

EN

E-003182/2022

Answer given by Mr Breton  
on behalf of the European Commission  
(17.11.2022)

1. The Directive (EU) 2016/2102 requires Member States to ensure an adequate and effective enforcement procedure to guarantee compliance with it<sup>1</sup>. In addition, public sector websites and mobile applications must include a clear accessibility statement, enabling anyone to notify the authority concerned of any failures to comply with accessibility requirements. Member States must ensure that such notifications are processed effectively, for example by enabling citizens to contact an ombudsman<sup>2</sup>. Thus, the Member States are obliged to adopt measures necessary to guarantee the effective enforcement of this directive, including, as necessary, a system of sanctions.

2. Member States are required to periodically monitor the compliance of public sector websites and mobile applications with the accessibility requirements<sup>3</sup>. In 2021, Member States, including Belgium, published their first monitoring reports<sup>4</sup>. In addition, the 2022 eGovernment Benchmark<sup>5</sup> evaluated web accessibility of online public services in the EU as a pilot indicator.

3. The Commission actively supports Member States to assure uniform implementation of the directive through the Web Accessibility Directive Expert Group<sup>6</sup>. Monitoring and reporting obligations have helped raise awareness of web accessibility in the public sector, where the level of web accessibility has increased in recent years. With relevant processes in place, and the implementation of the European Accessibility Act<sup>7</sup>, the Commission expects the accessibility of online content in both the public and private sector to continue to improve.

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<sup>1</sup> Article 9 of the Directive, in particular, appoints a body responsible for the enforcement of the Directive, <https://eur-lex.europa.eu/legal-content/GA/TXT/?uri=CELEX:32016L2102>

<sup>2</sup> In Belgium, citizens can contact the national enforcement body and/or relevant ombudsman. List of Member States' monitoring, reporting and enforcement bodies is published on the Commission website, <https://digital-strategy.ec.europa.eu/en/policies/web-accessibility-monitoring>

<sup>3</sup> Article 8 of the Directive and Commission Implementing Decision (EU) 2018/1524 establishing a monitoring methodology and the arrangements for reporting by Member States, OJ L 256, 12.10.2018, p. 108-116, [https://eur-lex.europa.eu/eli/dec\\_impl/2018/1524/oj](https://eur-lex.europa.eu/eli/dec_impl/2018/1524/oj)

<sup>4</sup> These reports are available on the Commission website, <https://digital-strategy.ec.europa.eu/en/library/web-accessibility-directive-monitoring-reports>

<sup>5</sup> eGovernment Benchmark 2022 – Background Report, p. 20-22. Accessibility pilot indicator, measured with automated tools on select criteria, helps determine if web content meets accessibility guidelines, but does not ascertain compliance with the directive. Pilot indicators are not included in the scoring of the benchmark, <https://digital-strategy.ec.europa.eu/en/library/egovernment-benchmark-2022>

<sup>6</sup> <https://ec.europa.eu/transparency/expert-groups-register/screen/expert-groups/consult?lang=en&groupID=3475>

<sup>7</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, <https://eur-lex.europa.eu/eli/dir/2019/882/oj>