

Accessibility: rights and obligations

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Accessibility of audiovisual media services Workshop

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Presentation outline

Obligations to ensure the availability of accessible audiovisual media content

- ❖ **UN Conventions**
- ❖ **Council of Europe**
- ❖ **European Union Charter of Fundamental Rights**
- ❖ **European Union – “Accessibility Act”**
- ❖ **Audiovisual media services Directive**

Fig 1 International Rights and obligations: United Nations

UN Convention on the Rights of People with Disabilities (CRPD 2006)

Equality and non-discrimination (Art 5)

Accessibility (Art 9): ... access on equal basis to the physical environment Including information and communications, information and communications technologies and systems

Freedom of expression and opinion, and access to information

(Art 21): d. Encouraging mass media, including providers of information through the Internet, to make their services accessible to persons with disabilities

Participation in cultural life, recreation, leisure and sport (Art 30): 1.a) ensure that persons with disabilities shall enjoy access to cultural materials in accessible formats andb) enjoy access to television programmes, film, theatre and other cultural activities in accessible formats

Fig 2 International Rights and obligations: Council of Europe

Human rights: a reality for all
Council of Europe Disability Strategy 2017-2023

The overall goal of the Council of Europe Disability Strategy 2017-2023 (the Strategy) is to achieve equality, dignity and equal opportunities for persons with disabilities.

Awareness Raising: Promote respect, equality, capabilities and active participation, involvement and inclusion of persons with disabilities in the media, entertainment and cultural life as both active actors and users.

Accessibility: concerns capabilities to receive and impart information and to use information and communications technologies represent a knowledge divide that creates inequality.

Human rights cannot be enjoyed without information about them and access to them.

Recognises

UN Convention on the Rights of People with Disabilities (CRPD 2006)

UN Convention on the Rights of the Child

Makes reference to Council of Europe Conventions, recommendations, resolutions strategies

European Social Charter

Council of Europe Strategy for the Rights of the Child 2016-2021

Council of Europe recommendation on the promotion of human rights of older persons

Committee of Ministers Recommendation “the Council of Europe Action Plan to promote the rights and full participation of persons with disabilities in society: improving the quality of life of persons with disabilities in Europe 2006-2015

Fig 3 International Rights and obligations: European Union

EUROPEAN UNION

Charter of Fundamental Rights of the EU

Article 21: Non discrimination

Article 26: Integration of persons with disabilities
The Union recognises and respects the right of persons with disabilities to benefit from measures designed to ensure their independence, social and occupational integration and participation in the life of the community.

European Accessibility Act

Audiovisual media services and related consumer equipment:
The provision of services in order to maximise their foreseeable use by persons with functional limitations, including persons with disabilities,

Audiovisual Media Services Directive

Article 7

1. Member States shall ensure, without undue delay, that services provided by media service providers under their jurisdiction are made continuously and progressively more accessible to persons with disabilities through proportionate measures.

Fig 4 International Rights and obligations

UN Convention on the Rights of People with Disabilities (CRPD 2006)

EUROPEAN UNION

Equality and non-discrimination (Art 5)

Charter of Fundamental Rights of the EU

Accessibility (Art 9): access on equal basis to the physical environment Including information and communications technologies and systems

Article 21: Non-discrimination

Freedom of expression and opinion, and access to information (Art 21): Encouraging mass media, including providers of information through the Internet, to make their services accessible to persons with disabilities

Article 26: Integration of persons with disabilities
The Union recognises and respects the right of persons with disabilities to benefit from measures designed to ensure their independence, social and occupational integration and participation in the life of the community.

Participation in cultural life, recreation, leisure and sport (Art 30): ensure that persons with disabilities shall enjoy access to cultural materials in accessible formats and enjoy access to television programmes, films... in accessible formats

European Accessibility Act

Audiovisual Media Services Directive

Article 7

1. Member States shall ensure, without undue delay, that services provided by media service providers under their jurisdiction are made continuously and progressively more accessible to persons with disabilities through proportionate measures.



Article 7 AVMS

1. Member States shall **ensure, without undue delay**, that services provided by media service providers under their jurisdiction are made **continuously and progressively more accessible** to persons with disabilities through proportionate measures.

Article 7 AVMS

2. Member States shall ensure that **media service providers report on a regular basis to the national regulatory authorities** or bodies on the implementation of the measures referred to in paragraph 1. By 19 December 2022 and every three years thereafter, Member States shall report to the Commission on the implementation of paragraph 1.

Article 7 AVMS

3. Member States shall encourage media service providers to **develop accessibility action plans in respect of continuously and progressively making** their services more accessible to persons with disabilities. Any such action plan shall be communicated to national regulatory authorities or bodies.

Article 7 AVMS

4. Each Member State shall designate a single, easily accessible, including by persons with disabilities, and **publicly available online point of contact for providing information** and receiving complaints regarding any accessibility issues referred to in this Article.

Article 7 AVMS

5. Member States shall **ensure that emergency information, including public communications** and announcements in natural disaster situations, which is made available to the public through audiovisual media services, is provided in a manner which **is accessible** to persons with disabilities.’;