

# Adore

Accessibility in Digital Communication Higher Education Curricula



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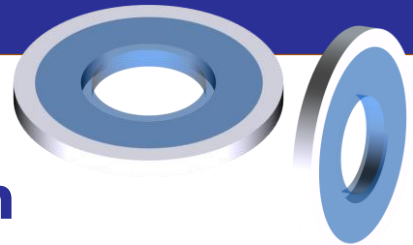
## Module A, content:

1. What is accessibility
2. User needs - this document
3. Policy and legislation - this document
4. Accessibility standards
5. Web accessibility basics



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# 3 Policy and legislation



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# Digital accessibility in the EU

- UNCRPD
- Disability Strategy
- Marrakesh Treaty
- Procurement Directive
- Web Accessibility Directive
- European Accessibility Act



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## Notes

In the EU, accessibility policies are based on the UN Convention on the Rights of Persons with Disabilities, UNCRPD, which is ratified not only by the member states but also as the EU as such. THE European Commission is developing multi-year strategies to implement activities that supports the UNCRPD. The recent policy document is called the [Strategy for the rights of persons with disabilities 2021-2030](#).

The aim of the strategy is to ensure that all persons with disabilities in Europe:

- enjoy their human rights
- have equal opportunities, equal access to participate in society and economy
- are able to decide where, how and with whom they live
- move freely in the EU regardless of their support needs
- and no longer experience discrimination

As part of the strategy, the commission presents legal initiatives, research funding and flagship initiatives like the [Disability card](#).

In recent years, several legal acts on digital accessibility have been implemented:

The primary goal of the Marrakesh Treaty is to enhance access to published works for people with print disabilities, such as individuals who are blind, visually impaired, or have other difficulties accessing printed materials. It aims to address the "book famine" experienced by print-disabled individuals worldwide by enabling greater access to books and other literary works in accessible formats.

The Procurement Directive was updated in 2017 to cover accessibility requirements in public procurement.

The Web Accessibility Directive entered into force in 2018 and requires public sector websites and apps to be accessible by meeting minimum criteria defined in a European standard (EN301549).

The European Accessibility Act will enter into force in 2025 and requires certain products and services to be accessible by meeting minimum criteria defined in European standards.

# Procurement Directive

- Public procurement of goods and services
- Increased requirements 2017
- Competitors can complain
- Further support in 2025
- Technical requirements (EN301549)



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## Notes

The updated text on accessibility in the Directive is under Article 42, Technical specifications :

“For all procurement which is intended for use by natural persons, whether general public or staff of the contracting authority, the technical specifications shall, except in duly justified cases, be drawn up so as to take into account accessibility criteria for persons with disabilities or design for all users.

Where mandatory accessibility requirements are adopted by a legal act of the Union, technical specifications shall, as far as accessibility criteria for persons with disabilities or design for all users are concerned, be defined by reference thereto.”

Currently, the only way to enforce this requirements is for competing bidders to file a complaint. This means that the law gives a strong incentive to procure accessible goods and services and supports organisations who want to point to an official document to underline importance. But it is still easy to dodge the requirements if a public procurer prefers to focus on other requirements.

With the European Accessibility Act, the actual requirements are indirectly specified to align with other accessibility legislation in the region and beyond (i.e. EN301549)



# Web Accessibility Directive

- In force since 23 September 2018
- Harmonised minimum requirements
- Technical specifications (EN301549)
- Public sector and bodies governed by public law
- National monitoring



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## Notes

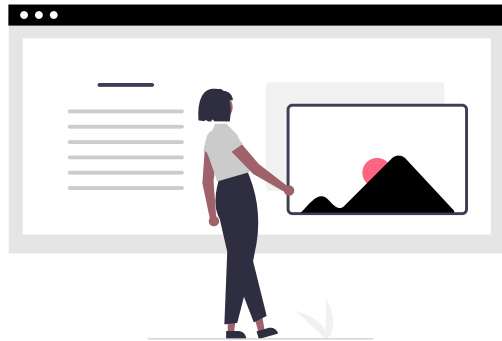
The Web Accessibility Directive entered into force in 2018. It is a minimum harmonisation directive, which means that member states may go beyond the requirements, but cannot do less. The European standard EN30159 Annex A contains the minimum requirements (so called presumed conformance).

The directive covers the public sector and “bodies governed by public law” This means: (1) any body established for the specific purpose of meeting needs in the general interest, not having an industrial or commercial character, (2) having legal personality and (3) financed, for the most part, by the State, regional or local authorities, or other bodies governed by public law; or subject to management supervision by those bodies; or having an administrative, managerial or supervisory board, more than half of whose members are appointed by the State, regional or local authorities, or by other bodies governed by public law;

The directive is enforced by national monitoring bodies who carry out regular supervision of the websites and apps in scope of the directive.

## Scope

- Websites
- Intranets
- Extranets
- Documents
- Apps



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## Notes

The scope of the directive is websites, intranets, extranets, documents and apps of public sector (and bodies governed by public law)

## Not in scope

- Live-video
- Maps (alternative required for navigation )
- Cultural heritage reproductions
- Third-party content
- Documents published **before** 23 September 2018
- Archived material not needed for administrative processes nor updated **after** 23 September 2019



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## Notes

The directive does not apply to

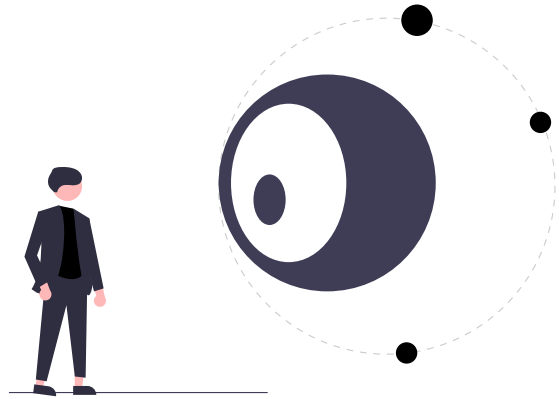
This Directive does not apply to the following content of websites and mobile applications:

- office file formats published before 23 September 2018, unless such content is needed for active administrative processes relating to the tasks performed by the public sector body concerned;
- pre-recorded time-based media published before 23 September 2020;
- live time-based media;
- online maps and mapping services, as long as essential information is provided in an accessible digital manner for maps intended for navigational use;
- third-party content that is neither funded nor developed by, nor under the control of, the public sector body concerned;
- reproductions of items in heritage collections that cannot be made fully accessible because of either:

- the incompatibility of accessibility requirements with either the preservation of the item concerned or the authenticity of the reproduction (e.g. contrast); or
- the unavailability of automated and cost-efficient solutions that would easily extract the text of manuscripts or other items in heritage collections and transform it into content compatible with the accessibility requirements;
- content of extranets and intranets, that is to say, websites that are only available for a closed group of people and not to the general public as such, published before 23 September 2019, until such websites undergo a substantial revision;
- content of websites and mobile applications qualifying as archives, meaning that they only contain content that is neither needed for active administrative processes nor updated or edited after 23 September 2019.

# Three parts of enforcement

- National monitoring body
- Accessibility statement
- Feedback from users



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## Notes

The monitoring is top down, controlling that the objects in scope are accessible and reporting to the European Commission.

The public sector bodies and others in scope of the directive have to self-declare their level of accessibility and publish an accessibility statement.

End users have the right to provide feedback on digital services or content they can't access, and, if not accessible, may require alternative formats.

# Accessibility statement

- Compulsory on all public websites
- Detailed and clear
- What is not accessible and why
- Mechanism for users to provide feedback



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## Notes

The accessibility statement has two target audiences: the monitoring agency and the end users.

The statement should contain both an overview of possible issues and a mechanism for end users to provide feedback.

# European Accessibility Act

- In force from 28 June 2025
- Harmonised minimum requirements
- Technical specifications (EN301549)
- Manufacturers, representatives, importers and distributors
- Certain products and services
- National monitoring



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## Notes

The upcoming European Accessibility Act will enter into force in 2024.

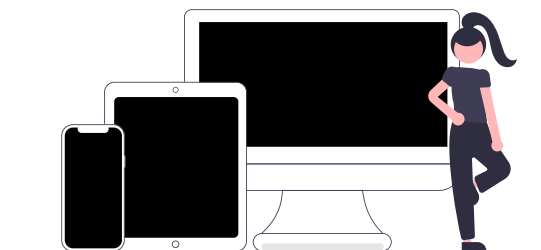
It has already some requirements in the law itself, but will be accompanied by new and updated standards for the technical specifications.

The act covers all parts of the value-chain: manufacturers, representatives, importers and distributors of certain products and services.

Just like the WAD, it will be monitored at national level.

## Scope: products

- Computers, operating systems and smart phones
- Payment terminals, self-service terminals
- Electronic terminals for communication
- Digital TV
- E-readers



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## Notes

The products in scope of the act are:

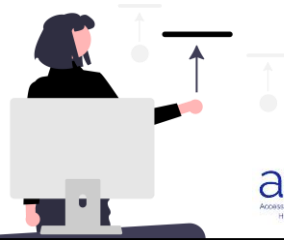
- consumer general purpose computer hardware systems and operating systems for those hardware systems;
- the following self-service terminals:
  - payment terminals;
  - the following self-service terminals dedicated to the provision of services covered by this Directive
    - automated teller machines;
    - ticketing machines;
    - check-in machines;
    - interactive self-service terminals providing information, excluding terminals installed as integrated parts of vehicles, aircrafts, ships or rolling stock;
- consumer terminal equipment with interactive computing capability, used for electronic communications services;



- consumer terminal equipment with interactive computing capability, used for accessing audiovisual media services; and
- e-readers

## Scope: services

- Electronic communications services
- Streaming services
- Transportation: NB only digital services
- E-books and software
- E-commerce
- Consumer banking services



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### Notes

The services in scope of the act are:

- electronic communications services with the exception of transmission services used for the provision of machine-to-machine services;
- services providing access to audiovisual media services;
- the following elements of air, bus, rail and waterborne passenger transport services, except for urban, suburban and regional transport services for which only the elements under point (v.) apply:
  - i. websites;
  - ii. mobile device-based services including mobile applications;
  - iii. electronic tickets and electronic ticketing services;
  - iv. delivery of transport service information, including real-time travel information; this shall, with regard to information screens, be limited to interactive screens located within the territory of the Union; and

- v. interactive self-service terminals located within the territory of the Union, except those installed as integrated parts of vehicles, aircrafts, ships and rolling stock used in the provision of any part of such passenger transport services;
- consumer banking services;
- e-books and dedicated software; and
- e-commerce services.

## Not in scope

- Pre-recorded video published before 28 June 2025
- Documents published before 28 June 2025
- Maps (alternative required for navigation )
- Third-party content
- Archived material not needed for administrative processes nor updated **after** 28 June 2025



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## Notes

The act does not apply to:

- pre-recorded time-based media published before 28 June 2025;
- office file formats published before 28 June 2025;
- online maps and mapping services, if essential information is provided in an accessible digital manner for maps intended for navigational use;
- third-party content that is neither funded, developed by, or under the control of, the economic operator concerned;
- content of websites and mobile applications qualifying as archives, meaning that they only contain content that is not updated or edited after 28 June 2025.

# Micro enterprises - not in scope of services

- < 10 employees
- < €10 million turn over OR balance sheet > €2 million



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## Notes

Micro enterprises offering products are in scope of the act, but micro enterprises offering services are not in scope.

The definition of a micro enterprise is a company with fewer than 10 employees and an annual turnover (the amount of money taken in a particular period) or balance sheet (a statement of a company's assets and liabilities) below €2 million.

## Exercise / activity

- Look for an Accessibility Statement on a public sector website or app. Do you understand it? Feel free to provide constructive feedback!
- List the 10 most important digital services you use. Are they covered by any of the directives?

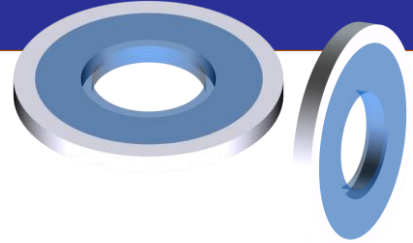
# Resources

- [UNCRPD](#)
- [EU Disability Strategy 2021-2030](#)
- [Marrakesh Treaty](#)
- [Procurement Directive](#)
- [Web Accessibility Directive](#)
- [European Accessibility Act](#)



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# National legislation



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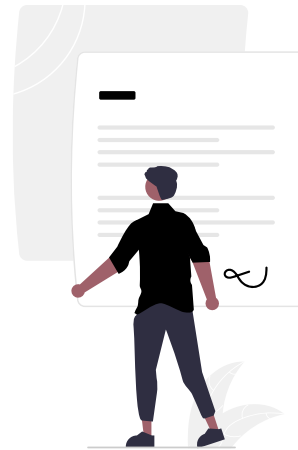


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## Relevant laws

- Transposed EU-directives
- Anti-discrimination laws
- Laws on education
- Laws on employment
- Language laws



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### Notes

The EU member states also have national laws that are relevant to take into account. These are just examples of types/areas of legislation where you may find interesting national rules.