



The voice of blind and partially sighted people in Europe

# EBU Access to Art and Culture

**Political and legal background  
An overview 2022**

**Equal access to culture, recreation,  
leisure, and sporting activities**

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## 1. UN - Article 30 – Participation in cultural life, recreation, leisure, and sport

<https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities/article-30-participation-in-cultural-life-recreation-leisure-and-sport.html>

1. States Parties recognize **the right of persons with disabilities to take part on an equal basis with others in cultural life**, and shall take all appropriate measures to ensure that **persons with disabilities**:

- a) **Enjoy access to cultural materials in accessible formats.**
- b) **Enjoy access to television programmes, films, theatre, and other cultural activities, in accessible formats.**
- c) **Enjoy access to places for cultural performances or services, such as theatres, museums, cinemas, libraries, and tourism services, and, as far as possible, enjoy access to monuments and sites of national cultural importance.**

2. States Parties shall take appropriate measures to enable **persons with disabilities to have the opportunity to develop and utilize their creative, artistic, and intellectual potential**, not only for their own benefit, but also for the enrichment of society.

3. States Parties shall take all appropriate steps, in accordance with international law, to ensure that laws protecting intellectual property rights do not constitute an **unreasonable or discriminatory barrier to access by persons with disabilities to cultural materials.**

4. **Persons with disabilities shall be entitled, on an equal basis with others, to recognition and support of their specific cultural and linguistic identity, including sign languages and deaf culture.**

5. With a view to **enabling persons with disabilities to participate on an equal basis with others in recreational, leisure and sporting activities**, States Parties shall take appropriate measures:

- a) To encourage and promote the participation, to the fullest extent possible, **of persons with disabilities in mainstream sporting activities at all levels.**
- b) To ensure that **persons with disabilities have an opportunity to organize, develop and participate in disability-specific sporting and recreational activities and, to this end, encourage the provision, on an equal basis with others, of appropriate instruction, training, and resources.**
- c) To ensure that **persons with disabilities have access to sporting, recreational and tourism venues.**

d) To ensure that **children with disabilities have equal access with other children to participation in play, recreation and leisure and sporting activities, including those activities in the school system.**

e) To ensure that **persons with disabilities have access to services from those involved in the organization of recreational, tourism, leisure, and sporting activities.**

## 2. UN - Goal 11: Sustainable cities and communities

<https://www.government.se/government-policy/the-global-goals-and-the-2030-Agenda-for-sustainable-development/goal-11-sustainable-cities-and-communities/>

[https://sdgs.un.org/#goal\\_section](https://sdgs.un.org/#goal_section)

Published 29 October 2015

Goal 11 is to make cities and human settlements inclusive, safe, resilient, and sustainable. Sustainable urban development requires cross-sectoral cooperation and governance at several levels simultaneously (national, regional, municipal, and local level), including advanced forms of dialogue with citizens and the business sector. In particular, sustainable urban development should take account of women's and girls' infrastructure and sanitation needs. Account should also be taken of **people with disabilities**, children, and the needs of older people.

### Targets:

**11.2** By 2030, provide access to safe, affordable, accessible and sustainable transport systems for all, improving road safety, notably by expanding public transport, with special attention to the needs of those in vulnerable situations, women, children, **persons with disabilities** and older persons.

**11.7** By 2030, provide universal access to safe, inclusive, and accessible, green and public spaces, in particular for women and children, older persons and **persons with disabilities**.

- The indicator 11.7.1: Average share of the built-up area of cities that **is open space for public use** for all, by sex, age, and **persons with disabilities**

## 3. European Parliament – 2020 - European disability strategy post 2020

[https://www.europarl.europa.eu/doceo/document/TA-9-2020-0156\\_EN.html](https://www.europarl.europa.eu/doceo/document/TA-9-2020-0156_EN.html)

- The Strategy indicated that **the EU would take measures to improve the accessibility of sports, leisure, cultural and recreational organizations, activities, events, venues, goods and services, including audiovisual ones.**
- The 2017 European Parliament Resolution on the Implementation of the European Disability Strategy 2010-2020 pointed specifically to **the accessibility challenges encountered by people with disabilities** in relation to healthcare and social protection, education and training, the labour market, the built environment and transport, goods and services, information and communication, and **participation in political, public and cultural life.**
- People with disabilities from fully exercising their fundamental rights including their Union citizenship rights. The Strategy focuses, in particular, on the exercise of participation right as outlined above, participation also features as a general principle of the UN Convention in Article 3 CRPD, as well as in several substantive provisions of the CRPD, such as the right to political participation, and **the right to participate in culture, recreation, leisure and sport**, contained in Articles 29 and 30 respectively.
- The Commission acknowledged that **individuals with disabilities travelling to another EU Member State are often not treated equally to residents of that other Member State**, as their **disability cards/status are not always recognized outside their Member States of origin.** To improve this situation, the Commission developed the pilot EU Disability Card in 2016-2017, to be implemented on a voluntary basis in certain member States in the areas those States approved. The Commission stated that it will continue to support Member States in the implementation of the pilot project on the EU Disability Card and **associated benefits in the areas of culture, leisure, sport and transport.**
- The Strategy also indicated that the EU would take measures to improve **the accessibility of sports, leisure, cultural and recreational organizations, activities, events, venues, goods and services, including audiovisual ones.**

## 4. European Parliament – 2019 - Access to cultural life for people with disabilities

[https://www.europarl.europa.eu/RegData/etudes/BRIE/2019/644200/EPRS\\_BRI\(2019\)644200\\_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/BRIE/2019/644200/EPRS_BRI(2019)644200_EN.pdf)

- Despite the additional barriers they face, **artists with disabilities make a creative contribution to cultural life. People with disabilities should also have equal access to works of art and be able to enjoy cultural life on a par with all citizens.**
- **The United Nations (UN) Convention on the Rights of People with Disabilities entered into force in 2011.**
- It enshrined, among other rights, **the right of people with disabilities to access cultural venues such as theatres, cinemas and museums, and to enjoy cultural materials, books, films and music in an accessible format.**
- It also **highlighted the right of people with disabilities to participate in cultural life as both amateur and professional artists.**
- The European Union, party to the Convention, is committed to working on legislation, and implementing and promoting programs and actions in favor of these rights. The EU disability strategy is a step in this direction. **It also covers the cultural rights of 80 million people with disabilities in the EU.** According to a public consultation on disability issues carried out in accordance with the recommendations of experts from the Member States working on access to culture, **such access is an important area that the EU should address.**
- Various EU funds contribute financially to research and innovation, cultural and infrastructure projects, and programs promoting **the right to cultural life of people with disabilities within this framework.**
- In October 2018, the EU also ratified the Marrakesh Treaty, administered by the World Intellectual Property Organization, **to facilitate access to published works for people who are blind, visually impaired, or otherwise print disabled.**
- The EU effectively became a party to the treaty as of **1 January 2019**, committing to set mandatory limitations and exceptions for the **benefit of the blind, visually impaired, and otherwise print disabled.**
- The European Parliament and its **Disability Intergroup**, established in 1980, promote the rights, **including the cultural rights, of people**

**with disabilities. Not everyone has equal access to culture either as a consumer, or as an amateur or professional contributor. People with disabilities can face particular barriers owing to the inaccessibility of cultural premises, venues or content.**

- People in wheelchairs cannot attend a concert if the only way into a hall is up a flight of stairs.
- blind and low vision people cannot appreciate exhibits in a museum if there are no descriptions in accessible audio or electronic format or in Braille or large print.
- A deaf person cannot enjoy a film in a cinema if there is no subtitling or sign-language interpretation.
- These barriers persist even though the EU is party to the UN Convention on the Rights of People with Disabilities (CRPD), adopted in 2006 and in force since January 2011.
- Article 30 enshrines the right of people with disabilities to participate in cultural life:
  - including access to **cultural materials** in accessible formats
  - **television programs**
  - **films, theatre** and other **cultural activities** in accessible formats
  - cultural performances or services, such as **theatres, museums, cinemas, libraries and tourism services**, and, as far as possible, **monuments and sites of national cultural importance**.
- It also establishes the right of **people with disabilities** to develop and utilize their creative, artistic and intellectual potential, as **both amateur and professional artists**, and to have **their linguistic and cultural identities recognized and supported**:
  - sign language for instance.
- To this end it is necessary to ensure that **laws protecting intellectual property rights do not constitute an unreasonable or discriminatory barrier to access by persons with disabilities to cultural materials**.
- **The Marrakesh Treaty** was adopted in 2013 to set **mandatory limitations and exceptions to intellectual property rights for the benefit of the blind, visually impaired and otherwise print disabled**. **The EU ratified the treaty** in October 2018 and became party to it as of 1 January 2019.
- Cultural life of people with disabilities:
  - Although Article 31 CRPD focuses on the need to collect appropriate information and statistical and research data to formulate and

implement policies on the inclusion of people with disabilities, **there is still a lack of data on the subject, particularly on access to culture.**

- According to the Commission, **80 million people in the EU** are affected by a disability ('long-term physical, mental, intellectual or sensory impairment') to some degree. As the population is ageing, **the figure is expected to grow.**
- By 2020, **one-fifth of the EU population** is expected to have some form of disability. The EU's statistical office Eurostat reports that one in seven people between the ages of 15 and 64 has difficulties with basic activities, such as **walking** (4.2 % of women, 3.4 % of men), **seeing** (2.1 % of women, 1.8 % of men) or **hearing** (1 % of women, 1.3 % of men).
- Meanwhile, **just 1 %-5 % of literature is accessible to blind and visually impaired people.**
- These three categories:
  - blind and partially sighted people (estimated at over 30 million by the European Blind Union).
  - wheelchair users (estimated at 5 million).
  - deaf people (750 000 sign-language users according to the European Union of the Deaf).**constitute almost half the whole population of people with disabilities.**
- The needs of people with disabilities **are not yet covered by EU statistics.**

The March 2012 Flash Eurobarometer on accessibility does not include any data on access for wheelchair users, interpretation in sign language, or audio description for visually impaired people, or on the cultural consumption and habits of people with disabilities.

- The European Blind Union conducted a survey on access to culture in 2012. **The results revealed that people with visual disabilities have poor access to culture.** The authors noted that **little had been done across the EU to facilitate museum access for the blind, partially - sighted, deaf or hard of hearing, or for people with learning difficulties.**
- Measures to promote participation in and access to culture:
  - In 2010, the European Commission adopted a communication European Disability Strategy 2010-2020: **A Renewed Commitment to a Barrier-Free Europe that addressed participation in culture among its**



**objectives and committed to considering an accessibility act.**

- The Commission undertook to work to **improve the accessibility of cultural organizations, activities, events, venues, goods and services, including audiovisual services, for people with disabilities, their participation in such events, as well as possible uses of exceptions to the Copyright Directive.**
- The Commission's staff working document accompanying the communication proposed specific actions to implement the strategy. These included: cross-border **transfer of copyright works in an accessible format, accessibility of the interface and contents of Europeana (the European public digital library) for people with disabilities.**
- consideration of accessibility criteria in the context of the **'European Capitals of Culture'** award. The latter evolved in 2015 into **the European Access City Award** (the 2022 award winners were Luxembourg city, Helsinki (Finland), Barcelona (Spain). Special mention for Leuven (Belgium), Palma de Mallorca (Spain) and Oporto (Portugal). In 2018 – European Year of Cultural Heritage – **special awards for accessibility of cultural heritage** were granted to Viborg (Denmark) and Monteverde (Italy).
- In **2017**, the **European Parliament** and the **Council adopted Directive (EU) 2017/1564** on certain permitted **uses of certain works protected by copyright for the benefit of persons who are blind, visually impaired or otherwise print-disabled, implementing the Marrakesh Treaty.**
- A regulation on the **cross-border exchange between the EU and third countries of accessible format copies of certain works protected by copyright for the benefit of blind, visually impaired or otherwise print-disabled people** was also adopted.
- Although these acts resolve major legal issues, **technical issues relating to the lack of works available in a proper format have still to be addressed.**
- **The European Accessibility Act**, an EU directive adopted in **March 2019**, sets out rules on **products and services accessible** to people with disabilities and functional limitations, **including electronic devices, websites and audiovisual media services.** It

addresses access to **audiovisual media services such as broadcast television and related consumer equipment, TV equipment related to digital television services, e-books, and e-commerce (important for purchasing tickets for cultural events).**

- The 2015 impact assessment accompanying the Commission's original proposal included information gathered during public consultations on **access to cultural life by people with disabilities**. The impact assessment is in line with the recommendations of a 2012 report of a working group of EU Member States' experts on **better access to and wider participation in culture**.
- They recommended **cooperating with organizations representing people with disabilities** in order to address this issue, **listing culture as a fifth key area where accessibility problems needed to be addressed**.
- Access to culture is also affected by: **information, mobility and the practical design of cultural venues**.  
EU-funded projects EU funding programs co-finance and promote projects centered on **access to cultural life for people with disabilities**.
- **In 2016 the EU disability card was piloted in eight Member States**: the card offers **people with disabilities equal access and mainly free admission to cultural venues, a visual and audio guide, sign language tours and information geared towards the visually impaired**, thus helping to overcome financial and physical barriers.
- The European structural and investment funds help to **improve physical access to cultural sites and buildings**. This is particularly important for old theatres or museums that need to adapt to the needs of wheelchair users.
- The Horizon 2020 program co-funded the Arches project **on translation software and sign language avatars**. It allows **deaf people to access information on works of art exhibited in museums using a computer database and animated sign language avatars**.
- **The EU's Creative Europe program** co-funded the **Audience Blending by Arts project** and its **Sign and Sound Theatre project**, which enables audiences and

artists **with or without disabilities to enjoy the same cultural experience.**

- It also co-funds the **Europe Beyond Access project**, supporting **disabled artists** who face additional barriers on their professional journey.
- Last but not least, **Towards Creative Inclusion in Adult Education is an Erasmus** co-funded project that looks for examples of best practice in education policy regarding **inclusive arts** and guidelines for educators and arts practitioners. It is developing **an inclusive arts education knowledge center.**

## 5. European Commission - 2021 - Union of equality: Strategy for the rights of persons with disabilities 2021-2030

<https://ec.europa.eu/social/main.jsp?catId=1484>

<https://ec.europa.eu/social/main.jsp?langId=en&catId=1137&furtherNews=yes&newsId=9938>

[https://ec.europa.eu/info/strategy/priorities-2019-2024/economy-works-people/jobs-growth-and-investment/european-pillar-social-rights/european-pillar-social-rights-20-principles\\_en](https://ec.europa.eu/info/strategy/priorities-2019-2024/economy-works-people/jobs-growth-and-investment/european-pillar-social-rights/european-pillar-social-rights-20-principles_en)

- Equal participation as it aims to effectively protect persons with disabilities from any form of discrimination and violence, to ensure equal opportunities in and access to justice, education, **culture, sport, and tourism**, but also equal access to all health services.
- Non-discrimination and equal opportunities: The strategy aims to protect persons with disabilities from any form of discrimination and violence. It aims to ensure equal opportunities in and access to justice, education, **culture, sport, and tourism**. Equal access must also be guaranteed to all health services and employment.
- Inclusion of people with disabilities:  
People with disabilities have the right to income support that ensures living in dignity, services that enable them to participate in the labour market and in society, and a work environment adapted to their needs.

## 6. European Commission - Strategy for the Rights of Persons with Disabilities 2021 - 2030

[https://ec.europa.eu/commission/presscorner/detail/en/qanda\\_21\\_81](https://ec.europa.eu/commission/presscorner/detail/en/qanda_21_81)

3

- The strategy aims to protect persons with disabilities from any form of discrimination and violence. It will include actions on access to justice and healthcare and strengthening **the participation of persons with disabilities in arts and culture, recreation, leisure, sport, and tourism.**
- **Why is accessibility important for the inclusion of people with disabilities and what is the Commission doing to achieve it?**

It is impossible to participate in society on an equal basis with others when your environment – physical or virtual – is not accessible. Today, thanks to a solid EU legal framework (e.g. the [European Accessibility Act](#), [Web Accessibility Directive](#), [Passenger rights](#)) persons with disabilities have better access to transport, buildings, paper and online information, **audio-visual media** and communications, including electronic ones, as well as to other products and services. Yet, many areas are still not covered by EU rules, and there are differences in the accessibility of buildings, **public spaces**, and some modes of transport. Inaccessible information and services **can lead to isolation for persons with disabilities**. Therefore, the European Commission will launch a European resource center '**Accessible EU**' in **2022**, to build a knowledge base of information and good practices on accessibility across sectors.

## 7. EU Directive 2019/882 of the European Parliament and of the Council of 17 April 2019 on the accessibility requirements for products and services (Text with EEA relevance)

<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32019L0882>

Directive (EU) 2016/2102 defines **accessibility requirements for websites and mobile applications of public sector bodies and other related aspects, in particular requirements relating to the compliance of the relevant websites and mobile applications.**

11. There is also a need for concerted action to ensure that electronic content, **electronic communications services** and access to **audiovisual**

**media** services are fully available to persons with disabilities. It is therefore necessary to harmonize accessibility requirements across the digital single market and to ensure that all Union citizens, regardless of their abilities, can enjoy its benefits.

**13.** The **UN CRPD** requires its Parties to take appropriate measures to ensure that **persons with disabilities have access, on an equal basis with others, to the physical environment, to transportation, to information and communications, including information and communications technologies and systems, and to other facilities and services open or provided to the public, both in urban and in rural areas.** The **United Nations Committee on the Rights of Persons with Disabilities** has identified the need to create a legislative framework with concrete, enforceable and time- bound benchmarks for monitoring the gradual implementation of accessibility.

**31.** For the purposes of this Directive, access to **audiovisual media** services should mean that **the access to audiovisual content is accessible, as well as mechanisms that allow users with disabilities to use their assistive technologies.** **Services providing access to audiovisual media services could include websites, online applications, set-top box-based applications, downloadable applications, mobile device-based services including mobile applications and related media players as well as connected television services.** Accessibility of audiovisual media services is regulated in Directive 2010/13/EU of the European Parliament and of the Council ( 6 ), with the exception of the accessibility of electronic program guides (EPGs) which are included in the definition of services providing access to audiovisual media services to which this Directive applies.

**41.** **E-book files are based on an electronic computer coding that enables the circulation and consultation of a mostly textual and graphical intellectual work.** The degree of precision of this coding determines the accessibility of e-book files, in particular regarding the qualification of the different constitutive elements of the work and the standardized description of its structure. The interoperability in terms of accessibility should optimize the compatibility of those files with the user agents and with current and future assistive technologies. Specific features of special volumes like comics, children's books and art books should be considered in the light of all applicable accessibility requirements. **Divergent accessibility requirements in Member States would make it difficult for publishers and other economic operators to benefit from the advantages of the internal market, could create interoperability problems with e-readers and would limit the access for consumers with disabilities.** In the context of e-books, the concept of a service provider could include publishers and other economic operators involved in their distribution.

**47. 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.**

## **8. Council of Europe, 2015 - Access for People with Disabilities to Culture, Tourism, Sports and Leisure Activities: Towards Meaningful and Enriching Participation**

[https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=&ved=2ahUKEwiE4OXM6\\_P7AhWNRaQEHVneC4UQFnoECBEQAQ&url=https://www.coe.int/t/t16805a2a23&usq=AOvVaw0FJhlyJdwW57vd4aGZYm7i](https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=&ved=2ahUKEwiE4OXM6_P7AhWNRaQEHVneC4UQFnoECBEQAQ&url=https://www.coe.int/t/t16805a2a23&usq=AOvVaw0FJhlyJdwW57vd4aGZYm7i)

Everyone has the right to enjoy the arts. Everybody has the right to take part in sports.

Everyone has the right to go to hotels, restaurants and bars. But wheelchair users cannot go to a concert if there are only stairs in the concert hall. A blind or low vision person cannot enjoy a painting if there is no description of it he/she can hear in the gallery. A deaf person cannot enjoy a movie if there are no subtitles. A person with intellectual disability cannot enjoy a book if there is no easy-to-read version of it. The Convention on the Rights of Persons with

Disabilities requires governments to make sure that all persons with disabilities can:

- Enjoy culture in an accessible way
- Enjoy TV, films and theatre plays in an accessible way
- Access theatres, cinemas, museums, galleries, hotels and restaurants easily.

Deaf persons have the right to use their sign language.

All persons with disabilities have the right to take part in sports.

Governments must take steps to enable them to do so persons with disabilities have the right to go to hotels, restaurants and bars.

People working in hotels, restaurants and bars have to make sure they are able to enter the relevant premises and make them feel welcome.

Various countries across Europe have taken action to make culture, sports, tourism and leisure activities accessible for persons with disabilities. Some measures have been successful. More must be done. All new cinemas, theatres, museums, galleries, libraries, sports and concert halls, hotels and restaurants must be accessible for persons with disabilities. People working there must receive training in how to cater for guests with disabilities. Governments must identify funding to make existing museums, galleries, libraries, sports and concert halls, hotels, restaurants and bars accessible for persons with disabilities. They must work together with persons with disabilities. Together, they can make sure that all persons with disabilities are able to access culture, sports, tourism and leisure activities.

### In Sweden:

- **The Swedish Arts Council** and **The Swedish National Heritage Board** are sector authorities responsible for coordinating, supporting and driving forward developments in order to achieve the national disability policy goals.
- **The Swedish Arts Council** has conducted a survey among 301 operators who receive grants from the Ministry of Cultural Affairs. These operators work in theatre, dance, music, literature, libraries and museums. Nearly half (42%) have an action plan, and 33% have begun to work on an action plan. 40% of the plans were developed before 2007, but almost all have been updated since 2007. 25% of the operators have had revised plans from 2012. For physical accessibility, 44% of the operators had inventoried their public buildings fully, 43% had done so in part. Among these, 16% had corrected all easily removed obstacles and 50% had done so to a significant extent.
- **The Swedish Arts Council** believes that better information is needed on the content of easily removed obstacles. A further difficulty is that many of the operators are not running their activities in premises which they own themselves. 52% of the operators provide information about the accessibility of their activities on their websites.

A smaller number provide information about shortcomings in accessibility (21%). The study showed that education was one of the most important factors for improving accessibility. 29% of the operators had completed training on accessibility.

- **The Arts Council's** examination of museums showed that just over half had no special activities for children and young people with

disabilities. Some museums felt that since all were welcome regardless of ability, there was no need for special solutions.

- **The Arts Council's work** was previously focused on museums and libraries, where the work on increasing accessibility has made substantial progress.
- Within the field of drama, progress has also been made in part with the aid of **Nordic collaboration** in terms of improving access to information, premises and activities for persons with disabilities.
- In order to increase access to touring theatre companies, **the Swedish Arts Council** is supporting work aimed at developing portable devices for visual and sign language interpreting in co-operation with disability organizations.

It is becoming increasingly common for professional theatre and dance groups to include actors and dancers both with and without disabilities (**CRPD/C/SWE/1**).

- “Within the Nordic Council of Ministers, the Swedish National Heritage Board has participated in a collaborative project regarding accessibility to various culturally historical settings, such as extensive historical landscapes and ancient monuments. The Board has also worked towards accessibility issues being introduced in cultural heritage education at Stockholm University” (**CRPD/C/SWE/1**).
- **Swedish DPOs** present annual awards to cultural institutions which make their programs and venues accessible for persons with disabilities.

For a number of years, the Copyright Act has included technology-neutral provisions which guarantee that persons with disabilities have access to copyright-protected works.

- In its broadcasting licenses for **Sveriges Radio AB**, **Sveriges Television AB (SVT)** and **Sveriges utbildningsradio AB**, the government stipulates that these companies must take the needs of persons with disabilities into consideration. In the broadcasting licenses for the period 2010-2013, the goals have been increased for example with regard to the subtitling of TV programs (**CRPD/C/SWE/1**).
- **The Swedish Library of Talking Books and Braille (TPB)** is conducting extensive work on change, with digital technology being used for example for the downloading of talking books. **TPB, the Talking Newspapers Council** and the **Swedish Post and Telecom**



**Agency** have received commissions relating to e.g. talking newspapers.

- Operations at the **Talking Newspapers Council** were transferred to **TPB on 1 August 2010 (CRPD/C/SWE/1)**.

**The Easy-to-Read Foundation** has been commissioned by the government and parliament to make news information and literature available to **persons with reading difficulties** or who are not trained in the Swedish language (CRPD/C/SWE/1).

## 9. Accessible background Europe paper 2019

[https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=&cad=rja&uact=8&ved=2ahUKEwjg7baI7fP7AhWaTaQEHYeYDMoQFnoECA0QAQ&url=https%3A%2F%2Fbuyict4all.org%2Fupload%2FAccessible-Europe-2019\\_Background-Paper\\_1008\\_ICT-Accessibility-standards-procurement-FINAL.pdf&usq=AOvVaw07C0YJwHnJPTGDO9jiGksb](https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=&cad=rja&uact=8&ved=2ahUKEwjg7baI7fP7AhWaTaQEHYeYDMoQFnoECA0QAQ&url=https%3A%2F%2Fbuyict4all.org%2Fupload%2FAccessible-Europe-2019_Background-Paper_1008_ICT-Accessibility-standards-procurement-FINAL.pdf&usq=AOvVaw07C0YJwHnJPTGDO9jiGksb)

**Accessible audio-visual media** services for all is an increasing challenge. On the one side, the AVMS (Audio visual Media Services) landscape is changing with technology advancements, innovation, new business models and changing consumption habits.

On the other side, more people in Europe than ever are facing disabilities and the number is ever increasing. **A quarter of the European Union** ( population aged 16 or over) reported long standing disabilities in 2017. Europe's population is also steadily ageing, and so the prevalence of age-related disabilities is increasing. In addition, the **World Health Organization** estimates that 1,1 billion young people worldwide could be at risk of hearing loss due to unsafe listening practices.

Young people could also be at risk of health and vision issues due to increased use of digital technology.

The transition from analogue to digital television has been the biggest technological leap in the history of television. It altered the experience of television for viewers, distributors, and producers. **For accessibility, it has brought new possibilities** for delivering accessible services and so new promises **for persons with disabilities**.

Several European and international organizations have made continued efforts to make **AVMS in Europe accessible**. However, accessible services have been introduced at a much slower pace than anticipated.

There are several reasons for this:

- There are technological challenges, complexity arising from the multiplatform environment and variety of standards applied across Europe. These issues are exacerbated by a lack of understanding of the whole end to end delivery chain for accessible **AVMS** as well as

a lack of cooperation and consensus among stakeholders. It is a challenge to understand and manage all elements of the end-to-end delivery chain.

Apart from technological challenges, broadcasters and service providers also warn of high costs of providing accessible AVMS throughout the delivery chain.

- It has become clear over the past fifteen years that accessibility policy and legal frameworks across Europe are not effective. They are fragmented and divided into provisions on media content, transmission services, electronic communications networks and services, and consumer terminal equipment. Often, there is a lack of policy coordination and countries also fail to impose clear legal obligations and targets for accessibility of AVMS.

Since December 2006, when the **Convention on the Rights of Persons with Disabilities** was adopted, the demand for availability of **accessible broadcasting** services has grown. Moreover, an international legal basis for accessibility of broadcasting services has been established as European countries signed and ratified the convention.

**The CRPD** identifies obligations on States parties in relation to the rights of persons with disabilities.

Although it is obligatory for the State parties, **the CRPD is not directly enforceable in national courts**, so appropriate legislative and administrative measures need to be adopted to fully transpose the accessibility requirements.

**The EU has significantly improved the legal framework for accessibility of AVMS** with the revision of the **Audiovisual Media Services Directive in 2018**, which regulates the accessibility features of audio-visual content.

**It requires the EU Member States to encourage media service providers to develop accessibility action plans in respect of continuously and progressively making their services more accessible to persons with disabilities.**

**In 2019, the EU also adopted the Accessibility Act** that sets out accessibility requirements for certain products and services, including those providing **access to audio-visual media services and programs**, focusing on the infrastructure or the means by which audio-visual content is accessed.

## **10. European Parliament 2019-2024 P9\_TA(2021)0414**

The protection of persons with disabilities through petitions: lessons learnt  
[https://www.europarl.europa.eu/doceo/document/TA-9-2021-0414\\_EN.html](https://www.europarl.europa.eu/doceo/document/TA-9-2021-0414_EN.html)

**48. Urges Member States to transpose into national legislation the long overdue Audiovisual Media Services Directive and, in line with Article 7 thereof, to provide accessible audiovisual media services to persons with disabilities.**

**AL.** Whereas access to quality employment, education and training, healthcare, social protection, including across borders, adequate housing, support for independent living and **equal opportunities to participate in leisure activities and community life are essential to the quality of life of persons with disabilities.**

Whereas **women and girls with disabilities experience multiple intersectional discrimination and challenges arising from the intersection of gender and disability with sexual orientation, gender identity, gender expression, sex characteristics, country of origin, class, migration status, age or racial or ethnic origin.**

**Whereas women with disabilities from minority backgrounds are more likely to experience triple discrimination on account of their vulnerable situation.**

Whereas **discrimination creates obstacles to their participation in all areas of life**, including socio-economic disadvantages, social isolation, gender-based violence, forced sterilization and abortion, **lack of access to community services, culture, sports and leisure**, low-quality housing, institutionalization and inadequate healthcare.

Whereas these obstacles diminish the probability of fully participating in, actively engaging in and contributing to society, including in education and the labour market.

**98. Calls on the EU institutions to ensure the highest accessibility standards in their infrastructures, services and digital services**, to make every effort to publish their documents related to legislative procedures in a **user-friendly and accessible way, and to ensure that persons with disabilities can properly and fully access their websites and contact forms.**

**Encourages the Member States to develop programs which aim to include persons with disabilities in society through sport, the arts, culture and leisure activities, and which promote their participation in the political process without any constraints.**

**110. Recognizes the value of school and sport as crucial in the growth and development of children with disabilities**, especially those with autism; regrets that, during the pandemic, **distance learning has deprived them of these fundamental activities.** Hopes that their education will be prioritized in the reopening policies in the Member States.

## 11. Implementation of the European Disability Strategy Committee on Employment and Social Affairs European Parliament resolution of 30 November 2017 on implementation of the European Disability Strategy (2017/2127(INI))

[https://www.europarl.europa.eu/doceo/document/TA-8-2017-0474\\_EN.docx](https://www.europarl.europa.eu/doceo/document/TA-8-2017-0474_EN.docx)

[https://www.europarl.europa.eu/doceo/document/A-8-2017-0339\\_EN.html](https://www.europarl.europa.eu/doceo/document/A-8-2017-0339_EN.html)

**S.** Whereas the model of independent living, as underlined by the **UNCRPD**, safeguards the highest degree of accessibility possible.

Whereas access to other services such as accessible transport, **cultural and leisure activities are also a component of quality living and can contribute to the integration of persons with disabilities.**

### **Opinion of the committee on culture and education:**

**2.** Calls on the Commission to provide better support to Member States' efforts to remove legal and organizational barriers and to ensure **equal access for people with disabilities** to inclusive education and training, including vocational education and training (VET) and adult learning, **culture, tourism and sport.**

Emphasizes the importance of ensuring the availability, accessibility and affordability of individualized support services for people with disabilities.

**18.** Considers it essential to promote effective access to mobility – including through the introduction in all Member States of the **EU Disability Card**, a mutual recognition system currently being developed by the EU in order to ensure **equal access to certain specific benefits, mainly in the areas of culture, leisure, sport and transport** and to **extracurricular activities, such as theatre, dance, music, art**, to improve information for people with disabilities regarding mobility opportunities, to provide them with the necessary guidance and assistance and to address the difficulties they encounter, including through the proper training of staff in national agencies and hosting institutions.

**23.** **Underlines that young people with disabilities participate less in physical activity than their peers without disabilities** and that schools play an important role in adopting a healthy lifestyle; stresses, therefore, the importance of **fostering greater participation of young people with disabilities in physical activities.**

**Calls on the Member States to swiftly eliminate all existing barriers hindering the participation of people with disabilities or people with special needs in sports activities.**

**24. Welcomes the increase in support for access to sport for people with disabilities through the Erasmus+ program and calls for appropriate support to be given to initiatives aimed at improving accessibility and participation in sport at all levels, also for people with temporary impairments.**

**28.** Notes that the freedom of movement for European citizens must be guaranteed for persons with disabilities, to which end the Member States must ensure the mutual recognition of their situation and social rights pursuant to **Article 18 of the UNCRPD**. stresses that people with disabilities should be able to travel beyond the borders of their own countries and **enjoy the benefits of having access to culture, transport and sport**. Notes that other benefits should be examined and their mutual recognition promoted.

**33.** Recalls the obligations of the **CRPD**, ratified by the **European Union**, as well as **Articles 21 and 26** of the **Charter of Fundamental Rights of the European Union**, which state that independence, integration and access to an inclusive education and training system, **civic and cultural life, recreational activities and sport are guaranteed rights**, and that **any form of discrimination based on disability is prohibited**.

Urges the Commission and the Member States to scale up their efforts to fully implement these obligations, namely by adopting legislative measures in compliance with those rights, or else risk failing to reach the **2020 targets set by the European Disability Strategy**.

**34.** Notes that the transversal nature of mobility and accessibility makes them indispensable for the full enjoyment of a wide range of freedoms and rights, such as **the possibility of travelling and moving to other Member States, the right to culture and the right to sport**.

**64.** Underlines that **young persons with disabilities participate less in physical activity than their peers without disabilities** and that schools play an important role in adopting a healthy lifestyle.

Stresses, therefore, **the importance of fostering greater participation of young persons with disabilities in physical activities**.

**Calls on the Member States to swiftly eliminate all existing barriers hindering the participation of persons with disabilities or people with special needs in sports activities.**

## **12. Disability rights strategy for 2021-30 - Roadmap**

[https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/12603-Disability-rights-strategy-for-2021-30\\_en](https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/12603-Disability-rights-strategy-for-2021-30_en)

Equal participation and non-discrimination should be a reality for everybody. The Strategy should also contribute to improving access to justice, freedom and security of persons with disabilities and a better access to culture, recreation, leisure, sports and tourism.

### 13. International Disability in Sport Working Group

[https://pacific.ohchr.org/docs/UN\\_Sport\\_Disability\\_Booklet.pdf](https://pacific.ohchr.org/docs/UN_Sport_Disability_Booklet.pdf)

The mission of the International Disability in Sport Working Group, in accordance with Article 30.5 of the United Nations Convention on the Rights of Persons with Disabilities, is to **advance and protect people with disabilities' human rights as they relate to sport.**

1. **To promote the advancement of human rights for people with disabilities as they relate to sport.**
2. **To monitor the status of people with a disabilities' right to sport in all regions of the world.**
3. **To develop and support research that enhances people with disabilities' human rights to sport.**
4. **To develop and support sport and physical activity programs for people with disabilities.**

### 14. Sweden Government cultural policy: Objectives

<https://www.government.se/government-policy/culture/objectives/>

Updated 06 March 2015

The objectives for cultural policy are that culture is to be a dynamic, challenging, and independent force based on freedom of expression, that **everyone is to be able to participate in cultural life**, and that creativity, diversity and artistic quality are to be integral parts of society's development.

To achieve these objectives, cultural policy is to:

- promote opportunities **for everyone** to experience culture, participate in educational programmes and develop their creative abilities.
- **promote quality and artistic renewal.**

The Riksdag has adopted the following national objectives for the policy for literature and reading promotion:

**Everyone in Sweden, regardless of background and on the basis of each individual's particular circumstances, is to be given the opportunity to develop good reading skills and have access to high-quality literature.**



## 15. Sweden Government Objective for disability policy

<https://www.government.se/government-policy/disabilities/objectives/>

Based on the **UN Convention on the Rights of Persons with Disabilities**, the national objective of disability policy is to achieve equitable living conditions and **full participation in a diverse society for people with disabilities**.

## 16. Sweden Bill (Prop. 2013/14:198)

**Inadequate accessibility for people with disabilities as a new form of discrimination**

It is proposed that the Bill enter into force on **1 January 2015**.

The Bill contains proposed amendments to the Discrimination Act (2008:567) that introduce **inadequate accessibility for people with disabilities as a new form of discrimination**. Inadequate accessibility means that **a person with a disability is disadvantaged through a failure to take accessibility measures to put people with disabilities in a situation comparable to that of people without such disabilities**.

It is proposed that the **prohibition of discrimination through inadequate accessibility** should apply to the following areas of society:

working life, education, labour market policy activities and employment services not under public contract, starting or running a business, professional recognition, membership of certain organizations, goods and services, **public meetings, public events**, health and medical care, social services, social insurance, unemployment insurance, state financial aid for studies, national military and civilian service, and public employment.

## 17. The Swedish Agency for Accessible Media (MTM)

<https://www.government.se/government-agencies/swedish-agency-for-accessible-media/>

<https://www.mtm.se/english/>

- **The MTM mandate is to ensure that all persons with reading impairments can access literature and daily newspapers through media appropriate to them.**

- **MTM makes available printed books for persons with reading impairment, as include talking books, Braille books, e-textbooks, tactile picture books and sign language literature.**
- The right to borrow talking books:
  - **A person with a functional disability that results in he or she is needing adaptive measures in order to be able to read a published work has the right to borrow talking books.**

Examples of functional disabilities are:

- Visual impairment
- Physical impairment
- Mental impairment
- Reading and writing problems
- Hearing impairment (for hearing training)
- Temporary reading disability
- Cognitive functional disabilities (e.g., traumatic brain injuries, aphasia, autism, ADHD/DAMP, dementia conditions, whiplash injuries and mental functional impairment)

## **18. Sweden Discrimination Act**

<https://www.do.se/choose-language/english/discrimination-act#h-Chapter2Prohibitionofdiscriminationandreprisals>

<https://www.do.se/choose-language/english>

<https://sweden.se/life/equality/disability-policy>

In 2009, **the Discrimination Act was introduced in Sweden**, its general purpose being to strengthen the legal protection of the individual and to help victims of discrimination obtain redress and financial compensation.

The Act combats discrimination on the grounds of gender, transgender identity or expression, ethnicity, religion or other beliefs, **disability**, sexual orientation, or age, and is divided into two parts:

1. The proactive part of the law imposes a duty to take positive action and concerns working life and the educational system.
2. **The reactive part of the law deals with the prohibition of discrimination in working life, in the educational system and in other areas of society.**



**The Equality Ombudsman (Diskriminerings ombudsmannen, DO)** is a government agency that works to promote a society free from discrimination.

The Equality Ombudsman (DO) monitors compliance with these laws.

**Full participation in society is the top goal in Sweden's disability policy.** The Swedish Agency for Participation is an expert agency that promotes work with the implementation **of disability policy**. We develop and spread information about obstacles to participation and support public-sector bodies.

## Discrimination

### Section 4

In this Act **discrimination has the meaning set out in this Section:**

**Direct discrimination:** that someone is disadvantaged by being treated less favourably than someone else is treated, has been treated or would have been treated in a comparable situation, if this disadvantaging is associated with sex, transgender identity or expression, ethnicity, religion or other belief, **disability**, sexual orientation, or age.

**Indirect discrimination:** that someone is disadvantaged by the application of a provision, a criterion or a procedure that appears neutral but that may put people of a certain sex, a certain transgender identity or expression, a certain ethnicity, a certain religion or other belief, a **certain disability**, a certain sexual orientation or a certain age at a particular disadvantage, unless the provision, criterion or procedure has a legitimate purpose and the means that are used are appropriate and necessary to achieve that purpose.

**Inadequate accessibility:** that a person with disability is disadvantaged through a failure to take measures for accessibility to enable the person to come into a situation comparable with that of persons without this **disability** where such measures are reasonable on the basis of accessibility requirements in laws and other statutes, and with consideration to the financial and practical conditions, the duration and nature of the relationship or contact between the operator and the individual, and other circumstances of relevance.

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