessible Information Society for all.

4. POLICY OPTIONS CONSIDERED

Three policy options were considered *ab initio* when drafting the Communication. They are characterised below, with a brief discussion of their implications. This discussion is complemented by the table presented in the next section (*Expected impacts from the identified options*).

OPTION 1 – <u>Business as usual</u>

Continue with the on-going initiatives, accepting the current situation as a *status quo* as well as a continuation of the problems and risks outlined in section 1.

This option is characterised by:

- absence of any EU initiative to harmonise the diverse national legislative initiatives now being launched in some Member States, taking advantage of possibilities offered by current European legislation;
- absence of any EU initiative to promote/legislate the accessibility of ICT products and services, to harmonise markets.

These issues are addressed only through the relevant committees (eAccessibility Experts Group, under the eEurope Advisory Committee, and the Inclusive Communications Subgroup of the Communications Committee) and *ad-hoc* initiatives.

No particular advantages were seen in this approach, other than being the less demanding on scarce internal Commission resources (staff).

On the other hand it was seen as clearly disadvantageous in several areas, insofar as:

(a)   it would not foster competitive gains for European industry at an international level;

(b)   national markets would have their natural fragmentation tendency unchecked;

(c)   no additional benefit would accrue to users/consumers;

(d)   policy alignment with international partners (USA, Japan, Canada) would be impeded;

(e)   albeit for different reasons, all stakeholder groups claim for "something to be done differently" (please see section 7 ahead);

OPTION 2– <u>Coordinate and promote actions</u> (a compromise)

Initiate a concerted effort with stakeholders to fully explore the possibilities available in current legislation, with a view to address the identified shortcomings in option 1.

This option was felt to present several important advantages:

(a)   it would allow for more and better coordination at EU level, namely in harmonising technical requirements imposed by different national legislations;

(b)   this would in turn result in larger markets straddling across national borders;

(c)   lower product cost per unit would be likely to follow, as a result of development costs being spread over higher production volumes;

(d)   this would in turn be a significant benefit both for users/consumers and industry;

(e)   alignment with international partners (USA, Japan, Canada) would be easier through a coordinated European approach ;

(f)   potential to increase the availability of accessible ICT products and services in Europe;

(g)   this would result in more job opportunities for disabled and older people;

(h)   it is acceptable both to users and their representative associations (which nevertheless would prefer option 3) as well as to industry.

This option was seen not to have any particular disadvantage, although it carries some risk:

(a)   the time needed to see results in practice might be significant;

(b)   it is unclear whether industry will indeed have a productive and positive reaction to non-mandatory requirements, as they claim they will.

Consequently this is precisely the approach of the proposed Communication, aiming to be an "*early warning*" to all stakeholders viz. the risks and inconveniences of the current situation, pointing a strategic way forward, while simultaneously committing to collecting information to build further evidence and leaving the door open to future legislative remedial actions, should the voluntary self-regulatory approach be seen in the medium-term as insufficient.

Under this approach, the Communication will examine the use of a number of existing but not widely used instruments aimed at harmonising guidelines, specifications and standards at EU level, for example leading to common accessibility requirements in the ICT domain for use in public procurement, certification and legislation.

Additionally, this option is certain to have a powerful leveraging factor – if coherence among technical requirements in national legislations is obtained: the collective power of public administrations, through Public Procurement.

OPTION 3 – Legislate (and coordinate)

Draft and propose additional binding EU-level legislation to address the shortcomings of the current situation, as outlined before.

This option was felt to essentially share all the advantages associated with option 2, except as related to user acceptance, given that this would be the option favoured by users and their representative associations.

But it exhibits some disadvantages, not associated with option 2:

(a)   it would face strong opposition from industry, which favours a self-regulatory non-legislative approach as much as possible based on current provisions, in the context of existing legislation;

(b)   possible difficulties in reaching an agreement on legislative details among the Member States;

(c)   increase in product development costs, in order for industry to meet new additional requirements imposed by mandatory legislation, should it cover 3rd party certification.

Noting that product development costs would be impacted both positively and negatively by this option, industry claims that at the end of the day costs would increase while users and their representative associations claim the opposite.

Also note that whether chosen or not, this option would as well contain Public Procurement as a powerful leverage factor.

It is felt that should this approach need to be followed in the future, it can only happen if and when sufficient evidence of failure of other less interventionist options is gathered. Opting for it right away would also go against the preferred legislative approach agreed by Council at the Laeken Summit in December 2001.

5.   EXPECTED IMPACTS FROM THE IDENTIFIED OPTIONS

A word of caution is due: it is too early to present a detailed analysis of impacts for the three options, particularly regarding option 3 "Legislate". This will only be possible after the results of the evaluation measures foreseen below (please see section 6) are available.

Following from the previous sections, the foreseen impacts of each policy option can be summarised as follows, where (-) represents a negative impact and (+) a positive one.

OPTIONS IMPACTS	1) Business as usual	2) Coordinate and promote actions	3) Legislate (and coordinate)
Competitiveness and markets	*(-) Natural tendency of markets to fragment on differing technical specs will be left unbalanced*	*(+) Voluntary harmonised requirements* *(+) same as right*	*(++) Mandatory harmonised requirements* *(+) Economies of scale as a result of larger markets across borders*
Business costs	*(-) High: different products needed to satisfy differing technical specs in several markets* *(-) Higher market entry costs*	*(+) Self certification schemes are inherently less costly*	*(-) High: need to meet 3rd party certification procedures*
Administrative requirements on businesses	*(-) as above*	*(+) as above*	*(-) as above*
Impact on innovation and research	*(=) neutral*	*(+) More and better coordination* *(+) More freedom to innovate*	*(+) More and better coordination* *(-) Less freedom to innovate*
On households	*(=) neutral*	*(+) same as right*	*(+) Lower product costs resulting from the economies of scale mentioned implicit above*
On people with	*(-) continuation of*	*(+) increased*	*(++) empowered to*

disabilities	*exclusion*	*availability of accessible ICT products and services*	*demand their own rights to be put in practice* *(+) increased availability of accessible ICT products and services*
On international relations	*(-) Continuation of the current situation, seen as undesirable by EU partners*	*(++) EU industry, as well a Industry Associations and Government Agencies in North America, have expressed strong support for an harmonised mandatory approach, based on self-certification, somewhere along the lines of "Section 508" (USA)*	*(--)EU industry, as well as Industry Associations in North America, strongly oppose any approach based on 3rd party certification*
On public authorities	*(=) neutral*	*(+) same as right*	*(+) Public Procurement is a powerful leverage factor for change*
On SMEs[29]	*(-) Higher entry costs*	*(+) Lower entry costs*	*(+) Lower entry costs* *(-) Higher costs due to mandatory certification*
On job quality	*(=) neutral*	*(+) same as right*	*(+) Increasing the availability of eAccessible products for all in Europe, will allow more job satisfaction through easier and less demanding use of ICT products and services*
On social inclusion	*(=) neutral*	*(++) same as right*	*(++)More job opportunities for disabled and older people*

It is again obvious that options 2 and 3 are the most interesting, with a slight advantage on the side of the former. Furthermore, as shown below, the undertaken stakeholder consultations make it clear that it is the one that industry is more likely to accept, notwithstanding the fact that the users and their representative organisations, although also accepting it, would nevertheless prefer option 3. The Communication thus follows option 2, namely "Coordinate and promote actions".

The types of actions promoted by the proposed Communication, if pursued by the Member States and the EU institutions, adopted by industry and with proper support from the user organisations, will help foster a market niche of increasing economic significance, particularly if underpinned by harmonised public procurement strategies.

---

[29]   Please note that in the ICT eAccessibility market, there is a high proportion of SMEs

6. FOLLOW-UP AND EVALUATION

Given the already mentioned need to gather evidence on the medium term situation which will serve as a basis for possible future legislative initiatives, it is proposed that the Communication establishes a period of two years (after publication) to allow the European eAccessibility landscape to evolve, based on the policy instruments and support measures put forward therein, and calls for the evolution to be assessed at the end of that period.

There is already some evidence[30] that current ICT developments do not permeate uniformly across all socio-demographic groups, particularly among people with disabilities and older people, and the situation is additionally compounded by national and regional variations.

Available evidence is constrained by the complexity of the subject. Also, we are still far from a system of indicators which could really allow monitoring of progress at national and European levels.

Consequently, as already mentioned, a study on "Measuring progress of eAccessibility in Europe" has been announced for 2005, meeting a need to:

(1)   Establish a "baseline status" of the European market for eAccessibility products and services, as soon as possible after the date of publication of the Communication

(2)   Repeat the analysis two years later in order to assess what the evolution will be in the meantime, so that the decision on future eAccessibility policies can be taken on a sounder basis, anchored on the market situation.

(3)   Assess the extent to which the observed evolution can be explained by the interplay of market forces and government intervention (at European and/or national levels).

The objective of the study will be to assess to what extent ICT products and services available in Europe (examples: TVs, portable/fixed phones, computers, smart home appliances, on-line services of public interest, etc.) take eAccessibility requirements into account. The study will:

(a)   Derive a set of indicators of high relevance to this domain of activity (taking into account whatever is already available in Member States and in other areas of the world, namely Canada, Japan and the USA, so that comparability is assured).

(b)   Develop a methodology (data collection, processing and analysis) to measure using these indicators.

(c)   Apply that methodology in two "measurement points": 1) as soon as possible (probably early in 2006), 2) two years later.

(d)   Compare the evolution with other areas of the world (namely Canada, Japan and the USA), using publicly available data.

(e)   Compare the impact of relevant legislative frameworks among Member States.

(f)   Derive causality links with possible explanations for the observed evolution, particularly regarding market forces and government intervention (at European and/or national level).

(g)   Propose adequate measures to improve the situation in Europe.

---

[30]   Studies produced in 2002 by the Commission-funded *Seniorwatch* project -- http://www.seniorwatch.de

7. STAKEHOLDER CONSULTATION

7.1 External consultation meetings

Formal external consultation of Member States Experts and of interested institutional stakeholders were organised via three channels:

eAccessibility Expert Group

This *ad hoc* Expert Group, reporting to the eEurope Advisory Group (1st Section), dedicated a significant part of their meeting of 21 September 2004 to discussing the strategic thrust of the forthcoming Commission Communication.

The Experts intervened extensively, essentially expressing support for the initiative as well as providing specific suggestions.

INCOM subgroup

This subgroup of the Communications Committee (COCOM) was formed in 2003 to study the situation for users with disabilities and electronic communication services. Given the name INCOM (Inclusive Communications), it is made up of representatives of Member States, telecommunications operators, manufacturers, user organisations and standardisation bodies.

The group set up working groups to define and analyse problems for users with disabilities in ten priority areas: access to national emergency services, telephone solutions for deaf persons across Europe, access to digital TV and related services, accessible pay phones, electronic communication for deaf-blind persons, use of broadband to provide services for persons with disabilities, use of ERMES frequency band for supporting accessibility services, mobile telephone services and information/awareness-raising.

A report was produced at the end 2003, which was discussed in COCOM early 2004. The report was well received by the Member States and it has been made public on the Circa site for COCOM.

Given the interest of the content of the eAccessibility Communication for INCOM, although it is beyond the mandate of the group, the strategy underpinning the Communication was presented in an *ad hoc* open session (which was also attended by several experts) after their meeting of 8th October 2004; reactions were very positive.

International Workshop on Accessibility Requirements for Public Procurement in the ICT Domain

This workshop took place in Brussels on 19-21 October 2004, organized by:

- the European Commission services,
- the USA Access Board,
- the European ICT Standards Board (ICTSB/DATSCG),
- the European Disability Forum (EDF)

with support from the eInclusion@EU project (a Priority 8 FP6 project) and with participation of ICT industry.

It was structured into six thematic sessions:

(a)	Benefits of Harmonisation
(b)	Current European Situation
(c)	From Policy into Practice
(d)	Technical Domains
(e)	International Aspects
(f)	Panel Discussions

The objectives were:

− Understand how the US and EU Administrations make use of requirements for accessibility in the legislation;
− Evaluate the development of harmonised guidelines to comply with accessibility requirements;
− Explore possibilities for governmental cooperation to move to global ICT requirements, guidelines and standards.

This initiative, part of an on-going EU<>USA dialogue on issues of common interest in the domain of eInclusion, gathered more than 100 Experts from Europe, USA, Canada and Japan. The presentations and the ensuing discussions provided a wealth of input for the Commission Communication.

7.2   Open on-line consultation[31]

An on-line consultation on the forthcoming "Commission Communication on eAccessibility" was then open to all interested organisations and individuals to participate, between 10th January and the 12th February 2005.

The consultation was done through the European Commission *Your Voice* website[32]. The main strategic thrusts foreseen for the Communication were introduced and the respondents were asked for their opinion through a mix of open and closed questions.

A total of 489 responses were received from across the European Union and other countries. There were 13 partially valid responses (for being logically incomplete and/or for technical reasons) and 476 full responses. Profile distribution was as indicated in the box below.

It is noteworthy that, among all the respondents, more than 25% were themselves using some type of eAccessibility product or service, and more than 54% are eAccessibility experts/professionals. Although the consultation was in principle anonymous, a large number of respondents (nearly 65%) chose to identify themselves in one way or another. Among these, 49% were private individuals, 21% business representatives, 11% represented research departments and the remaining were split equally between Public Agencies and User Associations.

Taking into account the number of responses received (exceeding initial expectations by far) and the balance of responses among the main target groups initially established for this exercise, the consultation can be considered as representative and meaningful.

---

[31]   For details, please check the consultation report, available at:
http://europa.eu.int/information_society/policy/accessibility/com_ea_2005/a_documents/com_consult_res.pdf
[32]   http://europa.eu.int/yourvoice/consultations

|		
❖ *Private individuals*		*57.1%*
... among which:		
	o *Persons with disabilities*	*21.1%*
	o *Persons > 60 years old*	*7.9%*
❖ *Organisations*		*39.9%*
... among which:		
	o *Public Agencies*	*19%*
	o *Manufacturers, providers or sellers*	
	of eAccessibility products & services	*22.6%*
	o *University Research Groups*	*8,7%*
	o *User Associations, Consumer*	
	Associations or similar (non-profit)	*17.4%*
	o *Business Associations*	*9.2%*
	o *Others / unclear*	*22.7%*

The main findings of this consultation are presented hereafter. A detailed analysis is presented in the consultation report (available on the same website where the consultation was carried out), clearly showing the differences among target groups.

1.   *A significant majority (over 74% of responses) considers that there is a lack of coherence/harmonisation among eAccessible ICT products and services in Europe, and that a wider availability of such products and services is needed (84%).*

Is there a need to increase the availability of eAccessible products ?
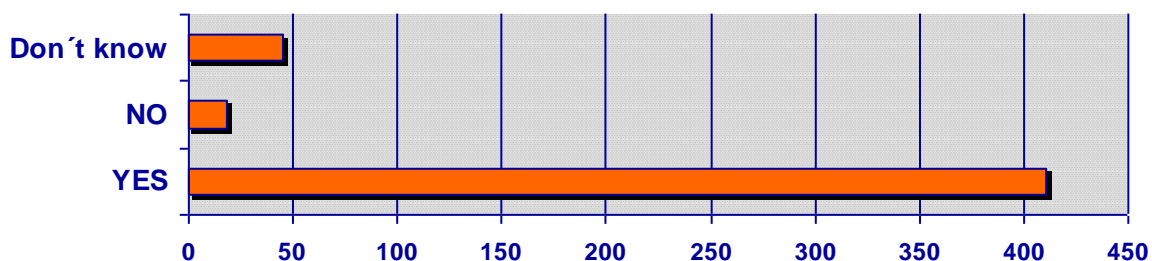
2.   *There is a very strong support (over 88%) for the European Institutions taking initiatives to address the situation.*

**Should European Institutions take the initiative ?**
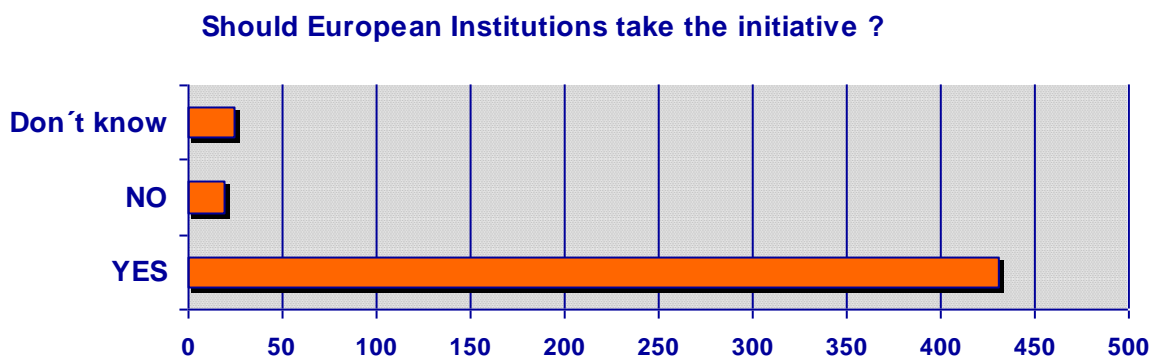
3.   *There is a strong support (84%) for cooperating with non-EU international partners.*

4.   *There is a very strong opinion (over 90%) that the ICT products and services bought by Public Administrations should be required to be eAccessible.*

Should Administrations buy only eAccessible products ?

5.   *There is a strong support (over 72%) for the certification and labelling33 of eAccessible ICT products and services, albeit with significant differences among target groups -- e.g., there is only a 61.4% agreement level among "Manufacturers, providers or sellers of eAccessibility products & services".*

---

33   The word "*label*" is used as a synonym for "*compliance mark*". If used, its objective will be to provide guaranteed information to the users on the eAccessibility of products and services.

Need to certify/label eAccessible ICT products & services ?
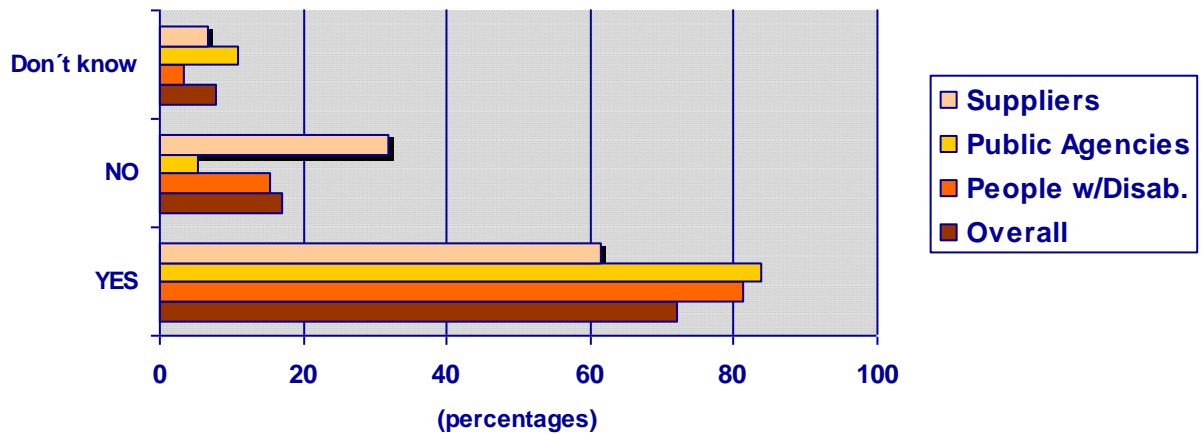
6.   On the other hand, _among those supporting product certification and labelling_, the opinions were not conclusively in favour of any specific certification scheme; however, when the respondent's profile is factored in, there is a clearer division of opinions, particularly viz. the groups "Private individuals with a disability", "Manufacturers, providers or sellers of eAccessibility products & services" and "Public Agencies", with the remaining groups standing somewhere in between (the preferred option for each target group is highlighted).

However obvious those numbers are, it should be additionally noted that in the free-style contributions (also part of the questionnaire), there were numerous and well-founded opinions _against_ any type of mandatory certification and labelling, mostly (but not all) from "Manufacturers, providers or sellers of eAccessibility products & services", with opposing arguments being similarly put forward by "Users & Consumer Associations".

	Overall	Private Individuals	Individuals with a disability	User & Consumer Assocs	Manufacturers providers & sellers . ..	Public Agencies
Mandatory self-certification	18.3%	20.3%	16.6%	11.5%	7.4%	**35.5%**
Voluntary self-certification	16.1%	13.5%	10.4%	15.4%	**40.7%**	16.1%
Mandatory 3rd Party certific.	**33.2%**	**39.1%**	**47.9%**	**42.3%**	11.1%	32.3%
Voluntary 3rd Party certific.	24.8%	19.8%	20.8%	26.9%	**40.7%**	12.9%
Don't know	6.5%	5.8%	4.2%	3.8%	0%	3.2%

The free-style contributions from "User & Consumer Associations" were all in favour of mandatory certification; those from "Private Individuals" were evenly split.

7. *There was a varying but overall strong agreement with the "Support Measures" likely to be proposed by the Commission Communication, the majority considering each one of them either "essential" or "very important" (the preferred option for each support measure is highlighted):*

SUPPORT MEASURE	*Essential*	*Very important*	*Important*	*Somewhat important*	*Irrelevant / "Don't know"*
Accessibility requirements & standards	***50.9%***	*24.9%*	*14.5%*	*4.1%*	*2.4%*
Developing eSkills	***38%***	*29.7%*	*20.9%*	*4.7%*	*3.6%*
Promote Design-for-All	***41.1%***	*32.1%*	*14.9%*	*5.1%*	*3.6%*
Promote web accessibility	***58.3%***	*26%*	*8.4%*	*2.9%*	*1.4%*
Benchmarking & monitoring	*20.4%*	***27.8%***	*27%*	*11%*	*10.7%*
ICT research	*25.2%*	***31.9%***	*15.3%*	*14.5%*	*10%*

The relative exception is support measure "Benchmarking and monitoring", with a lesser (but in any case clearly positive) agreement level.

8. *There is a strong support (more than 77%) for establishing a monitoring period (2 years) after the publication of the Communication, before deciding on additional EU-wide initiatives and/or legislation in this area.*

9. *There is a significant interest in the eAccessibility domain covered by the Commission Communication:*

- *27% of the respondents went beyond replying to the "closed part" of the questionnaire and sent free-style contributions, some of which were rather extensive. From the contributions thus received, two recommendations stand out:*
  – Have another survey done at the end of the 2-year period;
  – Involve users in the evaluation exercise.

- *Nearly 65% of the respondents voluntarily sent in their e-mail addresses and asked to be kept informed on the follow-up of the questionnaire and the Commission Communication, as well as on additional relevant and related future initiatives.*

The overall conclusion is that this possible Commission initiative was met with widespread support, and the main strategic options behind it were fully validated. At a more detailed level, several useful suggestions were noted and influenced the final version of the Communication.

8. **CLOSING REMARKS**

The types of actions promoted by the proposed Communication, if pursued by the Member States and the EU institutions, adopted by industry and with proper support from the user organisations, have the potential to (*inter alia*):

– enlarge the offer of accessible ICT products and services in Europe;
– develop interoperable accessible solutions across Member States;
– provide increased assurance to consumers on the eAccessibility of products and services;
– produce lower costs for consumers, due to economies of scale in a larger market;
– provide a further impulse for cooperation with the EU international partners;
– enable more social inclusion.

A key enabler for success is the use of accessibility requirements in the public procurement – of ICT as the aggregated leverage power of Public Agencies from Member States is enormous. Whatever is requested sensibly through this change agent is sure to be met sooner by the market, in the form of better, more accessible, adaptable, high-quality ICT products and services.

Appendix: Basic terminology and concepts

The terminology in this area is occasionally confusing, several terms which have been used over the years in the building engineering and architectural fields (the so-called "built environment") are sometimes used in the Information and Communications Technology (ICT) domain, without any further adaptation.

A.1 **eACCESSIBILITY**

The most common meaning of "Accessibility" has its origins in the interaction between disabled users (and their representative associations) and Architecture and Civil Engineering professionals, when the former demanded buildings and places which are designed and managed to be safe, healthy, convenient and enjoyable to be used by all members of society. It implies that buildings should be accessible, that they should be really "usable" from ground floor to the top, and that adequate means of autonomous exit should be provided.

But we live in an information society. All citizens have a right to enjoy the full benefits of new technologies. Because of a lack of access to ICT, people with disabilities often become effectively excluded. At the same time, it has been shown that in some cases they can benefit even more than their peers. This is because ICT can reduce domestic isolation, generate new training and employment opportunities, increase the choice of entertainment. In this context, "eAccessibility" (also sometimes referred to as "e-Accessibility") is about the integration of all users into the Information Society, i.e. older people, people with disabilities and also people placed in impairing environments. It is about providing everyone with suitable access to ICT products and services ensuring that they have the opportunity to reap all possible benefits that the IS offers.

There is a special problem with inaccessible information design, as a significant number of public interest services are increasingly provided remotely through interactive bi-directional on-line communications channels (normally the internet, accessed either through personal computers, 2G or 3G portable phones, PDAs, etc.).

The problem is compounded by the fact that the reasons for such a situation can be of quite a diverse nature[34]: the difficulties faced by a blind person are different from those faced by a partially sighted person, or a deaf person, a person with a speech impairment, a person with a cognitive disability (e.g., dyslexia), a person with a motor impairment, etc.

Consequently, the assistive solutions can/will obviously be of a challenging technical variety, for instance: screen magnifiers for the partially sighted (already available for most operating systems and browsers); text-to-sound screen readers (ditto), Braille screens, virtual shape/texture simulators for the blind[35]; sign language avatars for the deaf[36], speech synthesis/recognition, text- and/or voice-based browsers, simple and logical structures in web navigation etc.

Perhaps more important than these assistive technology-based solutions is the issue of proper web content design, which should follow web accessibility guidelines[37]. There are otherwise excellent information-rich websites that are next to inaccessible/unusable by people with disabilities.

A.2 THE *DESIGN FOR ALL* PROCESS

NOTE: This concept can cover a very wide range of products and services, however in this document it is understood as focussing mainly on those available in the information society technology marketplace.

The revised European Directives on public procurement contain specific references to using Design for All and accessibility requirements for selecting tenders. Additionally, as we will see further ahead, promoting Design for All is *per se* a complementary support action to the Communication. It is thus necessary to clarify what it is.

The most cost effective and non-discriminatory form of access to ICT is through the Design for All Process (sometimes referred to as Universal Design, Barrier-Free Design, Accessible Design, etc). This concept involves the needs of the whole market, including older people and those with disabilities, being taken fully into account in the initial design of goods and services rather than being retro-engineered at a later date and a much higher cost.

Design for All means designing mainstream products and services so that as many people as possible can use them easily - whatever their age and ability. The concept recognises that ability is a continuum, and the usability of products should extend towards the ends of that continuum. Of course this does not mean that manufacturers are expected to design every product to be usable by every consumer.

Design for All and its specific implications for older people and those with disabilities can be considered in three distinct but related strategies:

– Firstly, the inclusion of the needs of the population as a whole in initial design;

---

[34] For an excellent discussion of "Scenarios of People with Disabilities Using the Web" and the necessary supporting tools, please check the Web Accessibility Initiative (WAI) website at http://www.w3.org/WAI/EO/Drafts/PWD-Use-Web/20040708.html#usage

[35] Project IST-2000-26151 GRAB: Computer Graphics Access for Blind People through a Haptic Virtual Environment; please visit http://www.grab-eu.com

[36] Project IST-2001-33327 SYNFACE: Synthesised Talking Face derived from Speech for Hearing-Disabled Users of Voice Channels; please visit http://www.speech.kth.se/synface

[37] Web Content Accessibility Guidelines W3C/WAI/WCAG version 1.0, available at http://www.w3.org/TR/WAI-WEBCONTENT/

- Secondly, the inclusion of customisable, configurable or adjustable features in goods and services (e.g. the ability to alter print size on a web page, for sight-impaired users; the possibility of selecting voice or text in a "screen reader", for blind users);
- Thirdly, the inclusion of standardised connectivity to assistive devices (e.g. interfaces and protocols that enable the connection and use of assistive solutions like hearing aids and Braille keyboards, etc).

If society as a whole becomes involved in this process, it will increase the size of the market and/or the number of users, decrease the cost of accessibility and enhance equality among citizens. There is a need for that process, however, to recognise the boundary between what can be optimally provided by mainstream products and services and what needs to be provided through specialist assistive technologies.

A.3 THE EUROPEAN STANDARDISATION PROCESS AND THE EUROPEAN COMMISSION

The interaction among the European Commission, the European Standardisation Organisations (ESO), National Standardisation Bodies (NSB) and relevant Member States Administrations (MSA) is framed by Directive 98/34/EEC[38], by a set of agreements and MoUs

Under the *European Standardisation Action Plan* the ESO submit their proposals for co-funding under the Framework Partnership Agreement (FPA) between the Commission and the ESO of 11 November 2003. The proposals refer to the policy priorities identified in the two e-Europe Action Plans and are agreed among the relevant stakeholders. The NSB are required to notify the Commission and the ESO of any new standard , in order to avoid duplication and facilitate harmonisation at European level.

According to Directive 98/34 the Commission consults and informs the so-called 98/34 Committee with representatives from the MS on any subject or actions in the standardisation domain.

The Commission (DG ENTR) has also the possibility to issue mandates to the ESO with a specific request in order to support the implementation of the Commission's policy in this area.

---

[38]   Available at: http://europa.eu.int/eur-lex/pri/en/oj/dat/1998/l_204/l_20419980721en00370048.pdf