



EUROCITIES statement on the European Accessibility Act

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EUROCITIES, the network of 130 major European cities, fully supports the objectives of defining common accessibility requirements in the European Accessibility Act¹ to promote inclusion in society and the labour market of people with functional limitations and address the challenges associated with demographic change. This will safeguard the human rights of residents and visitors to our cities, and protect the future of the city as a place of freedom and equal opportunity. We particularly support the emphasis on the 'design for all' approach, which brings efficiency and sustainability to public spending.

EU and national policy makers should take into consideration that city authorities are key stakeholder in making Europe more accessible and inclusive. City authorities are on the frontline of implementing all policy, legislation and EU and international commitments in this area:

- City authorities provide a range of services that are fundamental to achieving the objectives of national and EU commitments on disability rights and accessibility, such as the UN Convention on the Rights of Persons with Disabilities (UN CRPD). These include transport, housing, streets, parks, public libraries, and labour market inclusion services.
- City authorities bear the main costs of the investments and maintenance required to adapt public spaces, public transport, public schools, community facilities, and services etc. Many cities have important obligations in terms of building permits and ensuring compliance with regulations and standards.
- City authorities are the level of government closest to citizens and communities. As such, we have the necessary insight to design infrastructure, services and public housing that works for them. It also means that we can ensure that representative organisations of persons with disabilities are meaningfully involved in the development and implementation of accessibility measures.
- Cities are the 'lighthouses' of better policy in accessibility: good practices and policy development at city level can prompt improvements in policy and law at national level. EUROCITIES can facilitate the transfer of knowledge and capacity building between European cities and demonstrate that change is possible and how it can be achieved.

¹ Directive for the European Parliament and of the Council on the approximation of the laws, regulations and administrative provisions of the Member States as regarding the accessibility requirements for products and services

Regarding the proposed directive, we call for a more systematic involvement of cities in the processes related to the implementation of this directive as well as greater support for the local level to make this directive a reality on the ground.

We call on the European institutions to take the following recommendations into consideration to ensure the effective implementation of this directive:

Financing accessibility

Cities recognise that the implementation of this directive has great potential to safeguard human rights and promote independent living for people with functional limitations. This will improve their participation in society and the labour market, and bring savings in welfare and social care costs in the long run. However, in the shorter term, implementing the directive will require increased public spending. Much of the financial burden will be placed on local authorities, where the majority of changes will have to be implemented.

The cost increases are of particular concern in the context of continued pressure on public finances at all levels of government. We acknowledge that article 22 of the proposed directive includes a safeguard clause to avoid disproportionate financial burden on competent authorities. Yet, while the cost increase in a single case may not fulfil the 'disproportionate burden' criteria, the cumulative cost of implementation is of concern. In addition, overuse of this clause may be detrimental to achieving the long term objectives of this directive.

Therefore, we call on the European Commission to propose specific mechanisms to ensure that financial resources are provided to support the obligations set out in this directive. This can include:

- Earmarking and creating specific funding opportunities for improving accessibility.
- Clear and favourable European and national fiscal regimes to address the shortcomings of existing infrastructure, in both the public and private sectors. The EU could include specific instruments in its VAT legislation and provide support for fiscal reform to member states with regards to other taxes.

Investment in accessibility has high potential for return and is a prerequisite to social and economic growth in Europe. The costs associated with dependency, exclusion and loss of opportunities and productivity due to poor accessibility must be taken into account in the broader cost-benefit analysis for society.

Scope of the directive

It is important that the functional requirements set out in this directive should in no way lead to the lowering of existing national standards. City authorities should not be obliged to accept goods or services in procurement and tenders solely based on compliance with this EU directive, if their national standards are more ambitious.

Where self-service terminals, ticketing machines and check-in machines used for the provision of passenger transport services are referenced in the directive, it is important to note that in some cities people with functional limitations are able to receive the same services on the web, by phone with assistive technology, or at the stations with support from staff. This means that the functional accessibility requirements are met without the machines conforming to the directive requirements. Thus, the directive

should allow for alternative ways to meet the overall objective of accessibility of services to all.

Implementation and entry into force

The provisions of article 21 on accessibility requirements in procurement, tenders for transport services, investment in transnational networks and in European Structural and Investment funds (ESI funds) should clearly state that they apply to new contracts only, rather than to all contracts, six years after entry into force of this directive. This is because the duration of city contracts can be greater than six years, e.g. with transport sector providers, and it is not always possible to amend the contracts.

Furthermore, for municipalities that are air, bus, rail and waterborne passenger service providers, and thus fall under article 1 paragraph 2c, the timeline for implementation is too short given the scope of the accessibility requirements and associated costs. While we fully support the accessibility requirements provided for in this directive, we recommend an extension to 2030 for the adoption and application of services under this provision. Many services will be adapted ahead of this deadline, but the implementation timeline must take into account what can realistically be achieved at local level. This will ensure a more effective implementation, in line with the objectives of the EU's better regulation agenda.

Cities as key implementation partners

We recognise that the free movement of people and goods requires the EU to address significant differences in accessibility legislation and standards between member states. However, this should not place an undue burden on local authorities.

EU policy makers should recognise that cities are key to implementing many of the provisions of this directive, and will bear the associated financial and contractual obligations. Therefore, cities should be systematically involved in developing the implementing acts with common technical specifications mentioned in article 14. This will also allow cities to contribute their extensive experience and expertise in the field of accessibility and will support the work of the EU in this area.

The EU should also reinforce the role of local authorities in developing European standards, since these provide for the presumption of conformity with this directive. The current provisions to involve 'relevant parties'² or 'encourage and facilitate representation and effective participation of all relevant stakeholders'³ do not guarantee that cities will be fully involved in this process. Given the impact on local authorities, this directive should make it obligatory to consult local authorities on the development of any harmonised standards under EU mandates.

Furthermore, the directive should explicitly list local authorities among the stakeholders whose viewpoints must be taken into account in the regular reporting and reviews on the application of this directive, as described in article 28. So far, paragraph 3 mentions only 'economic stakeholders and relevant non-governmental organisations'. City authorities

² M/420 Standardisation mandate to CEN, CENELEC and ETSI in support of European accessibility requirements for public procurement in the built environment

³ REGULATION (EU) No 1025/2012 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 25 October 2012 on European standardisation, amending Council Directives

are only considered economic stakeholders if they are direct services providers (as stated in article 2 paragraph 16). However, cities are also affected as procurers, tenderers and partners in ESI funds, even if they are not service providers, and this must be taken into consideration in the reviews.

The EU can further support local authorities in the implementation of this directive by:

- Creating an EU level platform to foster structural exchanges and mutual learning on accessibility between European cities, as well as regions and member states. This should include a focus on:
 - the application of the provisions of this directive in public procurement and ESI funds
 - encouraging interdepartmental collaboration and overcoming thinking and acting on a purely sectorial basis
 - implementing the 'design for all' principle in planning processes from the outset, as this reduces or even eliminates the costs of building accessibility
- Promoting awareness raising activities aimed at professionals not directly involved in urban planning. This could include making 'design for all' a compulsory subject in all relevant university courses and vocational training, beyond architecture and urban planning degrees, in areas such as ICT, social care, etc. The EU could support this as part of its skills agenda. This would ensure that the 'design for all' approach is mainstreamed and that accessibility is considered in every aspect of public economic and social life.

Concluding remarks

We acknowledge that the European Commission has carefully selected goods and services to fall under the scope of this directive. This is a good first step, but making our cities truly accessible and implementing the UN CRPD will require further EU level action. In order to secure independent living, participation in society and active citizenship for all, future EU actions should focus on promoting the 'design for all' approach in areas such as housing, public space and any built environment for public use⁴, taxi services, hotels, cultural and other events, with due respect of the subsidiarity principle and in line with EU competences. Only a comprehensive approach to accessibility can ensure a sustainable future for everyone, regardless of age, gender, abilities and cultural background, and counterbalance lost productivity and personal and public costs arising as a result of barriers to employment, entrepreneurship, accessing goods and services, and tourism.

When the private market does not provide accessible goods and services, it is often city authorities that must step in to offer alternative solutions. For example, a lack of accessible taxis compels some cities to run alternative services, which can be very costly. Similarly, if no accessible apartments are available on the market, cities often need to build housing for people with functional limitations, or provide support services that compensate for the lack of accessible environments. Solutions need to be sought to solve these challenges in the future.

In recognition of their key role, city authorities should be placed at the centre of any discussions on relevant national and EU policy, regulations and funding programmes.

⁴ outside of tenders, procurement and ESI funds, which is already provided for in this directive.

Many cities have developed extensive action plans and planning tools for the sustainable implementation of the goals of the UN CRPD, and have hands-on experience with the application of most accessibility measures. It is important to make the most of this expertise when developing common approaches in policy and practice, and refine it for the construction of a fully accessible Europe.