



## EUROPEAN COMMISSION

Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs

Ecosystems III: Construction & machinery  
Standards Policy

Brussels, 26.11.2021

### A Notification under Article 12 of Regulation (EU) No 1025/2012<sup>1</sup>

#### Subject matter related to

|                                     |   |
|-------------------------------------|---|
| <input type="checkbox"/>            | Annual Union Work Programme for European standardisation (Art. 12, point a)                               |
| <input checked="" type="checkbox"/> | Possible future standardisation requests to the European standardisation organisations (Art. 12, point b) |
| <input type="checkbox"/>            | Formal objections to harmonised standards (Art. 12, point c)  |
| <input type="checkbox"/>            | Identifications of ICT technical specifications (Art. 12, point d)  |
| <input type="checkbox"/>            | Delegated acts to modify Annexes I or III of Regulation (EU) No 1025/2012 (Art. 12, point e)              |

#### Title of the initiative

Draft standardisation request to the European standardisation organisations as regards harmonised standards in support of Directive (EU) 2019/882

#### Additional information

|                                 |  |
|---------------------------------|--|
| <b>Legislative reference(s)</b> | Directive (EU) 2019/882 of the European Parliament and of the Council of 17 April 2019 on the accessibility requirements for products and services   |
| <b>EN reference(s)</b>          | -  |
| <b>Status</b>                   | Draft  |
| <b>Other information</b>        | This draft has not been adopted or endorsed by the European Commission. Any views expressed are the preliminary views of the Commission services and may not in any circumstances be regarded as stating an official position of the Commission. The information transmitted is intended only for the Member State or entity to which it is addressed for discussions and may contain confidential and/or privileged material. |
| <b>Deadline for feedback</b>    | 2 January 2022   |

#### Commission contact point for this notification

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<sup>1</sup> OJ L 316, 14.11.2012, p. 12

Brussels, XXX  
[...] (2021) XXX draft

**COMMISSION IMPLEMENTING DECISION**

of XXX

**on a standardisation request to the European standardisation organisations as regards the accessibility requirements of products and services in support of Directive (EU) 2019/882 of the European Parliament and of the Council**

*This draft has not been adopted or endorsed by the European Commission. Any views expressed are the preliminary views of the Commission services and may not in any circumstances be regarded as stating an official position of the Commission. The information transmitted is intended only for the Member State or entity to which it is addressed for discussions and may contain confidential and/or privileged material.*

# COMMISSION IMPLEMENTING DECISION

of **XXX**

**on a standardisation request to the European standardisation organisations as regards the accessibility requirements of products and services in support of Directive (EU) 2019/882 of the European Parliament and of the Council**

**Version of 21 of November 2021**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) No 1025/2012 of the European Parliament and of the Council of 25 October 2012 on European standardisation, amending Council Directives 89/686/EEC and 93/15/EEC and Directives 94/9/EC, 94/25/EC, 95/16/EC, 97/23/EC, 98/34/EC, 2004/22/EC, 2007/23/EC, 2009/23/EC and 2009/105/EC of the European Parliament and of the Council and repealing Council Decision 87/95/EEC and Decision No 1673/2006/EC of the European Parliament and of the Council,<sup>1</sup> and in particular Article 10(1) thereof,

Whereas:

- (1) Directive (EU) 2019/882 of the European Parliament and of the Council<sup>2</sup> lays down rules establishing common accessibility requirements to ensure that certain products and services are made more accessible in order to end fragmentation of the internal market by eliminating and preventing barriers to the free movement of products and services covered by that Directive and arising from divergent accessibility requirements in the Member States
- (2) Directive (EU) 2019/882 establishes provisions that render operational general accessibility requirements for products and services set out in Union acts other than that Directive, in order to facilitate the implementation of accessibility and contribute to the legal certainty and to the approximation of accessibility requirements across the Union.
- (3) Directive (EU) 2019/882 contains accessibility requirements with regard to the design and the production of products covered by Article 2(1) of that Directive in order to maximise their foreseeable use by persons with disabilities, as well as accessibility requirements regarding provision of information, instructions for the use, user interface and functionality design of such products.
- (4) Directive (EU) 2019/882 contains accessibility requirements with regard to the provision of services covered by Article 2(2) of that Directive in order to maximise their foreseeable use by persons with disabilities, as well as accessibility requirements regarding provision of information of such services.

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<sup>1</sup> OJ L 316, 14.11.2012, p. 12.

<sup>2</sup> Directive (EU) 2019/882 of the European Parliament and of the Council of 17 April 2019 on the accessibility requirements for products and services OJ L 151, 7.6.2019, p. 70-115.

- (5) The products referred to in articles 2(1) of Directive (EU) 2019/882 for which a high level of accessibility should be ensured are the following: consumer general purpose computer hardware systems and operating systems for those hardware systems; payment terminals; 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; e-readers;
- (6) The services referred to in articles 2(2) of Directive (EU) 2019/882 for which a high level of accessibility should be ensured are the following: 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 should, 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; excluding e-books and dedicated software; e-commerce services in line with feedback received from European Publishers referring to the availability of EPUB accessibility technical specifications under W3C.
- (7) Directive (EU) 2019/882 contains accessibility requirements with regard to the built environment where the services under the scope of that Directive are provided, in order to maximise the foreseeable use of such environment by persons with disabilities.
- (8) In accordance with Directive (EU) 2018/1972, Member States are to ensure that access for end-users with disabilities to emergency services is available through emergency communications and is equivalent to that enjoyed by other end-users, in accordance with Union law harmonising accessibility requirements for products and services. Directive (EU) 2018/1972 also requires ensuring interoperability across Member States based, to the greatest extent possible, on European standards or specifications. Directive (EU) 2019/882 contains accessibility requirements with regard to emergency communications as well as answering emergency communications to the single European emergency number '112' in order to ensure equivalent access to emergency services for, and maximise the foreseeable and interoperable use by, persons with disabilities, across the EU.
- (9) In accordance with Article 15 of Directive (EU) 2019/882, products and services which are in conformity with harmonised standards or parts thereof the references of which have been published in the *Official Journal of the European Union* should be presumed to be in conformity with the accessibility requirements of that Directive covered by those standards or parts thereof.

- (10) In accordance with Article 25 of Directive (EU) 2019/882, products and services, which are in conformity with harmonised standards or parts thereof which are adopted in accordance with Article 15 of that Directive should be presumed to be in compliance with the relevant accessibility requirements set out in Union acts other than that Directive.

The harmonised framework set out by Directive (EU) 2019/882 should ensure that designers and producers of accessible products and providers of accessible services face fewer barriers to operating in the internal market. In order to make this harmonised framework fully operational it is essential that harmonised standards express such specifications regarding the requirements set by Directive (EU) 2019/882.

- (11) Voluntary harmonised standards should help ensure high level of accessibility of products and services, including the built environment where the services under the scope of that Directive are provided, and the answering of emergency communications to the single European emergency number ‘112’ for persons with disabilities throughout the Union and thus contribute free movement of those products and services in the Union. Given that such standards are technology-neutral and performance-based, they also contribute to ensuring equal conditions of competition among relevant economic operators dealing with accessibility of products and services, in particular small and medium-sized enterprises. Indirectly those standards also contribute to lower design, production and provision costs of accessible products and services benefitting consumers in particular.
- (12) Voluntary harmonised standards should help ensure high level of accessibility of products and services, including the built environment where the services under the scope of that Directive are provided, and the answering of emergency communications to the single European emergency number ‘112’ throughout the Union, contributing to the legal certainty for local and public authorities and to the approximation of accessibility requirements across the Union, thereby guaranteeing the facilitation of the fulfilment of accessibility obligations in public procurement processes, and obligations regarding accessibility set out in Union acts other than Directive (EU) 2019/882 easing the access to for example EU Funds and, eventually facilitating the use of products and services for all consumers, and in particular by persons with disabilities.
- (13) The European Union and all its Member States are Parties to the United Nations Convention on the Rights of Persons with Disabilities, adopted on 13 December 2006 (UN CRPD). Since the Union became a Party to the UN CRPD, its provisions have become an integral part of the Union legal order and are binding upon the institutions of the Union and on its Member States. The UN CRPD calls on its parties to undertake or promote research and development of, and promote the availability and use of, new technologies, including information and communication technologies, mobility aids, devices and assistive technologies, suitable for persons with disabilities. This standard will support Member States in their efforts to fulfil their national commitments, as well as their obligations under the UN CRPD, regarding accessibility requirements in a harmonised manner.
- (14) The four principles of accessibility of websites and mobile applications, as used in Directive (EU) 2016/2102, are: perceivability, meaning that information and

user interface components must be presentable to users in ways they can perceive; operability, meaning that user interface components and navigation must be operable; understandability, meaning that information and the operation of the user interface must be understandable; and robustness, meaning that content must be robust enough to be interpreted reliably by a wide variety of user agents, including assistive technologies. Those principles should also be relevant for this harmonised standard in relation to the accessibility of websites including the related online applications and mobile device-based services including mobile applications.

- (15) The Commission has already issued a standardisation mandate M/376<sup>3</sup> to the European standardisation organisations to develop a European standard specifying the functional accessibility requirements for public procurement of products and services in the ICT domain. To this end, the European standardisation organisations adopted the European standard EN 301 549 V1.1.2<sup>4</sup> (2015-04). In addition, to support the use of the standard the European standardisation organisations adopted CEN/CLC/ETSI TR 101551:2014<sup>5</sup>, and CEN/CLC/ETSI/TR 101 552:2014<sup>6</sup>.
- (16) Directive (EU) 2016/2102 of the European Parliament and of the Council<sup>7</sup> establishes common accessibility requirements to ensure that the websites and mobile applications of public sector bodies are made more accessible in order to improve the functioning of the internal market.
- (17) A harmonised standard EN 301 549:2019 has been drafted in support of Directive (EU) 2016/2102 on the basis of Commission Implementing Decision C(2017) 2585 of 27 April 2017<sup>8</sup> to CEN, Cenelec and ETSI in the field of accessibility of websites and mobile applications of public sector bodies. The harmonised standard needs to be revised and completed to take into account essential accessibility requirements set out in Directive (EU) 2019/882 and the scope of products and services, covered by Directive (EU) 2019/882. When establishing this new harmonised standard, for the purpose of Directive (EU) 2019/882, the accessibility levels already established in EN 301 549 should be maintained as a minimum and revisions to that harmonised standards for the purposes of Directive (EU) 2016/2102 should be done on the basis of this request. . To ensure information to the consumer about accessibility requirements to services, in line with Annex I section III (c) of Directive 2019/82 , the revised and new harmonised standards should include accessibility statements similar to those in Web Accessibility Directive 2016/21/02 in article 7. In order to guarantee coherence between Directives (EU) 2016/2102 and

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<sup>3</sup> M 376 of 7 December 2005, Standardisation mandate to CEN, Cenelec and ETSI in support of European accessibility requirements for public procurement of products and services in the ICT domain

<sup>4</sup> EN 301549 (2015-04) Accessibility requirements for ICT products and services

<sup>5</sup> CEN/CLC/ETSI TR 101551:2014 Guidelines on the use of accessibility award criteria suitable for public procurement of ICT products and services in Europe

<sup>6</sup> CEN/CLC/ETSI/TR 101 552:2014 Guidance for the application of conformity assessment to accessibility requirements for public procurement of ICT products and services in Europe

<sup>7</sup> Directive (EU) 2016/2102 of the European Parliament and of the Council of 26 October 2016 on the accessibility of the websites and mobile applications of public sector bodies (OJ L 327, 2.12.2016, p. 1–15)

<sup>8</sup> C(2017) 2585 Commission Implementing Decision of 27.04.2017 on a standardisation request to the European standardisation organisations in support of Directive (EU) 2016/2102 of the European Parliament and of the Council on the accessibility of websites and mobile applications of public sector bodies.

2019/882, the Commission Implementing Decision (EU) 2018/1523 establishing the accessibility statement on websites and mobile applications should also be taken into consideration in the development of this standardisation request.

- (18) The Commission has already issued a standardisation mandate M/420<sup>9</sup> to the European standardisation organisations to develop a European standard specifying the functional accessibility requirements for public procurement in the built environment. To this end, the European standardisation organisations adopted the European standard EN 17210:2021<sup>10</sup>. The standardisation activities under the current request should be built upon the outcome of the work under the standardisation mandate M/420 as well as upon relevant international and national standards and ESOs should try to benefit from the work arrangements established under that mandate. The accessibility levels already established in EN 17210:2021 should be maintained as a minimum for the purpose of this request. To fulfil the accessibility requirements in the annexes of the EAA, EN 301549 and EN 17210:2021 can help organisations in addressing barriers when it comes to technical requirements until the harmonized standards are published.
- (19) The Commission has already issued a standardisation mandate M/473<sup>11</sup> to the European standardisation organisations to develop a European standard aimed at including ‘Design for All’ approach in relevant standardisation initiatives for products and services. To this end, the European standardisation organisations adopted the European standard EN 17161:2019<sup>12</sup>. The standardisation activities<sup>13</sup> under this request should be built upon the outcome of the work under the standardisation mandate M/473 and ESOs should try to benefit from the work arrangements established under that mandate. The accessibility levels already established in EN 17161:2019 should be maintained as a minimum for the purpose of this request. EN 17161:2019 is useful for the organisation to understand the concepts of accessibility, and prepare their policies, stakeholder contacts and training, also to reach interoperability of products and services, until the harmonized standard is published. In the context of M/473, EN 17478 ‘Transport Services - Customer communications for passenger transport services - A Universal Design approach’ was developed and includes useful information for services.
- (20) The intention to request drafting of harmonised standards in support of Directive (EU) 2019/882 is stated in point 12 of the table entitled ‘Standardisation requests for development/revision of harmonised European standards in support of Union legislation’ set out in of the annual Union work programme for European standardisation<sup>14</sup> and in point 2.1 of that programme.

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<sup>9</sup> M/420 of 21 December 2007, Standardisation mandate to CEN, Cenelec and ETSI in support of European accessibility requirements for public procurement in the built environment

<sup>10</sup> EN 17210:2021 Accessibility and usability of the built environment - Functional requirements

<sup>11</sup> M/473 of 1 September 2010, Standardisation mandate to CEN, CENELEC and ETSI to include “Design for All” in relevant standardisation initiatives

<sup>12</sup> EN 17161:2019 Design for All - Accessibility following a Design for All approach in products, goods and services - Extending the range of users

<sup>13</sup> <https://www.cencenelec.eu/areas-of-work/cen-cenelec-topics/accessibility/design-for-all/>

<sup>14</sup> COM(2019) 486 final of 28.10.2019.

- (21) [CEN], [Cenelec] and [ETSI] have indicated that the work covered by the request falls entirely within their area of competence.
- (22) In accordance with Directive (EU) 2019/882 the accessibility requirements are to be interpreted and applied in such a way as to take into account the state of the art and current practice at the time of design and production of products and provision of services, including the built environment where the services under the scope of that Directive are provided, the emergency communications and the answering of emergency communications to the single European emergency number '112' for persons with disabilities in an interoperable manner throughout the Union, as well as technical and economic considerations which are consistent with a high degree of accessibility. This applies similarly to relevant obligations set out in Union acts other than Directive (EU) 2019/882, as regards accessibility requirements.
- (23) It is therefore appropriate to request the European standardisation organisations to revise the relevant European and harmonised standards in support of Directive (EU) 2019/882 and Directive (EU) 2016/2102 and to revise the technical reports CEN/CLC/ETSI TR 101551:2014, and CEN/CLC/ETSI/TR 101 552:2014. Those deliverables should be adopted by the European standardisation organisations by the deadlines set in this Decision. Given that the execution of the request may require more time than initially foreseen, it may be necessary to extend those deadlines taking into account the progress made in the implementation of the work programme prepared by CEN and Cenelec and ETSI for the execution of the request. It may therefore be necessary to review the respective deadlines accordingly.
- (24) Recalling that all relevant interested parties, including the Member States and the European stakeholders' organisations receiving Union financing in accordance with Regulation (EU) No 1025/2012, and in particular organisations representing persons with disabilities, may identify needs to develop additional standards, it may be necessary to consider adding new items to the list of standards set out in Annex I to this Decision. It may therefore be necessary to adjust the scope of this request accordingly.
- (25) Harmonised standards should include detailed technical specifications of the accessibility requirements, especially with respect to the design and construction of products and provision of services, set out in Directive (EU) 2019/882 and Directive (EU) 2016/2102 and that can also be used for other Union acts as set in Article 24 and Article 25 of Directive (EU) 2019/882 as regards accessibility requirements. They should also indicate clearly correspondence between technical specifications and the accessibility requirements they aim to cover. They should also be based on risk assessment and risk reduction methodologies and reflect the generally acknowledged state of the art.
- (26) The European standardisation organisations have agreed to follow the Guidelines for the execution of standardisation requests<sup>15</sup>.
- (27) With a view to establishing, in the most efficient way, harmonised standards and technical specifications that meet the accessibility requirements of Directive (EU) 2019/882 and Directive (EU) 2016/2102, the Commission and the

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<sup>15</sup> SWD(2015) 205 final of 27 October 2015



European Standardisation Organisations, in line with Regulation 1025/2012 and the UNCRPD should involve European umbrella organisations of persons with disabilities, and all other relevant stakeholders in the drafting process. The process itself needs to satisfy accessibility requirements including in relation to its means of communication, meetings, including venues and documents. The European Standardisation Organisations should also provide reasonable accommodation to participants with disabilities upon request. This point should be included in the Terms of Reference of the Technical Committees that undertake this standardisation work.

- (28) In order to ensure transparency and facilitate the execution of the requested standardisation activities CEN, Cenelec and ETSI should prepare a work programme and submit it to the Commission.
- (29) In order to enable the Commission to better monitor the requested standardisation work, CEN, Cenelec and ETSI should provide the Commission with access to an overall project plan containing detailed information on the execution of the standardisation request. CEN, Cenelec and ETSI should promptly inform the Commission if they consider that additional standards would need to be developed or if they consider that more time is necessary for the execution of this request. Final deliverables should be available by the application date of the relevant provisions of Directive 2019/882.
- (30) Information as to which accessibility requirements are covered by a harmonised standard is necessary when assessing, in accordance with Article 10(5) of Regulation (EU) 1025/2012, the compliance of the documents drafted by ESOs. Such information is also necessary before publication of references of harmonised standards in the *Official Journal of the European Union* in accordance with Article 10(6) of Regulation (EU) 1025/2012. In each harmonised standard CEN, Cenelec and ETSI should therefore describe the extent to which it aims to cover one or several accessibility requirements set out in Directive (EU) 2019/882 and in Directive (EU) 2016/2102.
- (31) It is important to facilitate the use by stakeholders of the revised harmonised standard EN 301549 in support of Directive (EU) 2019/882 and Directive (EU) 2016/2102. To that end CEN, Cenelec and ETSI should provide support material and update the technical reports CEN/CLC/ETSI TR 101551:2014, and CEN/CLC/ETSI/TR 101 552:2014 to reflect the content of the revised harmonised standards resulting from this request. Upon its completion, this revised content should be reflected on the related website and a toolkit prepared. The toolkit and technical reports should be adapted to represent a current resource enabling exchange of ideas, FAQs and information useful to a variety of stakeholders, such as developers, policy officers, content managers and users with disabilities. The toolkit should be continuously maintained, whilst it might at one point be archived, it should be kept available and accessible until a suitable replacement has been created.
- (32) In accordance with Article 10(3) of Regulation (EU) No 1025/2012 each standardisation request is subject to acceptance by the relevant European standardisation organisation. It is therefore necessary to provide for the rules on validity of this request if it is not accepted by CEN or Cenelec or ETSI.

- (33) In order to ensure legal certainty as to the validity of the request after its execution, it is appropriate to provide for a date of expiry of this Decision. Given that the execution of the request may require more time than initially foreseen, it may be necessary to extend the date of expiry taking into account the progress made in the implementation of the work programme prepared by CEN and Cenelec and ETSI for the execution of the request.
- (34) Given that the harmonised standard EN 301549 has been drafted on the basis of Commission Implementing Decision C(2017)2585 (M/554)<sup>16</sup> and this Decision provides for a basis to complete work on draft harmonised standards based on that request, it is appropriate to provide for the end of validity of the for that request.
- (35) Given that several European standards and European standardisation deliverable on accessibility has been drafted on the basis of standardisation mandates M/376, M/420 and M/473, and this Decision provides for a basis to complete work on draft harmonised standards and revise relevant European standards and European standardisation deliverables, it is appropriate to provide for the end of validity of the for those mandates.
- (36) The European standardisation organisations, the European stakeholders' organisations receiving Union financing and the High-Level Group on Disability and the National contact points established for the of Directive (EU) 2019/882 have been consulted.
- (37) The measures provided for in this Decision are in accordance with the opinion of the Committee established by Article 22 of Regulation (EU) No 1025/2012.

HAS ADOPTED THIS DECISION:

*Article 1*

*Requested standardisation activities*

1. The European Committee for Standardisation (CEN), the European Committee for Electrotechnical Standardisation (Cenelec) and the European Telecommunications Standards Institute (ETSI) ('the ESOs') are requested to draft new harmonised standards listed in Table 1 of Annex I to this Decision and to revise existing European standards listed in Table 2 of Annex I to this Decision in order to draft harmonised standards in support of Directive (EU) 2019/882 for the accessibility requirements of products and services set in its Annex I, and Annex III by the deadlines set in that Annex.
2. The European Committee for Standardisation (CEN), the European Committee for Electrotechnical Standardisation (Cenelec) and the European Telecommunications Standards Institute (ETSI) are requested to revise the harmonised standard listed in Table 1 of Annex II in support the implementation of Article 4 of Directive (EU) 2016/2102 by the deadline set in that Annex.
3. The European Committee for Standardisation (CEN), the European Committee for Electrotechnical Standardisation (Cenelec) and the European Telecommunications

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<sup>16</sup> Commission Implementing Decision C(2017)2585 of 27.4.2017 on a standardisation request to the European standardisation organisations in support of Directive (EU) 2016/2102 of the European Parliament and of the Council on the accessibility of the websites and mobile applications of public sector bodies

Standards Institute (ETSI) are requested to revise the European standardisation deliverables listed in Table 1 of Annex III by the deadline set in that Annex.

4. The standards referred to in paragraphs 1, 2 and 3 shall meet the requirements set out in Annex IV.

#### *Article 2*

##### *Work programme and standardisation work*

1. The ESOs shall prepare joint work programme indicating all the standards referred to in the first, second and third paragraphs of Article 1, the responsible ESO, the responsible technical bodies and a timetable for the execution of the requested standardisation activities in line with the deadlines set out in Annex I. It shall also contain a description of which clauses or provisions of current standards EN 301 549, EN 17210 and EN 17161 are intended to be used without modification, which clauses or provisions will have to be amended, and in what area it is necessary to develop new provisions.
2. The ESOs shall submit the draft [joint] work programme[s] to the Commission by [day].[month]. 202x [3 months after the notification of this Decision by the Commission] and provide it with access to an overall project plan.
3. The ESOs shall inform the Commission of any amendments to the joint work programme.
4. The ESOS shall also ensure inclusiveness of persons with disabilities and their representative organisations in the work. The work processes, meetings venues and documents shall be accessible for persons with disabilities and reasonable accommodation shall be provided upon request.
5. The standardisation work listed in Annex I, Annex II and Annex III shall take account of and refer to CEN/CLC Guide 6 “Guide for addressing accessibility in standards” or equivalent in their work.

#### *Article 3*

##### *Reporting*

1. The ESOs shall report annually to the Commission on the execution of the request referred to in Article 1 indicating the progress made in implementation of the work programme referenced to in Article 2 and all elements therein.
2. They shall submit the first [joint] annual report to the Commission by [day].[month]. 20xx [12 months after the notification of this Decision by the Commission] Subsequent [joint] annual reports shall be submitted by [day] [Month] each year.
3. The ESOs shall provide the Commission with the [joint] final report[s] by [day],[month]. 20xx [54 months after the notification of this Decision by the Commission].
4. Without prejudice to the reporting obligations set out in paragraphs 1 to 3, The ESOs shall promptly report to the Commission any major concerns relating to the scope of the request referred to in Article 1 and the deadlines set out in Annex I.

#### *Article 4*

##### *Harmonised standards*

The ESOs shall include in each harmonised standard a clear and precise description of the relationship between its content and the corresponding accessibility requirements set out in Annex I and III of Directive (EU) 2019/882 and in Article 4 of Directive (EU) 2016/2102 that it aims to cover. Each harmonised standard developed on the basis of the request referred to in Article 1 of this Decision shall refer to this Decision.

The ESOs shall include in each revised standard information on significant changes that were introduced in that standard.

The ESOs shall provide the Commission with the titles of the requested harmonised standards in all the official languages of the Union.

*Article 5*  
*Validity of the standardisation request*

If CEN or Cenelec or ETSI do not accept the request referred to in Article 1 within a month of receiving it, the request may not constitute a basis for the standardisation activities referred to in that Article.

This Decision shall expire on [date].

*Article 6*  
*Expiry of existing standardisation mandates and repeal of Implementing Decision C(2017)2585*

1. Standardisation mandates M/ 376 of 7 December 2005, M420 of 21 December 2007, M/473 of 1 September 2010 shall expire.
2. Implementing Decision C(2017)2585 is repealed.

*Article 7*  
*Addressees*

This Decision is addressed to the European Committee for Standardisation, the European Committee for Electrotechnical Standardisation and the European Telecommunications Standards Institute.

Done at Brussels,

*For the Commission*

[...]

*(PE/PO/PH)*

*The President (choose the correct position)*

*Vice-President (choose the correct position)*

*Member of the Commission (choose the correct position)*

This draft has not been adopted or endorsed by the European Commission. Any views expressed are the preliminary views of the Commission services and may not in any circumstances be regarded as stating an official position of the Commission. The information transmitted is intended only for the Member State or entity to which it is addressed for discussions and may contain confidential and/or privileged material.

**ANNEX I**

**List of new standards to be drafted, list of existing standards to be revised as referred to in Article 1(1)**

**Table 1: List of new harmonised standards to be drafted and deadlines for their adoption**

| Reference information |   | Deadline for the adoption by the ESOs                                    |
|-----------------------|---|--|
| 1.                    | Harmonised standard(s) setting up requirements on the accessibility of non-digital information related to products  | [DD.MM.YYYY]/[40 months after notification of this Decision to the ESOs] |
| 2.                    | Harmonized standard for the accessibility of support services related to products and services (help desks, call centres, technical support, relay services <sup>1</sup> and training services) <sup>2</sup> .                                    | [DD.MM.YYYY]/[40 months after notification of this Decision to the ESOs] |
| 3.                    | Harmonized standard for the accessibility and interoperability of emergency communications and for the answering of emergency communications by the PSAPs (public safety answering point) (including to the single European Emergency number 112) | [DD.MM.YYYY]/[52months after notification of this Decision to the ESOs]  |

**Table 2: List of existing European standards to be revised and deadlines for their adoption as harmonised standards**

| Reference information |  | Deadline for the adoption by the ESOs                              |
|-----------------------|--|--|
| 1.                    | EN 301 549 Accessibility requirements for ICT products | [DD.MM.YYYY]/[36 months after notification of this Decision to the |

<sup>1</sup> To be understood as the use of relay services and related operational aspects

<sup>2</sup> This could include contact center, passenger assistance services, , non-emergency crucial support services (e.g. domestic violence victim support centers, public health emergency information centers, etc)

|    |   |  |
|----|---|--|
|    | and services  | ESOs]  |
| 2. | EN 17161:2019 Design for All - Accessibility following a Design for All approach in products, goods and services - Extending the range of users | [DD.MM.YYYY]/[36 months after notification of this Decision to the ESOs] |
| 3. | EN 17210 Accessibility and usability of the built environment - Functional requirements   | [DD.MM.YYYY]/[36 months after notification of this Decision to the ESOs] |

## ANNEX II

### List of existing standards to be revised as referred to in Article 1(2)

**Table 1: List of existing harmonised standards to be revised and deadlines for their adoption**

| Reference information |   | Deadline for the adoption by the ESOs                                    |
|-----------------------|---|--|
| 1.                    | EN 301 549 Accessibility requirements for ICT products and services | [DD.MM.YYYY]/[36 months after notification of this Decision to the ESOs] |

### ANNEX III

#### List of existing European Standardisation deliverables to be revised as referred to in Article 1(3)

| Reference information |   | Deadline for the adoption by the ESOs                                    |
|-----------------------|---|--|
| 1.                    | CEN/CLC/ETSI TR 101551 Guidelines on the use of accessibility award criteria suitable for public procurement of ICT products and services in Europe                       | [DD.MM.YYYY]/[40 months after notification of this Decision to the ESOs] |
| 2.                    | CEN/CLC/ETSI/TR 101 552 Guidance for the application of conformity assessment to accessibility requirements for public procurement of ICT products and services in Europe | [DD.MM.YYYY]/[40 months after notification of this Decision to the ESOs] |



## ANNEX IV

### Requirements for the standards referred to in Article 1

#### Part A. General requirements

##### 1. Legal requirements to be supported by the harmonised standards

The harmonised standards shall support application of relevant accessibility requirements referred to in Article 4 for products and services<sup>3</sup> under the scope set in Article 2 and set out in Annex I and III to Directive (EU) 2019/882 and Article 4 of Directive (EU) 2016/2102.

The harmonised standards shall provide detailed technical scientific, processual or methodological specifications of accessibility requirements, with regard to the design and production of products and provision of services with the purpose of allowing compliance with relevant accessibility requirements of that Directive.

The structure of a harmonised standard shall be such that a clear distinction can be made between its clauses and sub-clauses that are necessary for compliance with the accessibility requirements of Directive 2019/882 and those that are not. The relationship between the clauses and sub-clauses of a harmonised standard and the requirements of Directive 2019/882 shall be indicated in the Annexes Z to each standard. The accessibility requirements shall be taken into account from the beginning and throughout the entire process of developing of standards.

All the harmonised standards shall indicate in Annex Z the relationship between the clauses and sub-clauses of the harmonised standard and the requirements of section VI of Annex I of Directive 2019/882.

The harmonised standards shall give specific provisions for specific accessibility requirements related to specific products and services, including to the built environment where the services under the scope of this directive are provided, as set in Annex I and III of the Directive (EU) 2019/882. These product and service specific provisions include methods for the verification of compliance with such provisions. Based on this request the harmonised standards must not support any other legal requirements than those referenced in the first paragraph of this point 1 and in particular shall not:

- make any references to Directive 2019/882 and any other legal act referred therein or reproduce its requirements in their normative body
- modify any definitions set by Directive 2019/882 or referred therein and in any other legal act referred therein or define any legally relevant terms not defined Directive 2019/882 itself or in any other legal act referred therein
- address any requirements, responsibilities, contractual arrangements or obligations for any economic operator including notified or other bodies or market surveillance authorities, and

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<sup>3</sup> Please see that for electronic communication services there is an exception of transmission services used for the provision of machine-to machine services in article 2.2(a);

- contain any provisions concerning conformity assessment procedures, related documents or technical file as regulated by Directive 2019/882 or any other legal act referred therein

Where a definition in a harmonised standard differs from a definition of the same term set out in Directive 2019/882 or any other legal act referred therein, the definitions in the harmonised standard has to be aligned to those in the legal acts.

There is no CE marking for services, so it is difficult for a consumer to find information about accessible services. In the EAA, Annex V includes requirements on information on services. In the development of new or revised harmonised standards, with requirements on services, provisions must be amended with specifications on how consumers can get information on the accessibility of the service and how to make complaints. This information must be published and accessible, according to Annex I of EAA.

## **2. Legal requirements to be covered by an individual harmonised standard**

When a harmonised standard listed in Annex I to this Decision does not cover all the accessibility requirements, which are applicable to the products and services or other EU legal acts falling under the scope of Directive (EU) 2019/882, the standard shall indicate in Annex Z information on the requirements applicable to those products and services or other EU legal acts that are not covered or only partially covered by it. Where a harmonised standard contains technical specifications that do not support application of accessibility requirements set out in Annex I and Annex III to Directive (EU) 2019/882, such technical specifications shall be clearly distinguished from the specifications supporting the accessibility requirements.

Where appropriate, the harmonised standard shall include information as to whether a particular requirement is addressed with regard to the design, manufacturing, or packaging of the device.

## **3. License free application of harmonised standards**

Each harmonised standard shall clearly state that compliance with its requirements and specifications and in particular, when applying written or visual warnings, signs, pictograms or markings as specified in it to a product, its package or accompanying documents, is license free<sup>4</sup>.

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<sup>4</sup> References to “licence-free” refers to “licence-free” use of the elements in the standards, and not licence-free use of the technologies that may be included or referenced in the standards

## **Part B. Specific requirements for drafting new standards listed in Table 1 of Annex I**

### **1. Requirements for all standards**

The harmonised standards shall maximise the level of accessibility and ensure interoperability including with assistive devices in such a way as to maximise their foreseeable use by persons with disabilities. Standards shall reflect the generally acknowledged state of art.

### **2. Requirements for specific standards**

#### **2.1 Standards on accessibility listed in Table 1 of Annex I**

1. The harmonised standard setting up requirements on the accessibility of non digital information related to products and services shall describe the technical solutions for accessibility to ensure conformity with the following requirement set in Annex I of Directive 2019/882:

Annex I section 1 (a) and (b) Annex I section II

Also covering Annex I section III (a) and (b)

Also covering Section IV (c) and (d) transport

Also covering Section IV(e) ii banking information

Excluding Section IV (f) eBooks

2. The harmonised standard for the accessibility of support services related to products and services (help desks, call centres, technical support, relay services and training services) shall describe the technical solutions for accessibility and interoperability to ensure conformity with the following requirement set in Annex I of Directive 2019/882:

Section 1.3 for products and Section III (d) for services.

3. The harmonised standard for the accessibility of emergency communications and answering emergency communications (including to the single European emergency number 112) should support the implementation of Article 109 of Directive (EU) 2018/1972 and shall describe the technical solutions for accessibility and interoperability to ensure conformity with the following requirements set in Annex I of Directive 2019/882:

Section III, Section IV and Section V

This standard shall contain the relevant up-to-date provisions that were in relevant previous ETSI Technical reports, specifications and guidance<sup>5</sup>.

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<sup>5</sup> Among possible relevant documents are ETSI TS 101 470: Total Conversation Access to Emergency Services, ETSI TR 103 201: Total Conversation for emergency communications; implementation guidelines, ETSI TS 103 479: Core elements for network independent access to emergency services, ETSI TR 103 708: RTT Multi-party Conference Calling, ETSI EG 202 320: Duplex Universal Speech and Text (DUST) communications, ETSI EG 202 843: Quality of ICT services; Definitions and methods for assessing the QoS parameters of the customer relationship stages other than utilization,,ETSI ES 202 975: Requirements for Relay Services

## **Part C. Specific requirements for revision of existing standards listed in Table 2 of Annex I and Table 1 of Annex II**

### **1. Requirements for all standards**

The harmonised standards shall maximise the level of accessibility and ensure interoperability including with assistive devices in such a way as to maximise their foreseeable use by persons with disabilities. Standards shall reflect the generally acknowledged state of art. Standards listed in Table 2 of Annex I and Table 1 of Annex II shall be revised to describe the technical solutions for accessibility to ensure conformity with the accessibility requirements of Annex I and III of Directive 2019/882 and Article 4 of Directive (EU) 2016/2102, except those included in part B of this annex, namely those covered by new standards.

### **2. Requirements for specific standards**

2.1. Existing harmonised standard EN 301 549: v3.2.1 2021 covering accessibility requirements of ICT products and services shall be revised. The harmonised standard shall describe the technical solutions for accessibility to ensure conformity with the accessibility requirements of Annex I section I, II, III, IV excluding point (f) of section IV on e-books of Directive 2019/882 except for those included in part B of this annex, namely those covered by new standards. It should be complementary with the new standards referred to in section B for example by addressing Relay service requirements for accessibility, consumer terminal accessibility to be used with emergency communications.

EN 301 549, the standard shall be revised to address:

- accessibility requirements of ICT devices (including eBooks readers as dedicated or included in other devices as PCs or smartphones)
- generic accessibility requirements for ICT-based service provision
- accessibility requirements for specific services (RTT and Total Conversation) in agreement and coordination with EMTEL work and deliverables (including on infrastructure) and in particular in compliance with Next Generation 112 work.
- accessibility requirements for ICT-based application-specific services included in the scope of the European Accessibility Act. These requirements may also include QoS (Quality of Service) requirements.

This existing harmonised standard EN 301 549: v3.2.1 2021 shall be updated to include relevant existing or revised provisions of ETSI <sup>6</sup>technical reports or other relevant guidelines and documents. However, this standardisation request does not include the update of those documents.

The requirements set out in EN 17210 and EN 301 549 should be aligned avoiding contradictions.

2.2 Existing standard EN 17161:2019 covering accessibility following a Design for all approach shall be revised. The harmonised standard shall describe process-related and procedural solutions for the design, development and provision of services that fulfil the

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<sup>6</sup> Among possible relevant documents are ETSI TS 101 470: Total Conversation Access to Emergency Services, ETSI TR 103 201: Total Conversation for emergency communications; implementation guidelines, ETSI TS 103 479: Core elements for network independent access to emergency services, ETSI TR 103 708: RTT Multi-party Conference Calling, ETSI EG 202 320: Duplex Universal Speech and Text (DUST) communications, ETSI EG 202 843: Quality of ICT services; Definitions and methods for assessing the QoS parameters of the customer relationship stages other than utilization,, ETSI ES 202 975: Requirements for Relay Services

accessibility requirements set out in Annex I to this Directive in accordance with Section VI thereof.

2.3. Existing standard EN 17210:2021 covering accessibility requirements of the built environment shall be revised. The harmonised standard shall describe where needed in more detail the functional solutions linking where feasible to technical solution for accessibility to ensure conformity with Annex III of Directive 2019/882.

2.4. Existing harmonised standard EN 301 549: v3.2.1 2021 covering accessibility requirements of ICT products and services shall be revised. The harmonised standard shall describe the technical solutions for accessibility to ensure conformity with the accessibility requirements of article 4 of Directive (EU) 2016/2102 as well as address the accessibility statement required by this Directive.

## **Part D. Specific requirements for revision of existing European standardisation deliverables listed in Table 1 of Annex II**

### **Standard (H) EN 301549**

#### **1. General requirements for websites and mobile apps**

Requested harmonised standard(s) shall cover accessibility specifications to be followed when designing, constructing, maintaining and updating websites and mobile applications. They shall provide generally applicable accessibility specifications. Those specifications in support of the implementation of Article 4 of Directive (EU) 2016/2102 shall ensure at least the level of accessibility already established by clauses 9, 10 and 11 of EN 301 549 : v3.2.1 2021

In order to satisfy the accessibility requirements of the Directive such harmonised standard(s) shall provide detailed technical specifications of those requirements, especially with regard to the perceivability, operability, understandability and robustness<sup>2</sup>

The established accessibility specifications shall be coordinated and aligned with on the relevant industry specifications in particular on the specifications established or under development by World

Wide Web Consortium (W3C) in its Web Accessibility Initiative (WAI) and, when relevant, shall be aligned with other globally relevant specifications (e.g., US Access Board's Section 508 Standards).

#### **1.1 Requirements on perceivability**

The requested harmonised standard(s) shall ensure that information and user interface components are presentable to users in ways they can perceive. This means that users must be able to perceive the information being presented (it can't be invisible to all of their senses).

#### **1.2 Requirements on operability**

The requested harmonised standard(s) shall ensure that user interface components and navigation are operable. This means that users must be able to operate the interface (the interface should not require interaction that a user cannot perform).

#### **1.3 Requirements on understandability**

Information and the operation of user interface shall be understandable. This means that users must be able to understand the information as well as the operation of the user interface (the content or operation should not be beyond their understanding).

#### **1.4 Requirements on robustness**

Content shall be robust enough to be interpreted in a reliable manner by a wide variety of user agents, including assistive technologies. This means that users must be able to access the content as technologies advance (as technologies and user agents evolve, the content has to remain accessible).

2 The requirements and their description coincide with the Four Principles of Accessibility defined in W3C Web Contents Accessibility Guidelines (WCAG) 2.1

If any of these requirements are not met, users with disabilities will not be able to use the Web.

#### **3. Additional requirements for mobile applications**

The requested harmonised standard(s) shall further detail the accessibility provisions established in EN 301 549: v3.2.1 2021 to cover all specificities of mobile applications.

The conceptual and technical specificities of mobile devices shall be duly taken into account when establishing accessibility specifications for mobile applications.

The harmonized standard(s) shall include information about the Commission Implementing Decision (EU) 2018/1523 on the accessibility statement fulfilling article 7 of Directive (EU) 2016/2102.

Part E. Specific requirements for revision of existing European standardisation deliverables listed in Table 1 of Annex III

These technical reports could be combined in their revision.