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COMMISSION STAFF WORKING DOCUMENT
EXECUTIVE SUMMARY OF THE EVALUATION

Review of the application of 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 (Web Accessibility Directive)

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1. BACKGROUND

The Web Accessibility Directive (EU) 2016/2102 (‘the WAD’)¹ requires the websites and mobile applications of public sector bodies to be more accessible to users, in particular persons with disabilities. It entered into force on 22 December 2016. According to Article 13 of the Directive, the Commission must carry out a review of the Directive and its implementing decisions² and this review must take into account: (i) the **Member States’ monitoring reports**; (ii) the **use of the Directive’s enforcement procedure**; and (iii) a review of **technological advances** that could make accessibility easier for some types of content that was excluded from the Directive. The evaluation covers the first three years of the application of the Directive (2018-2021).

2. METHODOLOGY

The main findings and lessons learned that are presented in this document rely on an external supporting study. The study comprised a literature review, analysis of the Member States’ reports on the outcome of the monitoring and the use of the enforcement procedure under the Directive, a public consultation as well as targeted consultations with the most relevant stakeholder groups, including the Web Accessibility Directive Expert Group with Member State representatives. The Directive and its implementing decisions were reviewed according to five criteria: **effectiveness, efficiency, relevance, coherence, and EU added value**.

A detailed assessment of economic, social, and environmental impacts is limited, mainly due to the difficulties of quantifying and monetising both costs and benefits of web accessibility, inclusion and non-discrimination, as well as the limited availability of relevant data. Nonetheless, the overall evaluation, findings and conclusions, based on alternative proxy data and the triangulation of findings from various sources, are considered robust and thorough.

¹ [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.

² Implementing [Decision \(EU\) 2018/1523](#) establishing a model accessibility statement, OJ L 256, 12.10.2018; Implementing [Decision \(EU\) 2018/1524](#) establishing a monitoring methodology and arrangements for reporting, OJ L 256, 12.10.2018; and Implementing [Decision \(EU\) 2018/2048](#) on the harmonised standard for websites and mobile applications, OJ L 327, 21.12.2018.

3. FINDINGS

The evaluation shows that the measurable obligations of the Directive have been fulfilled by the Commission (adoption of implementing acts, harmonising a standard) and that Member States have all carried out relevant actions (transposition, setting up monitoring, reporting and enforcement bodies, and awareness-raising and accessibility improvements). Nonetheless, there is still much practical progress to be made for all public sector websites and mobile applications to be fully accessible to persons with disabilities, regardless of the nature of the disability. Most actions to date have been targeted at those with visual impairment, and work is continuing within the standardisation bodies on the requirements for those with cognitive impairment.

It should also be noted that the wording of the Directive calls for “more accessible” websites and mobile applications (not absolutely accessible), but offers limited tools for measuring progress within the “partially compliant” category which covers most content in scope. Websites and apps can comply with the Directive, even if they do not fully meet all the accessibility criteria of the harmonised European standard, provided the Accessibility Statement describes alternative routes to technically inaccessible content. With the foundations now in place, and MS efforts to improve accessibility, it seems likely that the trend to “more accessible” websites and mobile apps, both in terms of quantity and quality, will continue, particularly given the new requirements of the European Accessibility Act³, due for application in 2025. As accessibility is a process, not a one-off exercise, Member States in which public sector bodies have embedded web accessibility in their digitalisation and communication strategies, fare better.

a) Effectiveness

In light of the evaluation criteria, the **WAD is going in the right direction towards achieving its objectives**. Firstly, and as can be seen in the external study supporting the review, the WAD **effectively** improved the functioning of the internal market for providing web accessibility services by harmonising rules and stimulating demand. Secondly, the poor **level of accessibility** of public sector websites and mobile applications before adoption has **improved**, although many people with disabilities that participated in the public consultation still find public sector websites and mobile applications **difficult to use**. The main factors in making the WAD a success were: (i) the introduction of the feedback and enforcement mechanisms; (ii) the arrangements for regular monitoring and reporting; and (iii) the implementation of accessibility statements.

b) Efficiency

The findings of the review suggest that the Directive was **designed and implemented efficiently**, and that the use of EU resources was adequate and proportionate. Although most public sector bodies said that the Directive had introduced additional economic costs, the evidence collected shows that **accessibility-related costs do not constitute a major barrier** to implementing the Directive. There were only very few cases where public sector bodies used the Directive’s disproportionate-burden clause.

³ [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.

c) Coherence

Based on stakeholders' feedback and on the review of relevant international and EU policies, the Directive is **coherent internally**, and shows **no overlaps or inconsistencies** with other EU policies or laws related to web accessibility, such as the European Accessibility Act or the Commission's strategy for the rights of persons with disabilities 2021-2030. The WAD is also **externally coherent** and in line with international treaties and measures to support digital and social inclusion for people with disabilities.

d) Relevance

Considering the evolving European and international policy context, the Directive is **still relevant for its main stakeholders**. The EU's commitment to the digital transformation, encouraging the ongoing digitalisation of the public sector and use of online public services, has increased since the current Commission took office, and was further highlighted during the COVID-19 pandemic. The 2030 digital compass sets ambitious targets for 2030 in this context, which confirms the continued need for accessible websites and mobile applications.

e) EU added value

The review suggests that there is **substantial EU added value in improving the online accessibility** of public services and thereby increasing the digital inclusion of users. For many Member States, the adoption of the Directive meant the **introduction of national laws on web accessibility that did not previously exist**. Without the Directive, Member States alone would not have reached the level of web-accessibility-related activity, including awareness raising within the public sector, demonstrated in the Member State accessibility monitoring reports. And there would have been no harmonised technical requirements, so continuing national fragmentation of the single market.

f) Findings on monitoring, enforcement and technological advances

In the light of the requirement of Article 13 of the Directive, the following key findings can be observed.

- 25 Member States submitted **monitoring reports** to the Commission. Major findings from the analysis of the reports were: (i) that cross-border provision of accessibility tools is available, and can be expected to increase; and (ii) that training programmes and awareness-raising activities promoted by the Directive were conducted by almost all Member States that submitted a report.
- While all Member States have set up a formal enforcement procedure and nominated a designated enforcement body, the use of the Directive's **enforcement procedure** has not yet reached its full potential. Users are often unaware of the procedure or do not feel confident in using it.
- The review of **technological advances** showed that automated or efficient and easy-to-implement means through artificial intelligence and machine learning is increasingly used in tools relevant for digital accessibility, helping to make accessibility easier for some types of content currently excluded from the scope of the Directive.

4. CONCLUSIONS AND LESSONS LEARNED

Considering these findings, the evaluation identifies the following key lessons learned that might be taken into consideration for future policy initiatives related to web accessibility.

- There is a **shortage of digital accessibility expertise** in both the public and private sectors, which makes it challenging for public sector bodies to procure accessible solutions or recruit experts. There is potential for people with disabilities to train and work as digital accessibility experts.
- Interviewed stakeholders mentioned the importance of: (i) increasing training opportunities; (ii) compulsory accessibility modules for ICT (information and communication technology) curricula in universities; and (iii) professional certifications, including for people with disabilities aiming to work as accessibility experts.
- The **feedback and enforcement mechanisms have not yet reached their full potential**. Public sector bodies and other organisations reported being aware of these mechanisms, but end-users reported only limited awareness and usage of them. Raising awareness and promoting the use of the feedback and enforcement mechanisms can benefit all stakeholders, both by pointing out accessibility issues to public sector bodies and by making content accessible to the users.
- The **comparability of the monitoring results from the Member States is limited**. The flexibility in the monitoring methodology and reporting criteria, offered in the Directive and its implementing acts, and in particular the lack of a common definition of the three compliance statuses (non-, partially- or fully compliant), makes it difficult to directly compare accessibility across Member States.