



Accessibility measures as implemented by AVMS providers for persons with disabilities

AVMSD NOTE

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Accessibility measures as implemented by AVMS providers for persons with disabilities

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Director of publication – Susanne Nikoltchev, Executive Director

Editorial supervision – Maja Cappello, Head of Department for Legal Information

Editorial team – Maja Cappello, Sophie Valais, Justine Radel-Cormann

European Audiovisual Observatory

Contributing author

Abigail Rekas, Lecturer in Law and Innovation, University of Galway

Proofreading

Linda Byrne

Editorial assistant – Sabine Bouajaja

Press and Public Relations – Alison Hindhaugh, alison.hindhaugh@coe.int

European Audiovisual Observatory

Publisher

European Audiovisual Observatory

76, allée de la Robertsau, 67000 Strasbourg, France

Tel.: +33 (0)3 90 21 60 00

Fax: +33 (0)3 90 21 60 19

iris.obs@coe.int

www.obs.coe.int

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European Audiovisual Observatory

Foreword

As early as the 1930s, Emerson Romero (a silent film actor who went by the screen name Tommy Albert) developed the first technique to provide captions for sound films to make them accessible to the deaf and hard of hearing. His work later inspired the captioning technique used in films and movies as we know it today. With the democratisation of the television, Malcolm J. Norwood (listed as one of the “great deaf Americans” and more commonly known as “Mac”) thought of incorporating closed captioning into television programmes in the sixties. In the seventies, the invention of teletext allowed data hidden in a TV picture to be converted into text and simple images on a TV screen, giving birth to optional subtitles for the deaf and hard of hearing.

While these first developments were aimed at the deaf community, today’s accessibility measures are broader in scope and type. The Audiovisual Media Services Directive (AVMSD) requires audiovisual media service providers (including VOD services) to make their services accessible to people with disabilities, thus addressing visual impairments as well. Article 7 AVMSD calls on EU member states to make audiovisual media services continuously and progressively more accessible to persons with disabilities and invites service providers to develop accessibility action plans to pursue this objective.

This study looks at accessibility measures for people with disabilities across the EU, with the aim of providing our readers with a broad overview of the variety of accessibility measures put in place across the 27 EU member states. It provides a complete mapping of national legislations implementing Article 7 AVMSD as well as the types of accessibility measures and shares of content made accessible to persons with disabilities. The information is structured around a pan-European comparative analysis and easily accessible country profiles, reflecting the state of play as of September 2023.

This overview builds on the work of our national experts, who helped us gather the relevant information; our co-ordinating expert Abigail Rekas, University of Galway, who helped us structure and analyse the legal framework; and the media regulators in the EU member states, who helped us check the accuracy of the information. My warmest thanks go to all of them.

Strasbourg, December 2023

Maja Cappello

Head of the Department for Legal Information

European Audiovisual Observatory

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The report and the country summaries were drafted by the international expert, Dr Abigail Rekas.

Pool of national experts for the collection of data

Austria	The Austrian submission was provided by Dr. Harald Karl and Samuel Schuber of Pepelnik & Karl Rechtsanwälte GmbH.
Belgium	The Belgian submissions were provided by Olivier Hermanns, independent expert (French Community), and by Nadia Feci, Doctoral Researcher at both KU Leuven (CITIP) and Ghent University (Law & Technology) (Flemish Community).
Bulgaria	The Bulgarian submission was provided by Dr. Bissera Zankova, independent researcher and President of the “Media 21” Foundation.
Croatia	The Croatian submission was provided by Hrvoje Lisičar, Associate Professor of Law at the Faculty of Law of the University of Zagreb.
Cyprus	The Cypriot submission was provided by Professor Dr. Achilles Emilianides, Dean of the School of Law of the University of Nicosia.
Czechia	The Czech submission was provided by Jaroslav Tajbr, lawyer at Squire Patton Boggs.
Denmark	The Danish submission was provided by Terese Foged, Attorney and Partner of Lassen Ricard law firm.
Estonia	The Estonian submission was provided by Andres Jõesaar, Associate Professor of Media Policies at Tallinn University.
Finland	The Finnish submission was provided by Riku Neuvonen, Senior Lecturer of Public Law at the University of Helsinki.
France	The French submission was provided by Marc Le Roy, professor and PhD in law.
Germany	The German submission was provided by Giana Iacino, independent expert.
Greece	The Greek submission was provided by Alexandros Oikonomou Legal expert - National Council of Radio and Television (ESR - Ethniko Symvoulío Radiotileorasis)
Hungary	The Hungarian submission was provided by Gabor Polyak, Professor, Senior Researcher at Eötvös Loránd University, Mertek Media Monitor.

Ireland	The Irish submission was provided by Kirsty Park, Postdoctoral Researcher at Institute of Future Media, Democracy and Society in Ireland.
Italy	The Italian submission was provided by Ernesto Apa, lawyer and partner at Portolano Cavallo, and Fabiana Bisceglia and Eugenio Foco, lawyers at Portolano Cavallo.
Latvia	The Latvian submission was provided by Ieva Andersone, Partner and Head of the Competition and Regulatory team and Lūcija Strauta, assistant lawyer at Sorainen.
Lithuania	The Lithuanian submission was provided by Kristina Juraite, Professor of Public Communication and Julija Kalpokienė, PhD candidate and Junior Researcher at Vytautas Magnus University.
Luxembourg	The Luxembourgish submission was provided by Romain Kohn, journalist and media expert.
Malta	The Maltese submission was provided by Pierre Cassar, Director of Marketing and Communications at the University of Malta and Lecturer at the Faculty of Media and Knowledge Sciences.
Netherlands	The Dutch submission was provided by Louise Doorman, independent legal adviser.
Poland	The Polish submission was provided by Karol Kościński, Attorney at Law at Karol Kościński Legal Office.
Portugal	The Portuguese submission was provided by Elsa Costa e Silva, Assistant Professor and Mariana Lameiras, Researcher at the Communication and Society Research Centre (CSRC) of the University of Minho.
Romania	The Romanian submission was provided by Dr. Manuela Preoteasa, Associate Professor at the Faculty of Journalism and Communication Sciences of the University of Bucharest.
Slovakia	The Slovakian submission was provided by Norbert Vrabec, Associate Professor at the Faculty of Mass Media Communication of the University of St. Cyril and St. Methodius in Trnava.
Slovenia	The Slovenian submission was provided by Tanja Kersevan Smokvina, Researcher and Assistant Professor at the Social Communication Research Centre, University of Ljubljana.
Spain	The Spanish submission was provided by Joan Barata Mir, Fellow at the Stanford Cyber Policy Center.
Sweden	The Swedish submission was provided by Erik Ullberg, Lawyer and Managing Partner at Wistrand Lawfirm (Gothenburg, Sweden).

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1. Executive summary

1.1. Project objective

The changes introduced by the revised 2018 Audiovisual Media Services Directive (AVMSD)¹ with regard to the accessibility of audiovisual media services for persons with disabilities called for significant developments at national level. The implementation of the revised AVMSD has led to stronger obligations for audiovisual media service providers, bringing regulatory measures in line with the technological progress in accessibility achieved over the past years.

On this topic, the European Audiovisual Observatory published an IRIS Plus report on accessibility measures for persons with disabilities in May 2023, and this Note builds on its findings to provide an overview of the current situation in the EU member states.²

This Note looks at primary legislation (and secondary legislation, where available) developed at national level to transpose Article 7 AVMSD, and includes a comparative analysis.

1.2. Key findings

The minimum harmonisation nature of the revised AVMSD (hereinafter AVMSD) has prompted various approaches in implementing accessibility measures, as provided under Article 7. Identifying common trends is challenging as the detail of each implementation does not align across member states.

Video-on-demand (VOD) providers are subject to particularly diverse forms of regulation. Some member states, such as France, impose accessibility obligations on VOD services, while others only apply quotas for e.g. subtitling and audio-description to traditional linear broadcasting services, as is the case in the Netherlands.

¹ Directive 2018/1808/EU of the European Parliament and the Council of 14 November 2018 amending Directive 2010/13/EU on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the provision of audiovisual media services (Audiovisual Media Services Directive) in view of changing market realities [2018] OJ L 303/69.

² Cabrera Blázquez F.J., Cappello M., Larcourt A., Munch E., Radel-Cormann J., Valais S., Accessibility of audiovisual content for persons with disabilities, IRIS Plus, European Audiovisual Observatory, Strasbourg, April 2023 © European Audiovisual Observatory (Council of Europe), Strasbourg, 2023 <https://rm.coe.int/iris-plus-2023-01en-accessibility-of-audiovisual-content-for-persons-w/1680ab1bdc>



Almost all member states mirror the language of Article 7.1, in that services are to be "made continuously and progressively more accessible [...] through proportional measures," although the interpretations of this wording differ.

In 18 countries, obligations on public service broadcasters tend to be higher than those placed on private or commercial audiovisual media service providers.

A minority of member states provide a code of best practice to support audiovisual media service providers in implementing accessibility measures, either in primary or secondary legislation.

Slightly less than half of the member states explicitly take into account the technical or financial resources of the audiovisual media service provider when determining what proportional increases look like.

Member states report a number of issues in implementing accessibility measures, including financial constraints, technical challenges (eg. increasing the size of the window dedicated to the Sign Language interpreter on each device, or giving the ability to change the size of the subtitles on each platform), and intellectual property challenges (eg. creating audio descriptions without the authorisation of the copyright holder could be seen as an infringement).

The majority of member states focus on quantitative rather than qualitative increases in accessibility, with quotas measured in terms of total viewing hours, types of programming, or within specific time windows.

Subtitling is by far the most prevalent form of accessibility, with much higher quotas across member states. All member states include some obligation for subtitling, either in broad terms or with clear quotas. When comparing countries with quotas, it appears that 20 have quotas for subtitling and 14 for audio-description.

Of the other measures mentioned in Recital 23 of the revised AVMSD, sign language appears popular for current events and news programming but lags behind in entertainment-type programming.

Audio description quotas are lower than subtitling, though a number of member states note that progress is being made in increasing the percentage of audio-described content, and more audio-described content is available year on year. Examples include the Flemish Community of Belgium, Estonia and Ireland. It is also worth noting that the Netherlands has amended the budget of its Public Service broadcaster, NPO, to add EUR 4.2 Million to support audio description.

Spoken subtitles are only foreseen in 10 member states' AVMS legislation (BE(FL), BG, DK, EE, EL, LV, PT, RO, SE, SI). In both Hungary and the Netherlands, audiovisual media service providers implement spoken subtitles despite the fact they are not mentioned in legislation.

Several member states report they are in the process of implementing new regulations or have recently overhauled their regulatory body and have less information available as a result. Examples include Italy (where recommendations have to be made for accessibility measures), Ireland (where the new regulatory body is expected to draft new rules especially for VOD), and Slovakia (where the new rules came into force in 2022).



Denmark and Ireland have explicitly given their regulatory bodies investigatory powers and/or power to sanction audiovisual media service providers in relation to accessibility measures. Particularly notable is Denmark, which expressly authorises the Radio and Television Board to prosecute infringements of the Order on Accessibility and to impose sanctions, including suspension or cancellation of a broadcasting license. In Ireland, the BAI/CnaM may apply the BAI Compliance and Enforcement Policy in instances of apparent non compliance with the “Access Rules”. In Austria, the regulatory body may, in the event of non-compliance with the accessibility action plan, institute legal supervision proceedings.

Simple or easy to read language (i.e.: accessible format primarily intended for persons with intellectual disabilities or who have difficulties understanding written text)³ is referenced as a possible accessibility measure in 7 member states’ implementing legislation, secondary legislation or practice of AVMS providers.⁴ The inclusion of simple or easy to read language measures in some countries highlights a shift towards a more social model approach⁵ to accessibility, recognising that barriers beyond sensory disabilities may impact a person’s ability to access audiovisual media.

Some countries provide accessibility tools for creative content. Romania has a peculiarity in that it placed an obligation on Romanian cinematographic producers to provide subtitles rather than placing this burden exclusively on the providers of audiovisual media services. Spain requires that accessibility measures, once created, travel with licensed content: if a movie was made with an audio description file, the service provider must disseminate it while maintaining that accessibility measure, provided it is available in an interoperable format. The Action Plan developed by Austrian VOD provider Magenta On Demand is notable for ensuring that all contracts concluded with content suppliers and film studios include obligations to provide subtitles with licensed content.

³ United Nations, Disability Language Guidelines: Annex II, point 9, available at: <https://www.ungeneva.org/en/about/accessibility/disability-inclusive-language/annex-ii>

⁴ AT, DK, EL, LT, LU, LV, SI In Latvia and Slovenia simple/easy-to-understand language is not required by statute, but in Latvia, the VOD provider SIA Tet includes in its action plan a plan to increase the volume of programming with simple subtitles and in Slovenia, the public service broadcaster RTV Slovenia in Slovenia provides a news programme in easy-to-understand language.

⁵ The Social Model of disability is exemplified by the approach taken by the CRPD. It recognises that the locus of the “problem” of disability is not within the person but rather in the barriers society erects which hinder the person with a disability from accessing and enjoying their rights on an equal basis with others. It is a shift from the Medical Model of disability, which relies on medical diagnoses and definitions of disability, putting the locus of the problem on the person, not societal barriers. Mike Oliver, ‘The Social Model of Disability: Thirty Years On’ (2013) 28 *Disability & Society* 1024; Tom Shakespeare, ‘The Social Model of Disability’, *The Disability Studies Reader* (Routledge 2010); Anna Lawson and Angharad E Beckett, ‘The Social and Human Rights Models of Disability: Towards a Complementarity Thesis’ (2021) 25 *The International Journal of Human Rights* 348.



Denmark is also notable for explicitly incorporating principles of Universal Design⁶ in the contract for the public service broadcaster. Universal Design is the preferred approach of the United Nations Convention on the Rights of Persons with Disabilities (CRPD).⁷

Greece reports that in lieu of implementing more accommodations to benefit persons who are blind or visually impaired, audiovisual media service providers are obliged to give 0.3% of their annual gross income to disabled persons organisations representing persons who are blind or visually impaired.

In accordance with Article 7(4) of the AVMSD, the majority of member states (26 countries) have designated the website of their regulatory body as the primary channel for providing information and receiving complaints regarding accessibility issues. In particular, some member states, such as Slovenia, offer flexibility by allowing complaints to be submitted in person, online, by telephone, or by post. Germany has established a central point of contact named *Zentrale Anlaufstelle für Barrierefreie Angebote* (ZABA), managed by state media authorities, to handle information and complaints. In Ireland, the initial step involves addressing complaints directly to broadcasters before they are forwarded to the Irish regulator.

1.3. Introduction and context

Access to audiovisual content is an aspect of the right of access to culture, a human right. The European Commission has highlighted that media services are "essential for a healthy civic sphere and for economic freedoms and fundamental rights, including equality."⁸ In the context of disability, the right to access to audiovisual content is most concretely expressed in the United Nations Convention on the Rights of Persons with Disabilities (CRPD),⁹ ratified by the EU in 2009.¹⁰ One can find this right in Article 21, "Freedom of Expression and Opinion, and Access to Information", and Article 30, "Participation in Cultural Life, Recreation and Sport". Respectively, they oblige States Parties to the Convention to *inter alia* ensure that persons with disabilities¹¹ have the right to exercise the "freedom to seek,

⁶ "Universal Design (UD) is the design and composition of an environment so that it can be accessed, understood and used to the greatest extent possible by all people regardless of their age, size, ability or disability." For more information on Universal Design see <https://universaldesign.ie/about-universal-design/definition-and-overview>.

⁷ CRPD Article 4 "undertake or promote research and development of universally designed goods, services, equipment and facilities, as defined in article 2 of the present Convention, which should require the minimum possible adaptation and the least cost to meet the specific needs of a person with disabilities, to promote their availability and use, and to promote universal design in the development of standards and guidelines."

⁸ Proposal for a Regulation of the European Parliament and of the Council establishing a common framework for media services in the internal market (European Media Freedom Act) and amending Directive 2010/13/EU, <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52022PC0457>.

⁹ United Nations Convention on the Rights of Persons with Disabilities, 13 December 2006, A/RES/61/106.

¹⁰ Council Decision of 26 November 2009 concerning the conclusion, by the European Community, of the United Nations Convention on the Rights of Persons with Disabilities [2009] OJ L 23/35.

¹¹ Throughout this document, the term "persons with disabilities" will be used. However, the authors are aware that some within the disability rights community prefer the term "disabled people" as it aligns with the social



receive and impart information and ideas on an equal basis with others¹² and the "right to access television programmes, films, theatre and other cultural activities in accessible formats."¹³

Looking at Article 9 CRDP, which addresses accessibility and obliges States Parties to ensure the incorporation of accessibility in services provided by public and private bodies (including communication and ICT services), as well as in emergency services,¹⁴ the elements of Article 7 AVMSD come into focus.

Access to audiovisual media services is an essential component of modern life, and thus, "it is paramount that audiovisual media services are accessible for all, including people with disabilities of any kind."¹⁵ Audiovisual media services are defined as services that are "devoted to providing programmes, under the editorial responsibility of a media service provider, to the general public, in order to inform, entertain or educate, by means of electronic communications networks within the meaning of point (a) of Article 2 of Directive 2002/21/EC; such an audiovisual media service is either a television broadcast [...] or an on-demand audiovisual media service [...]"¹⁶ These services are particularly challenging in terms of accessibility as many senses and abilities are required to access the programmes offered.

In order to make the type of media communicated by these services accessible, multiple accommodation options must be implemented. Traditionally, accessibility legislation focused on accessibility interventions for defined classes of persons with disabilities, namely persons who are D/deaf¹⁷ or hard of hearing and those who are blind or experience visual impairment. The nature of audiovisual media means that it could be inaccessible without appropriate tools. The tools suggested by the AVMSD include sensory

and human rights models of disabilities, as well as the fact that some people who experience barriers do not identify as disabled at all. The use of "persons with disabilities" does not reflect a judgment or preference; it is used primarily as it mirrors the language of the legal documents examined and the CRPD.

¹² CRPD Article 21.

¹³ CRPD Article 30.1

¹⁴ CRPD Article 9.2, 9.1

¹⁵ Cabrera Blázquez F.J., Cappello M., Lacourt A., Munch E., Radel-Cormann J., Valais S., Accessibility of audiovisual content for persons with disabilities, IRIS Plus, European Audiovisual Observatory, Strasbourg, April 2023 © European Audiovisual Observatory (Council of Europe), Strasbourg, 2023

¹⁶ Article 1(a)(i) AVMSD.

¹⁷ In this document you will see the term 'deaf' used with an uppercase 'D', a lower case 'd' and with the upper and lower case combined 'd/D'. D/deaf refers to both Deaf persons who identify as part of a distinct cultural group, for whom sign language is often a first language and persons who experience profound hearing loss and describe themselves as deaf, but not part of the Deaf community.



information in alternative ways, including subtitles for the D/deaf and hard of hearing (SDH)¹⁸, sign language interpretation, audio description, and spoken subtitles.¹⁹

It has been noted that one of the differences between Article 7 in the 2010 AVMSD and Article 7 in the revised AVMSD is the change in the specification of who the Article is intended to benefit.²⁰ The previous Article 7 specifically mentioned persons with a visual or hearing disability, implicitly limiting the public for whom adaptation should be made. The updated Article 7 uses the more inclusive language of “persons with disabilities”, recognising that barriers to access cultural materials may involve more than sensory input, although Recital 22, while referring to “people with disabilities” makes express references to “visual or hearing impairment”. In part, this reflects a shift from the medical approach to disability, which relies on medical diagnosis to determine those entitled to accessibility services, to the social model approach of the CRPD. However, in Recital 23 of the AVMSD, the non-exclusive list only includes measures to address sensory barriers, as mentioned above. That being said, some member states, like Austria and Denmark, have adopted measures requiring audiovisual media service providers to provide easy-to-understand or simple language services for some of the media they provide.

The implementation of accessibility measures can be technically and financially challenging, a fact recognised by Recital 22 of the AVMSD, which clarifies that accessibility measures “should be met through a progressive and continuous process, while taking into account the practical and unavoidable constraints that could prevent full accessibility, such as programmes or events broadcast in real-time.”²¹ Many of the cases reviewed have incorporated this progressive realisation into their domestic AVMS statutes. Some explicitly consider the costs, both financial and technical, experienced by audiovisual media service providers and create exceptions for providers with small viewership or turnover.²² The Netherlands for example, allows the national media regulatory authority CvdM to grant case-by-case exemptions and to impose conditions on such exemptions.²³ Some countries exempt small broadcasters, due to their regional scope (SK), their small turnover (AT) or small amount of viewers (PL). In Czechia, Exceptions are created for channels that are not made up of individual programmes, music television channels, channels aimed at promoting one’s own products, channels consisting solely of television graphics or video text without spoken language and local broadcasting channels. In three countries (FR, HU

¹⁸ In the context of the Audiovisual Media Services Directive, the term “subtitling for the deaf or hard of hearing” is a “timed text file synchronized to media content, allowing the text to be viewed at the same time the words are being spoken.” These subtitles would be referred to as captions in the United States and a Canada, and distinguished from subtitles, which are generally designed for hearing viewers. In Europe, subtitling refers to both accessibility and subtitles for hearing persons. For a deeper dive on the difference between subtitles and subtitles for the deaf or hard of hearing, please see: <https://www.3playmedia.com/blog/whats-the-difference-subtitles-for-the-deaf-and-hard-of-hearing-sdh-v-closed-captions/>

¹⁹ Spoken subtitles allow for persons who are blind or visually impaired to access audiovisual materials that is spoken in another language and displayed in subtitles on the screen. Spoken subtitles are new to the non-exhaustive list of suggested measures in Recital 23 the AVMSD.

²⁰ Vincenzo Tudisco, ‘Accessibility of Audiovisual Media Services for Persons with Disabilities in the European Union: Lights and Shadows of the Audiovisual Media Services Directive’ (2022) 6 Stals <https://mural.maynoothuniversity.ie/16788/> accessed 11 December 2023.

²¹ Directive 2018/1808/EU

²² For instance, France, Spain, Austria, Poland, The Netherlands, Sweden, Hungary, and Bulgaria.

²³ The Netherlands - Media Act 2008, Article 2.123 under F.



and IT), the public broadcaster shall make its programmes accessible (for all in France and for certain time slots in Hungary and Italy) except for advertisings.

Recognition of the importance of access to audiovisual media has, over time, led to increasingly rigorous European legislation mandating such access.²⁴ Several of these pieces of legislation complement the AVMSD, including the European Accessibility Act (EEA),²⁵ Article 5 of the Copyright and Related Rights in the Information Society Directive (InfoSoc)²⁶ governing permitted exceptions²⁷ to copyright, the Web Accessibility Directive²⁸, which regulates public sector bodies including broadcasters, and the Digital Services Act.²⁹ While coordinating these various pieces of legislation is essential to ensure access to audiovisual media, this Note focuses on implementing Article 7 AVMSD, and those complementary pieces of legislation will not be considered herein.

This comparative Note builds on the work completed by the European Audiovisual Observatory (EAO) in 2023 with the report on Accessibility of Audiovisual Content for Persons with Disabilities.³⁰ That report introduced the challenges faced by persons with disabilities in accessing audiovisual content, some of the technical solutions to those challenges, and the broader regulatory framework outside the AVMSD. This Note will echo some of that work, as it is relevant to understanding the measures implemented by the member states, which for the most part, however do not reinvent the wheel.

The questionnaire sent to national experts included a question on the accessibility of video-sharing platforms, such as TikTok and YouTube. The responses largely indicate that member states have not yet engaged in much regulation of video-sharing platforms in this regard. As the focus of this Note is on Article 7 AVMSD, and there is not yet a strong trend towards regulation in the area of video-sharing platforms, an analysis of these questions has been left out of this Note.

This study will provide some key findings from the comparative survey on 28 transpositions (including the two communities of Belgium). The provisions introduced in

²⁴ For a simple introduction to the frameworks enabling access to audiovisual media beyond the AVMSD Article 7, see EU Audiovisual Observatory IRIS plus report on access to audiovisual media Cabrera Blázquez F.J., Cappello M., Larcourt A., Munch E., Radel-Cormann J., Valais S., Accessibility of audiovisual content for persons with disabilities, IRIS Plus, European Audiovisual Observatory, Strasbourg, April 2023 © European Audiovisual Observatory (Council of Europe), Strasbourg, 2023

²⁵ Directive 2019/882/EU of the European Parliament and of the Council of 17 April 2019 on the accessibility requirements for products and services [2019] OJ L 151/70.

²⁶ Directive 2001/29/EC of the European Parliament and of the Council of 22 May 2001 on the harmonisation of certain aspects of copyright and related rights in the information society, <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A02001L0029-20190606>.

²⁷ While parts of Article 5 have been amended and made mandatory by the implementation of the Marrakesh Directive in 2017, the limited scope of both covered material (print) and covered disabilities (focusing primarily on print disabilities of various types), makes it irrelevant to the discussion of audiovisual content, as such has been explicitly excluded.

²⁸ 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 [2016] OJ L 327/1.

²⁹ Regulation (EU) 2022/2065 of the European Parliament and of the Council of 19 October 2022 on a Single Market for Digital Services and amending Directive 2000/31/EC (Digital Services Act) [2022] OJ L 277/1.

³⁰ Cabrera Blázquez F.J., Cappello M., Larcourt A., Munch E., Radel-Cormann J., Valais S., Accessibility of audiovisual content for persons with disabilities, IRIS Plus, European Audiovisual Observatory, Strasbourg, April 2023 © European Audiovisual Observatory (Council of Europe), Strasbourg, 2023



2018 by the revised AVMSD(Article 7) required significant changes at national level, since it imposed mandatory obligations, while the older AVMSD³¹ merely asked member states to ‘encourage’ audiovisual media service providers to “gradually make services more accessible to persons with a visual or hearing disability.”³² The comparative analysis will be followed by country profiles of each survey respondent, which include summaries of the relevant laws, along with links to the laws referenced, a brief introduction to the details of measures imposed on audiovisual media services providers, and examples of the implementation of audiovisual media services accessibility in practice.

This introductory chapter referred to the evolving notion of disability found in the revised AVMSD and briefly introduced the accessibility measures referred to in the AVMSD recitals. The text of the revised AVMSD represents a significant step forward for access to audiovisual media, even if the European Regulators Group for Audiovisual Media Services (ERGA) identified potential implementation challenges related to Article 7(1). “The fact that the structure of the national systems may vary depending on whether Member States have introduced a regulatory, co-regulatory or self-regulatory system could, according to the findings in the report, present a challenge when it comes to a consistent implementation of the provisions.”³³

Some challenges have been highlighted by disabled persons organisations like the European Blind Union, for lower implementation of Audio Description and Spoken Subtitles, the European Federation of Hard of Hearing People, for consistent standards and key performance indicators in subtitling, and the European Disability Forum, over the broad wording of Article 7.³⁴

The upcoming section will examine how Article 7 of the AVMSD has been transposed and implemented in 28 different jurisdictions.. Major trends and significant differences will be highlighted, and tables will provide metrics.

³¹ Directive 2010/13/EU of the European Parliament and of the Council of 10 March 2010 on the coordination of certain provisions laid down by law, regulation or administrative action in member states concerning the provision of audiovisual media services (Audiovisual Media Services Directive) [2010] OJ L 95/1.

³² Article 7 AVMSD (2010)

³³ European Regulators Group for Audiovisual Media Services, ‘New Rules on Accessibility (Article 7.1) - A Common Understanding of “Proportionate Measures”’ ERGA-SG1-2021 <https://erga-online.eu/wp-content/uploads/2021/12/ERGA-SG1-2021-Report-Article-7-accessibility.pdf>

³⁴ Daniel Casas, ‘Audio-Visual Media Services Directive (AVMSD) - Has It Made Progress for Media Accessibility?’ (*European Disability Forum*, 9 June 2023) <https://www.edf-feph.org/audio-visual-media-services-directive-avmsd-has-it-made-progress-for-media-accessibility/> accessed 11 December 2023.



2. Methodology of the Note

The information on national frameworks was gathered through a standardised questionnaire circulated to a network of national experts of the media sector from the 27 EU member states. The collection of data and comparative analysis on the different laws and rules was conducted by a coordinating expert in close cooperation with the Observatory staff and checked with competent national regulatory authorities.

2.1. Project objective

The transposition of Article 7 AVMSD has been completed and has introduced obligations towards the continuous and progressive establishment of accessibility measures for persons with disabilities so that they can fully enjoy audiovisual content. While promoting accessibility measures, the Article did not set quotas as to the “continuous and progressive” accessibility measures to set up or as to the type of accessibility measures national legislations should enforce. This Note gathers and compares this information.

In this note, when we mention “quota(s)”, we refer to the proportion of programmes or the time allocated to programmes audiovisual media service providers offer with accessibility measures. The AVMSD only requires accessibility measures to be developed in a “continuous and progressive” way, it does not introduce quotas.

The information of this Note covers relevant information up to September 2023, when the collection of the national factsheets was complete, in order to prepare the comparative analysis.

The Note aims at identifying accessibility measures as implemented by countries, as well as references to national legislations dealing with the national transposition of Article 7 AVMSD in the EU member states.

The Note includes information from 27 member states (including the French and Flemish communities of Belgium), totalling 28 national responses.

2.2. Methodology

The methodology adopted by the Observatory involves the collection and analysis of national data, by means of a standardised and pre-approved questionnaire designed by the Observatory, which was submitted for completion by national experts, and checked by the relevant national regulatory authorities.



The methodology includes the following:

- the choice of international experts to provide assistance throughout the Note and the elaboration of a comparative analysis;
- the choice of a pool of national experts: mainly academics and independent researchers and consultants;
- the elaboration of a standardised questionnaire filled in by each national expert; one questionnaire per country was completed, with the exception of Belgium, where a questionnaire was completed for both the French and the Flemish communities; and questionnaire responses cross-checked by the relevant national regulatory authorities.

The questionnaire aimed at identifying, for each country, the different laws, rules and current practices in the EU member states relating to the national transposition and implementation of Article 7 AVMSD.

2.3. Structure of the country summaries and the Note

The country summaries are structured around four sections:

- a first section presents national key findings,
- a second section summarises the national transposition of Article 7 AVMSD,
- a third section gives an overview of the rules implemented in practice (e.g. types of accessibility measures and corresponding quotas, procedure to develop accessibility measures, designated point of contact for information and complaint, etc.),
- a final section provides examples of implementation by audiovisual media services providers.

The comparative analysis reflects the structure of Article 7 AVMSD and provides an analysis aimed at highlighting the trends and patterns in the national approaches to the implementation of accessibility measures. Tables are included throughout the report, to provide a more in-depth look at cases. The factsheets also provide more detailed information regarding the situation in each specific country.



3. Comparative analysis

This Chapter provides a comprehensive overview of the state of play in the EU regarding the implementation of accessibility measures under Article 7 AVMSD. The analysis is based on responses from national experts to a questionnaire, with data collected between April 2023 and September 2023. As was noted in the previous EAO's report on the implementation of Article 7, the 27 member states transposed Article 7 AVMSD. Still, the level of transposition varies greatly from jurisdiction to jurisdiction, ranging from literal transposition to more expansive regulation, going far beyond the minimum floors set by the AVMSD, as will be illustrated in the following sections.

3.1. Identification of accessibility measures

Article 7(1) AVMSD requires that services provided by audiovisual media service providers become more accessible. The fact that the Directive constitutes minimum harmonisation leads to a great level of flexibility in how Member States require that this obligation is met. The availability of accessible programming ranges from a single daily news programme translated into sign language to very detailed legislation imposing quotas on public, private and video-on-demand audiovisual media service providers.

Table 1. Level of flexibility in member states to achieve accessibility requirement

Type of requirement	Number of countries	Country codes
Continuous and Progressive or gradual increase explicitly called for in primary or secondary legislation	23	AT, BE(VL), BE(FR), BG, CY, DE, DK, EE, EL, ES, FI, FR, HR, HU, IE, IT, LU, LV, MT, PT, RO, SI, SK
Mentions financial resources of AVMS providers as a limiting factor	5	AT, BG, DE, FI, SE
Mentions technical resources of AVMS providers as a limiting factor	6	AT, BG, DE, PT, RO, SE
Mentions viewership of AVMS providers as a limiting factor	6	BE(VL), BG, ES, HU, PL, SE
Allows Media Authorities to grant exceptions or exemptions	3	AT, NL, DE,



Regulates AVMS Providers – without clear indications of linear or non-linear	19	AT, BE(VL) ³⁵ , BG, CY, DK, EE, ES, GR, HR, HU, IT, LT, LV, LU, NL, RO, SE, SI, SK
Imposes more stringent regulations on Public Broadcasters	16	BE(VL), BE(FR), BG, CZ, DK, ES, FI, FR ³⁶ , GR, LT, NL, PL, PT, RO, SE, SK
Imposes regulations on VOD providers linked to linear services	4	AT, DE, FI, MT
Regulates VOD service providers separately	7	BE(FR), CZ, FR, GR, PL, SE, SK
Mentions specific categories of disabilities	15	AT, BG, CY, CZ, DK, FI, FR, HR, HU, IE, LT, NL, PL, RO, SK
Visual or hearing-based disabilities only, either by statute or by practice.	20	BG, CY, CZ, EL, FI, LT, PL, SL, RO, FI, FR, IE, LT, MT, NL ³⁷ , PL, PT, RO, SE, SK
Regulations govern the time of broadcast of accessible audiovisual media.	7	AT, BE(VL), BG, DK, EL, HU, PT,
Regulations govern specific types of programming.	11	AT, BE(VL), BG, CY, DK, ES, GR, HU, NL, PT, RO,
Priority given to news or current affairs programming.	8	BE(VL), BG, CY, DK ³⁸ , GR, HR, PT, RO

Source: Analysis of the responses to the EAO standardised questionnaire

3.1.1. Continuous and progressive implementation through proportionate measures

While every member state has transposed Article 7, only 23 have explicitly committed to a continuous, gradual or progressive increase in accessible audiovisual media (AT, BE(FL), BE(FR), BG, CY, DE, DK, EE, EL, ES, FI, FR, HR, HU, IE, IT, LU, LV, MT, PT, RO, SI, SK).

Seven member states have interpreted the term “Proportionate measures” to allow some flexibility with regard to the technical and/or financial resources of audiovisual media service providers (AT, BG, DE, FI, PT, RO, SE). Five expressly take into consideration the financial resources of the AVMS provider when determining obligations (AT, BG, DE, FI, SE); for instance, Finland limits the costs of implementing audio subtitling and subtitling as not to exceed 1% of the operator’s prior financial period.³⁹ Other countries provide exemptions

³⁵ National expert reports that regulations are applied to both VOD and Linear media, but the text of statutes provided to not mention VOD in text or adopt it by reference.

³⁶ Public broadcaster has a public contract with the state, private broadcasters are governed by individually negotiated agreements with the media regulatory authority.

³⁷ Language of statute only mentions auditory disabilities, however, the national expert has noted that the Dutch public service broadcaster has invested significant money to increase audio description between 2023-2026.

³⁸ Specifically for sign language

³⁹ Finland - Act on Electronic Communications Services Section 211 (1207/2020).



based on an annual turnover cap; for instance, VOD service providers in France must approach the regulatory authority Arcom if their annual turnover exceeds 20 million,⁴⁰ or VOD providers in Portugal with revenues above 2 million must present action plans to the regulatory authority ERC and adopt a self-regulation agreement.⁴¹

Six member states take into consideration the technological capabilities of the AVMS providers (AT, BG, DE, PT, RO, SE), including the availability and feasibility of accessibility interventions, and 6 member states consider the size of the AVMS provider in terms of viewership numbers (BE(FL), BG, ES, HU, PL, SE). For instance, the French Community of Belgium imposes an obligation of result on linear audiovisual media service providers with an average audience greater than 2.5% but an obligation of means for those with less than 2.5%.⁴² 3 member states allow the media authority to grant exceptions or exemptions from the obligations imposed (AT, DE, NL), although Germany warns any AVMS provider taking advantage of an exception that it may be subject to more rigorous scrutiny as a result. Furthermore, they are excluded from exceptions if they have received public funds to increase the accessibility of their services.⁴³

As mentioned above, twenty-three member states have opted for a progressive obligation, as per Article 7(1) of the AVMSD, promising a continuous and progressive or gradual increase in the availability of accessible audiovisual media services, using proportional measures. These terms are generally not defined, although some member states have specifically focused on quantitative increases (for instance, Spain, French Community, and Flemish Community of Belgium and Germany), and some have focused on smaller quantitative increases but higher quality interventions (like Austria). Czechia has not specifically called for a progressive and continuous increase in legislation, but a report published by the Council for Radio and Television Broadcasting explains that the law "sets a system that aims to achieve compliance with accessibility requirements through a gradual and continuous process of making services permanently accessible... This objective will be achieved through action plans which operators will be required to prepare for three-year periods."⁴⁴ More information about quantitative increases will be provided in the following section, addressing specific measures in legislation.

Regulations generally set a floor for minimum requirements, but audiovisual media service providers may, and sometimes are expected to, go above the requirements of the law. For instance, in Poland, the law gives the National Broadcasting Council the right to encourage media providers to develop their accessible offerings beyond the scope expected by the law.⁴⁵ In Portugal, the public service broadcaster RTP exceeded the minimum floor established for audio description.⁴⁶

⁴⁰ <https://www.arecome.fr/sites/default/files/2023-02/Convention%20Arcom-LE%20meilleur%20du%20cin%C3%A9ma%20pour%20lo%C3%A9%20service%20SVOD%20Universcin%C3%91.pdf>

⁴¹ See pluri-annual plan referred to in the French factsheet

⁴² Flemish Community of Belgium Art. 151 §§1-3 Media Decree

⁴³ DE §99 a Abs. 1-4 Medientstaatsvertrag

⁴⁴ Page 22, Annual Report 2022 <https://www.rrtv.cz/cz/files/zpravy/VZ2022.pdf>

⁴⁵ Poland Art. 6 Par. 1 Pt. 12 Broadcasting Act.

⁴⁶ 2022 Compliance report <https://www.flipsnack.com/ercpt/acessibilidade-dos-servi-os-de-programas-televistos-em-2022/full-view.html>



Primetime, which occupies a window between 17:00-24:00, is a window in which member states are more likely to impose more stringent obligations on linear audiovisual media services. For instance, in Greece, private broadcasters must provide four primetime hours per week, and public broadcasters twelve primetime hours per week between 17:00 and 23:00. In Hungary, public service and high viewership audiovisual media service providers of Hungarian-made cinematographic works are accessible to the visually impaired between 18:30 and 21:30. Cyprus includes an obligation to provide a news program of not less than 5 minutes which can be understood by persons who are D/deaf or hard of hearing between 18:00-20:00. In Romania, the Cultural Journal is broadcast live from Monday to Friday at 21:00 and translated into sign language. The Bulgarian public broadcaster must ensure that at least one of the newscasts between 19:00 and 23:30 is interpreted in sign language.

Programming can also be divided by content type, i.e., entertainment, news, current affairs, children's, and educational programming. Both the Flemish Community of Belgium and Poland impose accessibility obligations according to the type of content to be made accessible. Even in countries that haven't implemented significant accessibility measures, news and current affairs programming tend to be of first priority for interventions, for example, Cyprus, Luxembourg, and Malta.

3.1.2. Regulation of VOD service providers

While art. 7 AVMSD includes both linear and non-linear services, some countries refer separately to each category of services in their transposition. It is therefore not always clear whether legislation on accessibility measures applies to linear or non-linear providers or both together, or whether it applies to all non-linear AVMS providers (making content available within their jurisdiction)..

An overview of the member states that have imposed quotas highlights this heterogeneity, as many states regulate both linear and non-linear providers but impose quotas and concrete obligations only on the linear broadcasters. Other member states may regulate VOD providers but provide significantly less stringent obligations; for instance, Czechia imposes mandatory obligations on private linear audiovisual media service providers for creating and carrying out action plans and quotas on the public broadcaster, but merely requires VOD providers to provide accessible programming, but only where practicable. Finland has a more PSM approach: accessibility measures must be provided for both linear and non-linear services, in the case of programmes from the public service media and programmes of public-interest. France specifically requires each category of providers to negotiate agreements with the French regulatory authority to set accessible content quotas.

Looking at the obligations in terms of quotas, action plans, and reporting, it is clear that even though the term “may” encompasses both linear and non-linear AVMS providers, in practice, at present, linear television providers are the main group to be regulated. Additionally, many treat VOD providers significantly differently from linear services; every member state that imposes quotas or other quantitative metrics on linear services, imposes



significantly less rigorous accessibility quotas on VOD services (BE(FR), FI, FR, EL, PL, PT, SE, SK).

While the broad categories of accessibility measures are fairly semantically uniform across the 28 cases reviewed, the content subject to accessibility modifications, quotas, and standards varies significantly from jurisdiction to jurisdiction. This section will explore some of the accessibility measures member states have adopted, as well as the quantitative or qualitative measures imposed to ensure the continuous and progressive increase of accessible audiovisual media.

As mentioned above, “quota(s)” refer to the proportion of programmes or the time allocated for programmes audiovisual media service providers offer with accessibility measures, as set up by each national system. The AVMSD only requires for accessibility measures to be developed in a “continuous and progressive” way, it does not introduce quotas.

Table 2. National accessibility measures

Type of requirement	Number of countries	Country codes
Quotas - General	17	BE(VL), BE(FR), BG, CZ, DK, ES, FI, FR, GR, LT, MT, NL, PL, PT, RO, SE, SK
Quotas for Public Broadcasters only	3	CZ, DK, LT
Different quotas for public and private broadcasters	12	BE(VL), BE(FR), BG, ES, FI, FR, GR, NL, PL, PT, SE, SK
Quotas depend on AVMS provider – individual regulation	2	FR, NL
Quotas for VOD service providers	7	BR(FR) ⁴⁷ , DK, FI ⁴⁸ , GR, PT, SE, SK
Quotas for Subtitling	15	BE(VL), BE(FR), BG, CZ, DK, EL, ES, FI, LT, NL, PL, PT, RO, SE, SK
Quotas for Sign Language ⁴⁹	11	BE(VL), BG, CZ, DK, ES, LT, PL, PT, RO, SE, SK ⁵⁰
Quotas for Audio Description	9	BE(VL), BE(FR), CZ, DK, ES, PL, PT, SE, SK
Quotas for Spoken Subtitles	4	BE(VL), DK, FI, SE

⁴⁷ “Should make every effort to ensure 25% of content is subtitled” non-mandatory quota.

⁴⁸ Only VOD connected with a regulated linear service provider.

⁴⁹ Excludes general quotas for things to be made accessible for persons who are D/deaf or hard of hearing.

⁵⁰ Subtitling and Sign language are grouped together in the quotas imposed on public and private broadcasters in Slovakia.



Quotas for Simple/Easy-to-understand Language	6 ⁵¹	AT, DK, GR, LT, LU, SI
Quotas or regulations based on broadcasting time	4	AT, BE(VL), BG ⁵² , PT,
Quotas or regulations based on the type of programme	9	AT, BE(VL), BG, CY, DK, FI, NL, PL, PT, RO,
Year-on-year percentage increase instead of quotas	3	AT, CY, PL ⁵³
No specific measures mentioned	4	DE, LV, MT, SI
In the process of developing more specific regulation	7	CZ, EE, GR, IE, IT, LU, SE ⁵⁴

Source: Analysis of the responses to the EAO standardised questionnaire

As mentioned above, the proportion of programmes to be offered with subtitles is uniformly higher in the countries under review, with some linear broadcasters already achieving 100% of pre-recorded programming (e.g., Sweden, Czechia, Belgium (Flemish Community), and Finland). In contrast, linear broadcasters' quota percentages for audio description are much lower; e.g. 6-10% (Sweden), 10% (Czechia), no quotas on private broadcasters (Belgium, Flemish Community), no quotas (Finland). Where quotas exist, they tend to be a part of a multi-year plan with year-on-year increases.

Sign language quotas vary across the European Union, with some countries, like Cyprus and Malta, only applying sign language translation. In others, like France, there is no specific quota for French Sign language. However, since audiovisual media service providers do implement French Sign language interpretation, the French national media regulatory authority Arcom has issued a quality charter and guide for visualising sign language.⁵⁵ In addition, some linear media service providers provide sign language translation either of their own accord or as a result of their contract with Arcom.⁵⁶

Portugal imposes sign language quotas that change based on whether an audiovisual media service provider is public or private, what channel is being regulated,

⁵¹ DE does not impose quotas on simple/easy-to-understand language, but some providers have implemented this intervention. EL requires that emergency information also be communicated in easy to understand language.

⁵² Terrestrial broadcasters must provide news programs in sign language between 19:00-23.30.

⁵³ VOD providers only.

⁵⁴ Sweden asks audiovisual media service providers to develop action plans within a regulatory framework. This framework is updated regularly in consultation with civil society organisations representing persons with disabilities and media service providers.

⁵⁵ <https://www.csa.fr/Arbitrer/Espace-juridique/Les-relations-du-CSA-avec-les-editeurs/Chartes/Charte-de-qualite-pour-l-usage-de-la-Langue-des-Signes-Francaise-dans-les-programmes-televises-15-janvier-2015>), supplemented in March 2022 by a guide to visualizing sign language (https://www.arcom.fr/sites/default/files/2022-03/Guide%20de%20mise%20en%20image%20de%20la%20Langue%20des%20signes%20fran%C3%A7aise%20%28LSF%29_4.pdf).

⁵⁶ Arcom is the national media regulator of France. France does not have official quotas, as each broadcaster negotiates an individual contract with the media regulator.



and what time the audiovisual media is broadcast.⁵⁷ The AVMS law of Luxembourg contains no reference to sign language.⁵⁸ In practice, the only accessible audiovisual media content Malta provides is a daily news update with sign language.⁵⁹ Many member states impose sign language translation obligations on news and current affairs programming.⁶⁰ Denmark hosts a sign language-only channel, which provides not only sign language translation but also subtitling and provides a daily news program in easy-to-understand language.

AVMSDA new type of accessibility measure, simple or easy to read content, has been included in domestic AVMS regulations. Simple or easy-to read modifications are the least widely adopted accessibility measures. 6 member states have adopted simple or easy-to-understand obligations (AT, DK, EL, LT, LU, SI), though Greece requires that only emergency information be broadcast in simple or easy-to-understand language. Denmark requires one news programme on its sign language only channel to be broadcast with simple language and subtitling.

Austria is one of several member states that do not impose quotas for each type of accessibility measures (except for simple language programming). Austria leaves it to broadcasters to explain which methods were chosen in fulfilling their obligations to continuously increase the volume of accessible content. Even where there is top-down regulation and the imposition of quotas, most member states also require action plans, which ask AVMS providers to decide how they will reach the minimum requirements established by the regulations.

As noted above, Recital 23 AVMSD includes a non-exhaustive list of concrete measures to ensure the accessibility of audiovisual media services for persons with disabilities. These include:

- Subtitling: 27 out of 28 cases reviewed either have an audiovisual media service provider who offers services with subtitles or mention subtitling in the text of the statute (AT, BE(FR), BE(FL), BG, CY, CZ, DE, DK, EE, EL, ES, FI, FR, HU, IE, LT, LU, LV, NL, PL, PT, RO, SE, SI, SK).
- Sign Language Interpretation: 24 out of 28 cases reviewed either have an audiovisual media service provider who offers services with sign language interpretation or mention sign language interpretation in the text of the statute (AT, BE(FR), BE(FL), BG, CY, CZ, DE, DK, EE, ES, FR, HU, IE, LT, LV, PL, PT, RO, SE, SI, SK).
- Audio Description: 27 out of 28 cases reviewed either have an audiovisual media service provider who offers services with audio description or mention audio

⁵⁷ The Portuguese regulatory body approves a multi-year plan by which audiovisual media services providers must abide.

<https://www.erc.pt/download/YToyOntzOjg6lmZpY2hlaXJvIjtzOjM5OjltZWRpYS9kZWNPc29lcy9vYmplY3RvX29mZmxpbmUvODM1My5wZGYiO3M6NjoidGl0dWxvIjtzOjI1OjIjZWxpYmVvYWNhby1lcmMyMDIxMzE3LW91dC10dil7fO==/deliberacao-erc2021317-out-tv>

⁵⁸ Art. 35 2) point c) Law of 27 July 1991 on electronic media – (*Loi du 27 juillet 1991 sur les medias électroniques*) https://www.legilux.public.lu/eli/etat/leg/loi/1991/07/27/n1/consolide/20220821#art_35

⁵⁹ Subsidiary legislation 350.32 – General Interests Objectives (Television Services) Regulations which states that: “A generalist general interest objective television service shall broadcast at least 30 minutes of weekly programming accessible to people with hearing disability”

⁶⁰ e.g. Belgium – Flemish Community, Poland, Greece, Denmark, Bulgaria



description in the text of the statute (AT, BE(FR), BE(FL), BG, CY, CZ, DE, DK, EE, EL, ES, FI, FR, HU, IE, IT, LT, LV, NL, PL, PT, RO, SE, SI, SK).⁶¹

- Spoken Subtitles: 14 out of 28 cases reviewed either have an audiovisual media service provider who offers services with spoken subtitles or mentions spoken subtitling in the text of the statute (AT, BE(FL), CY, DK, EE, EL, FI, HU, IE, LV, NL, PT, SE, SI).

While not included in Recital 23 AVMSD as an example of accessibility measures, it is interesting to note that simple/easy-to-read language is used in 7 countries. They either have an audiovisual media service provider who offers services that have simple or easy-to-read language or mention simple or easy-to-read language in the text of their statute (AT, DE, DK, EL, LT, LU, SI). A number of member states call for secondary legislation to implement AVMS obligations, or to set quotas, including Estonia, Poland, Greece, the Netherlands, Sweden, Latvia, and Ireland. Further, some states are in the process of updating either their primary or secondary legislation, including Luxembourg, Czechia, Lithuania, Greece, and Ireland. Slovakia has recently issued new regulations, and the national expert reports it is too early to assess how well audiovisual media service providers have done in implementing their obligations.

As Germany is a federal state, the specifics of its AVMS obligations are determined at the state level, subject to national legislation. Spain shifted some of its regulatory power within the autonomous regions to authorities within those areas. Some member states require audiovisual media service providers to negotiate with the regulator for individual or class-based⁶² contracts, which will lay out their accessibility obligations, including France, Italy (public broadcasters), Ireland (VOD providers), and Germany (public broadcasters).

3.1.2.1. Best practice codes or manuals

. In some member states, codes of best practice were developed following complaints by the community of people with disabilities as reported by the press⁶³. Some countries have recognised that low-quality or poorly applied accessibility measures can interfere with the comprehension and appreciation of audiovisual media content and developed codes of best practice or quality assurance manuals for audiovisual media service providers. These codes have been developed for the most commonly used accessibility measures, such as subtitling, sign language interpretation and audio description. Newer interventions, such

⁶¹ While many member states include language about audio description, actual implementation and quota numbers are much lower.

⁶² E.g. public, private or VOD providers

⁶³ The term “craptions,” a portmanteau combining “crappy” and “captions” is a commonly used term to describe the frustrating and sometimes ridiculous captioning that people who rely on captions to understand audiovisual media content experience. ‘Craptions’ (99% Invisible, 1 May 2023) <https://99percentinvisible.org/episode/craptions/> accessed 16 December 2023; Francisco Garcia, “I Have to Ask My Girlfriend to Narrate”: Is TV Failing Visually Impaired People? *The Guardian* (24 April 2020) <https://www.theguardian.com/tv-and-radio/2020/apr/24/i-have-to-ask-my-girlfriend-to-narrate-is-tv-failing-visually-impaired-people> accessed 16 December 2023; Katie Dupere, ‘Deaf YouTubers Call out Crappy Captions with #NoMoreCraptions Movement’ (*Mashable*, 11 November 2016) <https://mashable.com/article/youtube-closed-captioning-nomorecraptions> accessed 16 December 2023.



asspoken subtitles and simple/easy-to-understand programming, do not yet have quality guidelines.

Quality guidelines or standards ensure best practice and present an opportunity to harmonise access for persons with disabilities, particularly if developed in consultation with civil society groups representing persons with disabilities. In Italy, technical accessibility rules are being developed in consultation with organisations for disabled persons, the national regulatory body and AVMS providers. These rules are not yet publicly available.

Table 3. Existence of code of best practices or quality assurance document in member states

Type of requirement	Number of countries	Country codes
Code of best practice or quality assurance document - subtitling	5	BE(FR), ES, FR, NL, SK
Code of best practice or quality assurance document – sign language	3	BE(FR), ES, FR,
Code of best practice or quality assurance document – audio description	4	BE(FR), ES, FR, SK ⁶⁴
Code of best practice or quality assurance document – spoken subtitles	0	
Code of best practice or quality assurance document – simple/easy-to-understand language	0	

Source: Analysis of the responses to the EAO standardised questionnaire

3.2. Development of accessibility measures

The previous section referred mainly to the progressive measures found in Article 7(1) AVMSD. Member states have an obligation to ensure accessibility of audiovisual media content for persons with disabilities, some of which have been discussed above. The measures imposed are developed either by a national regulatory authority or in a co-regulation process where both the regulatory authority and the audiovisual media service provider work in concert to increase accessibility, which can be accomplished through the creation and approval of action plans. Self-regulation refers to measures that go beyond the floor established by the regulatory authority, examples of which can be seen in the Law in Practice examples in the various Country Summaries in Chapter 3 of this study.

This section focuses on Article 7(3) AVMSD, which instructs member states to *encourage* media service providers to develop accessibility action plans and then communicate those action plans to the regulatory authorities. This provision is slightly different to Art. 7(1), which was discussed in the previous section, as it does not impose a

⁶⁴ Standards for audio description are laid out in Art 54 a), b) Act. No 264/2022 on Media Services and on Amendments to Certain Acts.



mandatory obligation to be transposed; however, many member states have adopted the concept of action plans and made them mandatory.

The term action plan has been interpreted in several ways. Most member states use it as a mechanism for AVMS providers to make a concrete plan of how they will meet the obligations imposed by a regulatory body. Others do not impose quotas, and the action plan is the primary means of ensuring audiovisual media service providers meet the continuous and progressive implementation of accessibility.

Table 4. Existence of action plans in member states

Type of requirement	Number of countries	Country codes
Action Plans are mandatory	18	AT, BE(VL) BG, CZ, DE, DK, EE, ES, FI, FR, GR, IT, LU, LV, MT, SE ⁶⁵ , SI, SK
Action Plans are not mandatory but are mentioned in the legislation	6	CY, ⁶⁶ HR, HU, PL, RO, PT ⁶⁷
No mention of Action Plans	4	BE(FR), IE, LT, NL,
Yearly action Plans	7	AT, BE(VL), CZ, EE, FR, LV, SE ⁶⁸
Action Plans every 2 Years	1	MT
Action Plans every 3 years	6	BG, DE ⁶⁹ , DK ⁷⁰ , IT, SI, SK
Action plans developed in consultation with civil society stakeholders, including organisations for disabled persons	7	AT, CZ, DK, ES, PT, IT, LV
Regulations developed in a top-down regulatory model	7	BE(FR), FR, IE, LT, NL, PL, PT,
Top-down regulatory model developed in consultation with stakeholders	7	BE(FR), FR, IE, LT, PL, PT, SE ⁷¹

Source: Analysis of the responses to the EAO standardised questionnaire

Eighteen member states impose an explicit mandatory obligation to create action plans to increase accessibility in audiovisual media services (AT, BE(VL) BG, CZ, DE, DK, EE, EL, ES,

⁶⁵ Specifics of action plans are prescribed by the Swedish Press and Broadcasting Authority (MPRT).

⁶⁶ Action plans are not mandatory, but Law 196(1)/21 Section 18C asks AVMS providers to submit schedules detailing how they plan to implement a 5% increase for persons who are D/deaf, hard of hearing or experience visual impairment.

⁶⁷ Only for Portugal VOD providers with revenue over 2 million.

⁶⁸ Decisions of the MPRT indicate that action plans should be submitted annually alongside reports.

⁶⁹ At least every 3 years

⁷⁰ Not specifically mentioned how often they must be written, but they are valid for 3 years.

⁷¹ Sweden asks audiovisual media service providers to develop action plans within a regulatory framework. This framework is updated regularly in consultation with civil society organisations representing persons with disabilities and media service providers.



FI, FR, IT, LU, LV, MT, SE¹, SI, SK). Five member states refer to a non-mandatory action plan (RO, BE(VL), HR, PL, CY). Some member states require AVMS providers to create action plans on a yearly basis (AT, BE(FL), CZ, EE, FR, LV, SE), every two years (MT), or every three years (BG, DE, DK, IT, SI, SK). Action plans, when created, must generally be submitted to the national regulatory authority, although most legislation does not specifically lay out what happens if the regulator does not approve of the action plan submitted.

In Spain, if it is considered that action plans do not increase accessibility sufficiently, the regulatory body may establish quality requirements by regulation that go beyond the self-regulation of action plans.⁷² Cyprus requires that audiovisual media service providers include a plan for a 5% or greater increase in accessible content year over year. Cyprus does not impose specific measures or quotas to accomplish this 5% continuous increase in accessibility; rather, it is left to AVMS providers to determine how best to accomplish this goal.

Four member states, the French Community of Belgium, Portugal, Lithuania, and Ireland, developed top-down regulation instead of action plans but with consultation of stakeholder bodies. In Lithuania, the top-down regulation is termed an "action plan" and has been developed in consultation with governmental institutions, civil society groups and the media sector. It will apply to private media service providers and is not publicly available. Two member states, Italy and the Netherlands, do not require the development of action plans but do require media service providers to prepare annual reports on measures taken over the previous year. The idea is that the reporting obligation will make this easier.

The disabled rights slogan, "Nothing about us without us," has made its way into the implementation of the AVMSD. Five member states, Austria, Czechia, Denmark, Spain, and Portugal, require that action plans be developed in consultation with disabled persons organisations in order to ensure best practice. Much like the development of standards, guides or codes of best practice, the involvement of representatives of persons who will benefit from accessibility measures is a good way to ensure they are effective.

3.3. Reporting obligation to national regulatory authority

All member states have implemented Article 7(2) AVMSD requiring regular reporting of audiovisual media service providers to the national regulatory authority or body. What reporting means, what those reports contain, who is obliged to submit them, and their frequency varies from member state to member state, but not as significantly as other provisions in this Article. Two member states use the reporting obligation to create a back door obligation to action plans. The representative of the Italian and Dutch regulatory authorities explained that by requiring annual reporting, AVMS providers will have to create action plans.

⁷² Art. 108 LAC

**Table 5. Reporting obligations as implemented in member states**

Type of requirement	Number of countries	Country codes
Regular reporting	25	AT, BE(VL), BE(FR), BG, CY, DE, DK, EE ⁷³ , FI, FR, GR, HR, HU, IT, LT, LU, LV, MT, NL, PL, PT ⁷⁴ , RO, SE, SI, SK ⁷⁵
Linear reporting obligations only	2	BG, NL
Annual Reports	12	AT, BE(VL), BG, CZ, FR, GR, HR, MT, NL, PL, RO, SE ⁷⁶
Tri-Annual Reports	5	DE, DK, IT, LU, SI
Legislation includes specifics for the report	4	AT, LV, RO, SK
Explanation for failure to meet goals required	3	AT, DK, IE
National Media Regulatory Authority explicitly authorised to take action based on reports.	5	AT, BE(FR), DK, IT, MT
National Media Regulatory Authority publicly publishes reports on accessibility.	7	AT, BE(VL), BG, EE ⁷⁷ , ES ⁷⁸ , IE, PT
National Media Regulatory Authority authorised to require more than reporting from Audiovisual Media Service Providers.	4	DE, DK, IE, MT
National Regulatory Bodies Report to the EU Commission Every 3 years	11	BE(FR), BG, CY, CZ, HR, HU, IT, LT, LU, PT, RO
No Mention of EU Commission reports	17	AT, BE(VL), DE, DK, EE, ES, FI, FR, GR, IE, LV, MT, NL, PL, SE, SI, SK

Source: Analysis of the responses to the EAO standardised questionnaire

Twenty-five member states require audiovisual media service providers (linear, VOD, or both) to submit regular reports (AT, BE(FI), BE(FR), BG, CY, DE, DK, EE, EL, FI, FR, HR, HU, IT, LT, LU, LV, MT, NL, PL, PT, RO, SE, SI, SK). Some of these have different requirements for linear and non-linear service providers, like Germany and the Netherlands (public broadcasters). Hungary, the French Community of Belgium, Cyprus, and Slovakia only apply this obligation to linear broadcasters.

The term ‘regularly’ has been interpreted as ‘annually’ (twelve member states), upon request (Ireland, Hungary, and Slovakia), directly transposed (Cyprus and Lithuania) without further information on regularity, once every three years (Denmark and Luxembourg), or has not been specified (Finland).

⁷³ From 2024

⁷⁴ In Portugal AVMS providers must provide the regulatory authority with everything necessary to monitor compliance. No mention of formal reporting requirements.

⁷⁵ Upon request of the regulator.

⁷⁶ No specified by statute, but decisions of the MPRT indicate these should be yearly.

⁷⁷ Public Service audiovisual media service providers reports are published, private audiovisual media service providers are not.

⁷⁸ Autonomous Communities are responsible for their own monitoring.



Slovakia and Italy list the type of data to be included in the annual reports for both linear and non-linear audiovisual media services. Other member states ask for more general data on whether points from the previous year's action plan have been met or surpassed and where they haven't reached targets, explanations for the failure.

Some member states subsequently make reports of audiovisual media service providers public, including Austria, the Flemish Community of Belgium, Portugal, and Romania. The regulatory authorities in Austria, the Flemish Community of Belgium, and Spain must also publicly publish an annual report on accessibility. Portugal must publish the same every three years.

The Irish regulator CnaM may undertake annual meetings with broadcasters to discuss performance against the rules with respect to accessibility outcomes. CnaM has great flexibility to impose reporting obligations beyond simple annual reports on regulated audiovisual media service providers. The regulator in Denmark should be noted as having significant power to investigate, adjudicate, and sanction.⁷⁹

National regulatory bodies must submit triennial reports to the EU Commission. 17 member states mention this obligation in their national transpositions.

3.4. Identification of points of contact

Article 7(4) AVMSD requires that member states set up 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." Responses to the questionnaire indicate that most member states have not set up a specific portal for complaints and information about accessibility. Most designate the general website or complaints procedure of the regulatory authority as the mechanism for complaint, though some of these general websites have a sub-page for information relating to disability and accessibility.

Table 6. Mechanism for complaint in member states

Type of requirement	Number of countries	Country codes
Member states have created a specific point of information and complaint – either a sub-page on the National Media Regulatory Authority's website or an independent website	5	DE, DK, GR, SE, SI

⁷⁹ Order No 944 of 18 June 2020 - Order on accessibility of licence- and registration-based programme services for persons with disabilities – ss. 5. to 8 <https://www.retsinformation.dk/eli/ta/2020/944>.



Member states have a general complaint mechanism, which includes disability complaints	19	AT, BE(VL), BG, CY, CZ, EE, ES ⁸⁰ , FI, FR, HR, HU, IT, LT, LV, MT, PL, PT, RO, SK
Member states do not specifically designate a point of information	5	BE(FR), CY, LU, NL, SK
Member states include a detailed life cycle for complaints	5	AT, DK, IE, MT, SI

Source: Analysis of the responses to the EAO standardised questionnaire

Nineteen Member states use the website of the regulator as the primary point of complaint and, to a lesser extent, information for persons with disabilities. Many national experts were unable to identify specific information for persons with disabilities on these websites or specialised complaint forms or means of complaint. Three member states, Lithuania, Luxembourg, and the Netherlands, have legislation requiring an online point of contact to be set up but have yet to fully implement that law.

Three Member States, the Flemish Community of Belgium, Poland, and Slovenia, have dedicated tabs on the general media regulatory authority's website.

Cyprus, Bulgaria, and Romania all have independent ombudspersons who have intervened in issues relating to the accessibility of audiovisual media services.

Ireland, unlike other member states requires that complainants go first to the audiovisual media service provider, and, if the provider fails to remedy the situation, turn to the regulatory body. The predecessor to Ireland's current regulatory body, the Broadcast Authority of Ireland (BAI), issued a report in 2023 which found that user feedback was that the procedure for making complaints was too onerous and that it could have a limiting effect on people making complaints against AVMS providers.⁸¹

Information about active or completed complaints is scarce. However, the national expert reports that Poland has processed ten complaints, and Finland and Greece both have complaints proceedings as of the time of writing.

Spain has multiple points of contact as media services are regulated independently in the autonomous regions. Germany has not directly transposed this provision, as it is a federal system; the individual states have media regulatory powers. It was able to coordinate the 14 state media authorities to set up a central point of contact for providing information and receiving complaints called Zentrale Anlaufstelle für Barrierefreie Angebote (ZABA).

Several member states have very detailed complaints procedures, including Austria, Malta, Slovakia, and Slovenia, with timelines and specified processes for appeal.

⁸⁰ The Autonomous communities may establish their own points of contact.

⁸¹ <https://www.bai.ie/en/download/138317/?tmstv=1690213794>



3.5. Emergency Information

Article 7(5) AVMSD obliges member states to ensure that emergency information made available to the public through audiovisual media services is provided in an accessible manner. There are two major trends in how this has been implemented: imposing an obligation with no reference to costs or challenges to implementation or taking a more practical approach.

The following section highlights some of the similarities and differences found in the transposition of Article 7(5) AVMSD.

Table 7. Emergency information accessible to persons with disabilities in member states

Type of requirement	Number of countries	Country codes
Emergency information will be provided in an accessible manner	21	AT, BE(FR), CY, CZ, DK, EE, ES, FR, GR, HR, IE, IT, LT, LU, LV, MT, PT, RO, SE, SI ⁸² , SK
Emergency information will be provided to the best of the ability of the audiovisual media service provider	5	BE(VL), BG, IE ⁸³ , NL, PL
The state will remunerate any extraordinary costs	2	AT, DK
A specified amount of free emergency broadcasting time	1	BE(FR)

Source: Analysis of the responses to the EAO standardised questionnaire

The first identified trend represents the majority approach. These countries have transposed Article 7(5) AVMSD, making no mention of practicability or what happens if making emergency messages accessible proves impossible. Instead, they merely oblige audiovisual media service providers to broadcast accessible emergency messages, without any mention of cost.

The others take a more practical approach. The Flemish Community of Belgium, the Netherlands, and Poland require emergency information to be as accessible as reasonably possible. In Ireland, emergency information should be made available with subtitles and, where practicable, Irish sign language interpretation.

The French Community of Belgium provides a time-limited transmission window of free-of-cost transmission, and broadcasters must bear the costs of accessibility for any urgent message.

⁸² Failure to provide emergency information in an accessible manner is explicitly listed as a basis for complaint in Slovenia.

⁸³ Regarding sign language



Austria and Denmark specifically allocate any extraordinary costs of making emergency information accessible to the state rather than the broadcaster. The French Community of Belgium designates a specific amount of free time for the provision of accessible emergency information.

In Finland, primary legislation does not mention accessibility in its emergency broadcast provisions. Hungary also does not specifically mention accessibility in its emergency decree – but audiovisual media service providers with an audience share of more than 1% are obliged to provide subtitles or sign language for 100% of their programmes.

In France, the Higher Council will pay particular attention to the accessibility of health alert messages and important current events, but no specific rules are mentioned.

Slovenia specifically mentions that failure to provide emergency information in accessible formats is grounds for a complaint.⁸⁴

3.6. Concluding remarks

This comparative analysis allows to conclude that every member state has taken steps to implement Article 7 AVSMD (2018). However, as was pointed out in the 2023 EAO report, the level of achieved results in a minimum harmonisation directive can vary widely among the implementing countries. The Directive marks a positive shift away from the medical approach which limits beneficiaries to certain types of disabilities. Instead, it emphasises the year-on-year accessibility improvements across the European Union, the development of monitoring and complaint mechanisms, and the need for essential emergency messages made accessible for persons with disabilities.

The increasingly rigorous implementation of accessibility obligations for persons with disabilities across EU member states has increased the availability of audiovisual works in accessible format and allowed persons with disabilities to participate more fully in the cultural life of their communities.

The challenge of accessible audiovisual media is reflected in the differences between member states. The transposition of terms like ‘proportional’ measures and ‘continuous and progressive’ increases in accessible content has resulted in very different standards, covered providers, quotas, and quality across Europe. Few member states have committed to engaging with disabled persons organisations to ensure best practice, or issued guidelines for making audiovisual content accessible.

Several national experts across countries with a minority language have reported that accessibility of minority language audiovisual media services was generally less advanced than for majority languages. Several member states have also reported unforeseen impacts relating to the increasing legal obligations on audiovisual media service providers. Two notable examples can be found in the French Community of Belgium and Greece. In the French Community of Belgium, while the VOD provider Sooner reports it

⁸⁴ General Act on the Protection of Vulnerable Groups – 10 May 2022 – Art. 4 (2) <https://www.uradni-list.si/1/objava.jsp?sop=2022-01-1638>



has many of its programmes with subtitle tracks, it cannot systematically request accessible versions of programmes for which it acquires rights from the rights holders, as accessible versions are not always available for purchase, leading to a heterogeneous programming.⁸⁵ The national expert in Greece reported that the Public Service Broadcaster ERT had not applied audio description due to a dispute over intellectual property rights.⁸⁶ Accessibility obligations should result in more, not less, content being available, and problems of this kind should not be ignored, as they are problems that could recur.

The following chapter provides Summaries of each member states' transposition of Article 7 AVMSD; the disparities in national practice can be seen in both the legislation and the law-in-practice examples. It provides simple summaries of the relevant legislation, as well as a short overview of the national rules and examples of how different AVMS providers in that jurisdiction have implemented those obligations.

⁸⁵ See CSA Advisory Opinion n 111/2022 available at: https://www.csa.be/wp-content/uploads/2023/01/CAC_Avis_111_2022_UniversCine_Belgium_SA.pdf

⁸⁶ Arguably the creation of audio descriptions, if not authorised by the copyright holder, could be seen as an infringing act, and result in liability. Copyright exceptions for audiovisual media to benefit persons with disabilities are not mandatory across Europe, unlike exception to make print materials accessible.



4. Country summaries

4.1. AT - Austria⁸⁷

4.1.1. Key findings

- The Austrian approach to accessible audiovisual media services adopts a reasonable accommodation model, where the means of the broadcasters are expressly considered with regard to their obligation to provide accessible programming.
- Austria does not mandate quotas of each type of accessible accommodation, preferring to leave it to the broadcasters to explain which methods were chosen in fulfilling their obligation to continuously increase the volume of accessible content.
- Austria expressly considers the need for simple version broadcasts for persons with intellectual disabilities. The public service broadcaster, the Austrian Broadcasting corporation (“ORF”), is required to have a 2.5% or 4% share of such.
- Austria requires media service providers to consult with disabled persons’ organisations prior to implementing action plans for accessibility.
- The annual increase in targets for accessible measures is less ambitious (increases of 2.5% or 4% per year) but according to annual reports those targets were reached or exceeded by 13/15 reporting providers.
- The most significant improvements were seen with subtitling and sign language for news or political programming.

⁸⁷ The summary on Austria incorporates feedback received from Stefan Rauschenberger, director of the Legal Department at *Rundfunk und Telekom Regulierungs-GmbH* (RTR-GmbH) during the checking round with the national regulatory authorities.



4.1.2. Legal framework: primary and secondary legislation

National legislation	Summary of the measures
Article 7(1) AVMSD	
<p>Paragraph 5 (2) and (2a) Federal Act on the Austrian Broadcasting Corporation (ORF-G) primary legislation</p> <p><i>(Gesamte Rechtsvorschrift für ORF-Gesetz – ORF-G) (applicable to the public service broadcaster)⁸⁸</i></p> <p>Paragraph 30b (1) Federal Act on Audiovisual Media Services (AMD-G)</p> <p><i>(Gesamte Rechtsvorschrift für Audiovisuelle Mediendienste-Gesetze (AMD-G))⁸⁹</i></p>	<p>Progressive implementation (in line with technological development and economic feasibility) of the obligation to make broadcasts accessible for persons with visual, hearing, or intellectual disabilities.</p> <p>Obliges the ORF to provide a simple language news broadcast between 9 a.m. and 9 p.m.</p> <p>Obliges the ORF to progressively increase the availability of accessible content year on year from 31 December 2020.</p> <p>Priorities are for information, arts and culture, and education categories to be increased by 2.5% annually and entertainment by 4% annually. The goal for the ORF is for all language-based content to be accessible by 2030.</p> <p>Progressive implementation (in line with technological development and economic feasibility) of the obligation to make broadcasts accessible on a year-on-year basis starting from 31 December 2020.</p> <p>Exempts media service providers earning less than, or equal to, EUR 500 000 per annum, and purely local or regional television providers.</p>
Article 7 (2) AVMSD	
<p>Paragraph 30b (3) AMD-G</p> <p>Paragraph 5 (2) and (2a) ORF-G</p>	<p>Media service providers must submit annual reports by 31 March. The report must also be published by the media service provider in an accessible format. In this report they must explain what measures they have taken and what plans did not come to fruition. If deemed to be non-compliant, they may be supervised by the national media regulatory authority (<i>KommAustria</i> – RTR).</p> <p>The ORF must report annually on the measures it has taken to increase the volume of accessible content by 31 March. This report must explain what measures it has taken, and if</p>

⁸⁸ Austrian Federal Act on the Broadcasting Corporation available at: https://www.ris.bka.gv.at/Dokument.wxe?Abfrage=Erv&Dokumentnummer=ERV_1984_379

⁸⁹ Austrian Federal Act on Audiovisual Media Services available at: https://www.ris.bka.gv.at/Dokument.wxe?Abfrage=Erv&Dokumentnummer=ERV_2001_1_84



	necessary justify why the action plan was not implemented as written. The report must also be published in an accessible format. If found to be non-compliant, the ORF may be supervised by RTR.
Article 7 (3) AVMSD	
Paragraph 30b (2) AMD-G	Requires media service providers to consult with disabled persons' organisations representing persons with hearing, visual and intellectual disabilities to ensure the usability and appropriateness of measures prior to drawing up an action plan. Action plans must be submitted to RTR , and must also be published in accessible formats.
Paragraph 5 (2) and (2a) ORF-G	Each year the ORF, after consulting the Audience Council as well as organisations representing people with visual and/or hearing impairments and people with intellectual disabilities, shall draw up an action plan, including a specific three-year timetable for the annual increase in the percentage of accessible broadcasts (excluding live broadcasts) and its online offerings, separated into the categories of information, entertainment, education, arts and culture, and sports. The annual report (paragraph 7) shall state the increase of the share of content made accessible to everyone by means of measures appropriate for the group of persons concerned (in particular subtitles, sign language interpreting, two-channel sound, audio descriptions) in online services and on channels.
Article 7 (4) AVMSD	
Paragraph 20b Federal Act on the establishment of an Austrian Communication Authority ⁹⁰ <i>(Gesamte Rechtsvorschrift für KommAustria-Gesetz)</i>	RTR will act as a centre for providing information to the public on the accessibility of content, as well as a centre for complaints about the inaccessibility of audiovisual media services content. Further, RTR will provide dispute resolution using the guidelines from the Alternative Dispute Settlement Act.
Article 7 (5) AVMSD	
Paragraph 30a AMD-G	Media service providers will provide emergency broadcasting time free of charge. The information communicated will be fully accessible and the state will remunerate the media service provider for any costs incurred in making that information accessible.
Paragraph 5 (6) ORF-G	

⁹⁰ https://www.ris.bka.gv.at/Dokument.wxe?Abfrage=Erv&Dokumentnummer=ERV_2001_1_32



4.1.3. Overview of national rules

Types of accessibility measures	Brief overview of existing rules
Accessibility measures (hearing impairments)	<p>Not specifically listed.</p> <p>The alternatives for achieving accessibility can be chosen by providers. Recital 22 points out that the right of persons with disabilities and older people to participate in the social and cultural life of the Union and their integration in this respect are linked to the provision of accessible audiovisual media services. Recital 23 also states that accessibility is ensured, among other things, by sign language, subtitling for the deaf and hard of hearing, spoken captioning, and audio description.⁹¹</p> <p>The ORF must increase accessibility in the information, arts and culture, and educational categories, by 2.5% year on year.</p> <p>In the entertainment category, accessibility must increase by at least 4% year on year.</p> <p>Priority is given to prime-time programming, online services related to linear broadcasters, federal state broadcasts, political programming and children's programming.</p> <p>Each year all media service providers must report on how they have increased their accessibility through measures aimed at the target groups.</p>
Accessibility measures (visual impairments)	<p>Not specifically listed (see above).</p> <p>The ORF must increase accessibility in the information, arts and culture, and educational categories, by 2.5% year on year.</p> <p>In the entertainment category, accessibility must increase by at least 4% year on year.</p> <p>Priority is given to prime-time programming, online services related to linear broadcasters, federal state broadcasts, political programming and children's programming.</p> <p>Each year all media services providers must report on how they have increased their accessibility through measures aimed at the target groups.</p>
Accessibility measures developed by self- or co-regulatory process	<p>Yes – action plans submitted to RTR, along with reports on the success of those action plans. Further action plans are developed in consultation with disabled users.</p>
Reporting to the NRA – frequency	<p>Yes, annual basis.</p>
Designated point of contact for	<p>Yes, KommAustria (supported by RTR-GmbH) is obliged to provide a Service point for complaints and information offers on the subject of accessibility of audiovisual media services. It mediates between the media service providers and the users of the services.⁹²</p>

⁹¹ <https://www.parlament.gv.at/gegenstand/XXVII/I/462>

⁹² <https://beschwerde.rtr.at/startseite.de.html>



information and
complaint

4.1.4. Law in practice: selected examples⁹³

According to paragraph 19 of the KommAustria Act, RTR shall present the current status of developments in terms of the obligation to increase accessibility measures for each of the media service providers and provide a comparison of the intended target values and the figures actually achieved in their activity report. The reports for 2021 and 2022 can be seen here:

- <https://www.rtr.at/medien/aktuelles/publikationen/Publikationen/Barrierefreiheitsbericht2021.de.html>
- <https://www.rtr.at/medien/aktuelles/publikationen/Publikationen/Barrierefreiheitsbericht2022.de.html>

4.1.4.1. Public service broadcaster: the ORF

According to public information,⁹⁴ the ORF offers around 75% of ORF1 and ORF2 programmes with subtitles.

4.1.4.2. Private media broadcaster: Puls 4

According to its action plan published for the period 2021-2023, private media broadcaster Puls 4, aims to “significantly increase” its accessibility measures. For the calendar year 2023, there should be 5 250 minutes of accessible programming in the entire offering.⁹⁵

4.1.4.3. VOD: Magenta

The VOD service Magenta (T-Mobile Austria GmbH) focuses most on subtitles, as established in its action plan:⁹⁶ all contracts with content suppliers and film studios contain the obligation for Magenta On Demand to offer titles with subtitles within the scope of their possibilities.

⁹³ Examples as selected by the national expert.

⁹⁴ See <https://der.orf.at/kundendienst/service/barrierefrei100.html>, <https://der.orf.at/kundendienst/service/aktionsplan-barrierefreiheit102.pdf>

⁹⁵ See Puls 4's action plan, available at: <https://www.puls4.com/service/nutzungsbedingungen/barrierefreier-content>

⁹⁶ Magenta's action plan available at: https://www.magenta.at/faq/entry/~technische-anfrage-fernsehen-features/~MagentaTV_Barrierefreiheit-master



4.2. BE(FR) - French Community of Belgium⁹⁷

4.2.1. Key findings

- The regulation developed by the Advisory Committee of the national media regulatory authority (*Conseil Supérieur de l'Audiovisuel*, “CSA”) and approved by the government in 2018 gradually increased the obligation on media service providers to make programmes progressively more accessible over a period of five years.
- The text of the regulation is supplemented by a charter on the quality of accessibility measures (2019) and a good practice guide for audio description professionals (2019), which are non-binding but referenced in the regulation.
- There is no formal legislation transposing Article 7(3) in order to encourage media service providers to develop their own action plans, rather it is the task of the Advisory Committee of the regulator to develop regulations relating to the progressive accessibility of programmes.
- Providers of linear television services that are made accessible with sign language are deemed accessible by means of subtitling under the regulation. Based on this inclusion, and a high percentage of programmes interpreted into Belgian Sign Language (according to the CSA report of 2022), the public service broadcaster RTBF met its targets for subtitled and interpreted programmes. Private broadcasters remain only partially compliant, and sanctions proceedings have been initiated against some private broadcasters.
- Audio description lags behind subtitling and signing in implementation in both public and private broadcasting.
- Video-on-demand (VOD) broadcaster Sooner reports that the inaccessibility of its platform for persons with visual disabilities has led to planned content being scrapped.

4.2.2. Legal framework: primary and secondary legislation

National legislation	Summary of the measures
Article 7(1) AVMSD	
Article 4.1-1 Decree of 4 February 2021 on audiovisual media services	Decree: Instructs service providers to make programmes continuously and progressively more accessible for persons with “sensory

⁹⁷ The summary on Belgium (French Community) incorporates feedback received from Nele Smets, deputy director general, and Anahi Vila, director of European affairs at the CSA during the checking round with the national regulatory authorities.



<p>and video-sharing services (primary legislation) (Decree of 2021) (<i>Décret relatif aux services de médias audiovisuels et aux services de partage de vidéos</i>)⁹⁸</p> <p>Articles 3-6, 11, 12, 21, 22, Regulation of the Advisory Committee No. 03/2018 of 17 July 2018 on the accessibility of programmes to people with sensory impairments (secondary legislation) (Regulation of 2018) (<i>Règlement relatif à l'accessibilité des programmes aux personnes en situation de déficience sensorielle</i>)⁹⁹</p> <p>Paragraph 18, sixth RTBF management contract 2023-2027 (agreement between the government and the broadcaster) (<i>Sixième contrat de gestion de la RTBF</i>)¹⁰⁰</p>	<p>impairments”.</p> <p>Regulation: Imposes obligations on broadcasters. Divides them into public and local, and private. Specific quotas are indicated below in section 1.1.3 The regulation excludes filmed radio and commercial communication. Linear television services providing subtitling should also identify sources of sound and include information relating to sound that is not speech. Producers of live or semi-live broadcasts should also try to include this information, but musical performances need not. Section 6.3. references quality monitoring, including the adoption of a quality charter¹⁰¹ and examples of good practice.¹⁰² Providers of non-linear television on open distribution platforms should make every effort to ensure accessibility.</p> <p>Articles 21 and 22. Provide timelines for gradual implementation over five years.</p> <p>Management contract: RTBF agrees to use subtitling, sign language and audio description, as well as using all technological innovations to guarantee accessibility, in collaboration with service distributors. RTBF must ensure that information is provided to audiences and that its accessibility functions are promoted. Partnerships with private media must take accessibility into account.</p>
<p>Article 7(2) AVMSD</p>	
<p>Article 3.1.2-3 and Article 9.1.2-3 paragraph 1 8° Decree of 2021</p>	<p>Television service broadcasters must submit annual reports to the Licensing and Control Committee.</p> <p>The Licensing and Control Committee must submit reports to the European Commission bi-annually relating to Articles 4.2.1-1 and 6.1.1-1, and tri-annually relating to Article 4.1-1.</p>
<p>Article 7(3) AVMSD</p>	
<p>Articles 4.1-1 and 9.1.2-1 paragraph 1 2° Decree of 2021</p>	<p>Service providers to apply regulations as established by the Advisory Committee of the CSA. These regulations are regarded as representing a joint action plan of all stakeholders who contributed to its adoption.</p>

⁹⁸ <http://www.ejustice.just.fgov.be/eli/decret/2021/02/04/2021020568/justel>

⁹⁹ https://www.csa.be/wp-content/uploads/documents-csa/Reglement%20accessibilite_Final_VWEB.pdf

¹⁰⁰ https://ds1.static.rtbf.be/uploader/pdf/a/5/0/beta_d537219571cfe9f6dcb782c4c4d239dd.pdf

¹⁰¹ <https://www.csa.be/wp-content/uploads/2019/12/CHARTE-ACCESSIBILITE-26112019.pdf>

¹⁰² <https://www.csa.be/wp-content/uploads/documents-csa/20191015-Guide-de-bonnes-pratiques.pdf>



Article 7(4) AVMSD	
Article 9.1.4-1, Decree of 2021	The CSA hears complaints including those relating to accessibility.
Article 7(5) AVMSD	
Article 2.1.4-1, Decree of 2021, Article 7 paragraph 1, Regulation 2018	Broadcasters will provide three free hours of emergency broadcast time per month, at the request of the government. Broadcasters will ensure that these messages are accessible, and authorities will ensure that they are produced accessibly.

4.2.3. Overview of national rules

Types of accessibility measures	Brief overview of existing rules
Accessibility measures (hearing impairments)	<p>Yes.</p> <p>Subtitling.</p> <p>Public broadcasting French Community average annual audience share $\geq 2.5\%$: 95% subtitled content (includes sign language interpretation).</p> <p>Public broadcasting French Community average annual audience share $\leq 2.4\%$: 35% subtitled content (includes sign language interpretation).</p> <p>Private broadcasters average annual audience share $\geq 2.5\%$: 75% subtitled content (includes sign language interpretation).</p> <p>Private broadcasters average annual audience share $\leq 2.4\%$: provider shall make every effort to reach 35% subtitled content (includes sign language interpretation).</p> <p>Non-linear television services (on-demand) should make every effort to ensure 25% of content is subtitled, and that access to such accommodations is user friendly.</p>
Accessibility measures (visual impairments)	<p>Yes.</p> <p>Audio description.</p> <p>Public broadcasting French Community average annual audience share $\geq 2.5\%$: 25% audio-described content.</p> <p>Public broadcasting French Community average annual audience share $\leq 2.4\%$: 15% audio-described content.</p> <p>Private broadcasters average annual audience share $\geq 2.5\%$: 20% audio-described content.</p> <p>Private broadcasters average annual audience share $\leq 2.4\%$: provider shall make every effort to reach 15% audio-described content.</p>



	Public and private non-linear television services (on-demand) should make every effort to ensure 25% of content is audio described, and that access to such accommodations is user friendly.
Accessibility measures developed by self- or co-regulatory process	Yes – co-regulatory process with the Advisory Committee of the regulatory body.
Reporting to NRA - Frequency	Yes – annual basis.
Designated point of contact for information and complaint	Yes, the CSA (<i>Conseil Supérieur de l'audiovisuel de la Communauté française de Belgique</i> – the regulatory authority in French-speaking Belgium) hears complaints addressed to the CSA, including those relating to accessibility.

4.2.4. Law in practice: selected examples¹⁰³

4.2.4.1. AB3: ongoing sanction procedure

In 2021, AB3, a private television channel, did not fully comply with Article 3 paragraph 2 or Article 22 paragraph 1 of the accessibility regulation, particularly the requirement for 10%¹⁰⁴ of its fiction and documentary programming to be provided with audio description. This was due in part to a lack of public funding, which would have enabled the broadcaster to meet its accessibility targets.¹⁰⁵ Subsequently, the Licensing and Control Committee (CSA) notified SAS Mediawan LP, the broadcaster in charge of AB3, of a grievance against it.¹⁰⁶

4.2.4.2. Private broadcaster: RTL

The most important private provider in the French Community of Belgium considered itself to be under Luxembourgish jurisdiction until March 2023 and therefore was not obliged to take any accessibility measures under the CSA Regulation of 2018.

4.2.4.3. VOD: Sooner¹⁰⁷

The on-demand provider states that 100% of the programmes offered by its services are provided with subtitling, but that subtitling is not always compliant with the definition

¹⁰³ Examples as provided by the national expert.

¹⁰⁴ The requirement of only 10% for the year 2021 is due to the five-year transition period established in the Advisory Committee Regulation No. 03/2018 of 17 July 2018 that aimed to meet the quotas progressively.

¹⁰⁵ CSA Report 2022 p. 13.

¹⁰⁶ CSA Press release of 9 March 2023: <https://www.csa.be/agenda/audition-ab3-audiodescription/>

¹⁰⁷ All information in this section is drawn from the CSA Licensing and Control Committee Advisory Opinion No. 111/2022.



provided in the quality charter of 2019. The provider is in the process of improving accessibility along with its partners. The CSA notes that the provider has followed recommendations to build accessibility into the process of content acquisition from rights holders, although these functions are not always available to purchase. The CSA has noted that no audio-described programmes were proposed in the 2021 report from Sooner. The provider noted that it had cancelled programming, specifically a plan to broadcast films from the TEFF Festival because they could not make the hosting platform accessible for persons with visual disabilities. The Sooner action plan for 2022 indicates an increase in accessibility for persons with disabilities, through a combination of making the website more navigable, and the acquisition of 20 new audio-decoded or subtitled programmes, and a plan to curate an accessible film collection.



4.3. BE(VL) - Flemish Community of Belgium¹⁰⁸

4.3.1. Key findings

- The language of the Decree on Radio and Television Broadcasting has been amended to become more inclusive, making it applicable to “persons with a disability”, rather than limiting its beneficiaries to persons with visual or hearing disabilities. However, the specifics of the legislation remain tailored to those groups.
- Some broadcasters provide set top boxes for those users who need accommodations to access audiovisual content.
- Quotas of accessible news content offered linearly and on demand have been exceeded by the public service broadcaster (VRT), both in terms of subtitling and audio description, as well as having programming with sign language and spoken subtitling (no quota found in legislative text as translated).
- All private news broadcasts and current affairs programmes are subtitled via text, and 98% of programming offered between 1 p.m. and midnight is subtitled.
- Smaller media providers are excluded from obligations under the government decision.

4.3.2. Legal framework: primary and secondary legislation

National legislation	Summary of the measures
Article 7(1) AVMSD	
Decree on Radio and Television Broadcasting, Article 151 paragraphs 1-3 (primary legislation – the Media Decree) <i>(Decreet betreffende radio-omroep en televisie)</i> ¹⁰⁹	Decree: Public and private broadcasters must continue to improve access to their programming for persons with a disability. They must do so through subtitling, audio description, sign language and spoken subtitling. Private broadcasters with >2% market share and all regional broadcasters must provide news programming with subtitling.
Decision of the Flemish Government on establishing a timetable and quotas for	The Flemish Government must establish a timeline and quotas for subtitling in addition to what is required in paragraph 2, as

¹⁰⁸ The summary on Belgium (Flemish Community) incorporates the feedback received from Dirk Peereman, registrar at the Flemish Regulatory Authority for the Media (VRM) during the checking round with the national regulatory authorities.

¹⁰⁹ https://www.vlaamseregulatormedia.be/sites/default/files/mediadecreet_27_maart_2009_26_versie_011220_22.pdf



<p>making broadcast programmes accessible and providing subsidies to implement Article 151 of the Decree on Radio Broadcasting and Television of 27 March 2009. Articles 2-4 (secondary legislation)</p> <p><i>(Besluit van de Vlaamse Regering over de vastlegging van een tijdsfad en quota voor het toegankelijk maken van omroepprogramma's en over het verstrekken van subsidies ter uitvoering van artikel 151 van het decreet van 27 maart 2009 betreffende radio-omroep en televisie)¹¹⁰</i></p>	<p>well as audio description, sign language and spoken subtitling.</p> <p>Decision:</p> <p>Establishes quotas described below in section 1.1.3.</p>
<p>Article 7(2) AVMSD</p>	
<p>Article 218 paragraph 2 19° and Article 151 paragraph 4 Media Decree (primary legislation)</p>	<p>The national media regulatory authority (<i>Vlaamse Regulator voor de Media – VRM</i>) must publish annual reports on the accessibility of audiovisual media services.</p> <p>VRT and the various private broadcasting organisations must provide a report annually by 31 March on the implementation of Article 151 paragraphs 1-3</p>
<p>Article 7(3) AVMSD</p>	
<p>Article 218 paragraph 2 19° and Article 151 paragraph 4 Media Decree (primary legislation)</p>	<p>VRM must publish annual reports on the accessibility of audiovisual media services.</p> <p>VRT and the various private broadcasting organisations must provide a report annually by 31 March detailing action points for the coming year.</p>
<p>Article 7(4) AVMSD</p>	
<p>Article 218 paragraph 2 20° and Article 151 paragraph 4 Media Decree (primary legislation)</p>	<p>The general chamber of VRM must maintain the complaint contact point.</p> <p>VRM maintains an online contact point to provide information and receive complaints.</p>
<p>Article 7(5) AVMSD</p>	
<p>Article 151 paragraph 6 Media Decree (primary legislation)</p>	<p>Whenever reasonably possible, emergency information will be provided in an accessible format.</p>

¹¹⁰

https://etaamb.openjustice.be/nl/besluit-van-de-vlaamse-regering-van-27-januari-2023_n2023040738.html



4.3.3. Overview of national rules

Types of accessibility measures	Brief overview of existing rules
Accessibility measures (hearing impairments)	<p>Yes.</p> <p>Subtitling:</p> <p>VRT has to provide teletext subtitling in 99% of Dutch-language programmes (with the exception of hosting, trailing, commercial communication, “general interest messages” and music programmes).</p> <p>VRT also has to achieve progressive growth towards 90% subtitling of video (excluding hosting, trailing, commercial communication, “general interest messages” and music programmes) on websites, with a growth path on VRT MAX, its digital platform/app (excluding specific archive images). Regional Public Broadcasting – news programmes on weekdays from 8 p.m. onwards</p> <p>Private television broadcasting organisations with >2% market share – main news programme,¹¹¹ other news programmes and 90% of current affairs programming (excluding current affairs programming dedicated solely to sports) and at least 40% of programming between 1 p.m. and midnight (excluding teleshopping and programming for children under 8).</p> <p>These private television broadcasting organisations have to make the existing subtitles also available when offering these programmes on demand.</p> <p>Sign language:</p> <p>VRT has to provide a news programme for adults and a children's news programme with a Flemish Sign Language interpreter. In addition to items interpreted by a Flemish Sign Language interpreter, VRT NWS (website) and VRT MAX (digital platform/app) also offer separate news items interpreted by signers.</p> <p>Private television broadcasting organisations with >30% market share: linear television – main news programme or a current affairs programme.</p>

¹¹¹ Main news programme is defined as the news programme with on average the highest viewing figures.



Accessibility measures (visual impairments)	<p>Yes.</p> <p>Audio description: VRT has to provide audio description for all fiction on TV channels (excluding soaps).</p> <p>Private television broadcasting organisations: Dutch-language programming – when offered linearly or non-linearly, distributors must make information about audio description available.</p> <p>Spoken subtitling: VRT has to support maximally spoken subtitles for all non-Dutch programmes and programme components (with the exception of specific archive footage).</p> <p>Private television broadcasting organisations with >2% market share have to attach a compatible spoken subtitle signal to their subtitled programming (i.e. at least 40% of the programming between 1 p.m. and midnight (excluding teleshopping and programming for children under 8).</p> <p>Private television broadcasting organisations with >30% market share have to make all foreign-language fragments in all journals accessible by means of spoken subtitles in their linear programmes</p>
Accessibility measures developed by self- or co-regulatory process	No, primarily developed through legislation and regulation.
Reporting to NRA - Frequency	Yes – annual basis.
Designated point of contact for information and complaint	Yes – the general chamber of VRM.

4.3.4. Law in practice: selected examples¹¹²

4.3.4.1. Public broadcaster: NV VRT

NV VRT aims to provide the best possible access to their programming. To that end they provide a special TV box for spoken subtitles (in 2021 all TV programming was made available with spoken subtitles, except specific archival footage). All Flemish fiction series broadcast on the public broadcast channels in prime time were made available with audio description, as well additional selected programming; this was additionally available on the public broadcaster's video-on-demand (VOD) platform. A full 100% of Dutch-language

¹¹² Examples as provided by the national expert.



programmes were subtitled in 2022 and, in addition, recognising the needs of Ukrainian refugees, children's programming was made available with Ukrainian-language subtitling. News programming was offered daily with live sign language interpretation, as well as being available on the VOD platform. Further, VRT has established an additional department with the sole focus of increasing accessibility.¹¹³

4.3.4.2. Private broadcaster: NV DPG

NV DPG Media has ensured that all news broadcasts and current affairs programmes are provided with subtitling via text or open channel subtitles. Approximately 96% of programming offered between 1 p.m. and midnight is provided with subtitles on the VTM channel, and 98% on the VTM2 channel. A signal compatible with the set top box is sent for spoken subtitling for channels VTM, VTM2 and VTM3. On the VTWGO VOD service, subtitles can be turned on, and the app can be used by a screen reader. Subtitling is provided for 40% of the content. No mention is made of audio description.¹¹⁴

4.3.4.3. VOD service: Streamz

The Streamz VOD service provider allows for users to turn on subtitling in the app.¹¹⁵

¹¹³ Information from the 2022 Accessibility Report (<https://www.vlaamseregulatormedia.be/nl/radio-tv-en-netwerken/tv/rapportering-toegankelijkheid-personen-met-een-handicap>) and the management agreement of the public broadcaster (<https://www.vrt.be/nl/over-de-vrt/beheersovereenkomst/>).

¹¹⁴ 2022 Accessibility report: <https://www.vlaamseregulatormedia.be/nl/radio-tv-en-netwerken/tv/rapportering-toegankelijkheid-personen-met-een-handicap>

¹¹⁵ <https://customerservice.streamz.be/nl/knowledge/hoe-pas-ik-mijn-ondertitels-aan>



4.4. BG - Bulgaria¹¹⁶

4.4.1. Key findings

- The language of the statute creates a model of progressive realisation of reasonable accommodation, considering the technological abilities and economic situation of the media service providers.
- Stronger obligations are placed on the public service broadcaster (BNT).
- Individual action plans are not publicly available, but they are compiled by the national media regulatory authority (Council for Electronic Media – CEM) in a report released to the public.
- The main focus appears to be on increasing access to news and current affairs programmes, with subtitling and sign language being the primary means.
- Audio description, while mentioned in the statute, does not appear in the examples. There are no other examples of audiovisual media content being made accessible for persons with visual impairment.
- Private media service providers lag significantly behind in the provision of accessible content.
- BNT broadcasts a weekly show specifically for persons with hearing impairments and the D/deaf community called “The World of Gestures”, as well as a “Listen to the News” segment on its website based on an electronic reader that converts written text into audio.
- Radio providers are also required to make content accessible via apps, the Internet, or other technical measures.

¹¹⁶ It was not possible to receive feedback on the summary concerning Bulgaria during the checking round with the national competent institutions.



4.4.2. Legal framework: primary and secondary legislation

National legislation	Details
Article 7(1) AVMSD	
Radio and television Act Article 8a (1), (primary legislation) (ЗАКОН ЗА РАДИОТО И ТЕЛЕВИЗИЯТА) ¹¹⁷	Media service providers are obliged to make their content progressively more accessible for persons with visual or hearing impairment. This includes, but is not limited to sign language, subtitling, spoken subtitles, and audio description.
People with disabilities Act Article 64 (primary legislation) (ЗАКОН ЗА ХОРАТА С УВРЕЖДАНЯ) ¹¹⁸	Taking into account technological developments and economic resources, BNT services must provide news and current affairs programming with subtitles. According to the action plans submitted to the CEM, BNT services must aim to subtitle all programming with content like news, current affairs, films, series and other such programming. The non-linear services of BNT are included in these obligations. Terrestrial broadcasting with multi-subject or news programmes and a daily audience share of >20% will provide sign language interpretation for at least one newscast between 7 p.m. and 11.30 p.m.
Article 7 (2) AVMSD	
Radio and television Act Article 8a (2) (primary legislation) Regulation for the organisation and activity of the Electronic Media Council and its administration Article 9(1), 26 (secondary legislation) ¹¹⁹	Reports on the progress made in implementing media service provider action plans must be submitted annually to the Electronic Media Council.
Article 7 (3) AVMSD	
Radio and television Act Article 8a (2)	Action plans must be created and submitted to the CEM every three years.
Article 7 (4) AVMSD	
Radio and television Act Article 8a (6)	The CEM will provide on its website current contact details for an employee tasked with providing information and serving as a contact point for complaints regarding accessibility.
Article 7 (5) AVMSD	

¹¹⁷ https://www.cem.bg/files/1651646128_zrt_eng.pdf

¹¹⁸ <https://lex.bg/bg/laws/ldoc/2137189213>

¹¹⁹ In Bulgarian: "П Р А В И Л Н И К ЗА УСТРОЙСТВОТО И ДЕЙНОСТТА НА СЪВЕТА ЗА ЕЛЕКТРОННИ МЕДИИ И АДМИНИСТРАЦИЯТА КЪМ НЕГО", https://www.cem.bg/files/1677139479_ustrojstven_pravilnik-izm_2022.pdf



Radio and television Act Article 8a (3)	Media service providers will ensure that emergency information made available to the public through audiovisual media services is made available in a manner accessible for persons with disabilities. If it is not possible to make this information accessible, that should not prevent its release.
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4.4.3. Overview of national measures

Types of accessibility measures	Brief overview of existing rules
Accessibility measures (hearing impairments)	Yes. Subtitling: BNT services – must aim to progressively achieve 100% subtitling of news, current affairs, films, series and other programming content. Sign Language: Terrestrial broadcasting with multi-subject or news programmes and a daily audience share of >20% will provide sign language interpretation for at least one newscast between 7 p.m. and 11.30 p.m.
Accessibility measures (visual impairments)	None detailed – mentioned in the statute, but no evidence of adoption.
Accessibility measures developed by self- or co-regulatory process	Yes – action plans developed by media service providers every three years and submitted to the NRA setting out how they plan to progressively increase the percentage of accessible content.
Reporting to the NRA – frequency	Yes – media service providers must submit action plans every three years, and report on progress every year to the Electronic Media Council.
Designated point of contact for information and complaint	Yes, the Electronic Media Council provides contact information for a designated person who provides information and receives complaints.



4.4.4. Law in practice: selected examples

4.4.4.1. Public service media service provider:¹²⁰ BNT1

Volume of content with subtitles ¹²¹	283 min/day – 2.0%
Volume of content with sign language interpretation	869 min/day – 6.0%
Volume of content with crawl/captions	2 288 min/day – 15.9%

According to BNT's three-year accessibility plan, in 2022, the public provider must provide 1 035 hours (62 100 minutes over 365 days) of content accessible to persons with disabilities (total for the media services BNT1, BNT2 and BNT4; excluding BNT3, which is a sports programme). Separately, BNT plans a film programme on an annual basis: 270 hours of feature films, 130 hours of series, 150 hours of documentaries and series (550 hours or 33 000 minutes over 365 days).

In total, BNT is obliged to broadcast 1 585 hours over 365 days of accessible content for people with sensory disabilities on an annual basis for the three media services (BNT1, BNT2, BNT4).

4.4.4.2. Private media service provider: bTV

Volume of content with subtitles	0 minutes – 0%
Volume of content with sign language interpretation	482 min/day – 3.34%
Volume of content with crawl	629 min/day – 4.36%

The central news broadcast at 7 p.m., along with sports and weather, are the only programmes on bTV accompanied by sign language translation. The remaining news broadcasts and shows are without crawl, subtitles, and/or sign language translation.

According to the three-year accessibility plan provided by the Association of Bulgarian Broadcasters to the CEM, the provider bTV Media Group EAD committed to 440 hours (26 400 minutes over 365 days) of content being accessible to persons with disabilities for 2022 (total for all media services – programmes bTV, bTV ACTION, bTV CINEMA, bTV COMEDY and bTV LADY without RING). a total of 1 111 minutes of accessible programming have been observed on BTV channels over a period of 10 days (with sign language and crawl) or an average of 111 minutes per day of accessibility for persons with hearing disabilities.

¹²⁰ As reported by the national expert – data drawn from [the annual report of the Council for Electronic Media pp. 91-97: https://www.cem.bg/files/1680258993_otchet_2022_31032023.pdf](https://www.cem.bg/files/1680258993_otchet_2022_31032023.pdf)

¹²¹ BNT1 programme observed for 10 days.



4.5. CY - Cyprus¹²²

4.5.1. Key findings

- The only obligation fully implemented by media service providers before 2019 was the broadcast of news bulletins in sign language. Therefore, in 2019, the national media regulatory authority (Cyprus Radio-Television Authority – CRTA) required audiovisual media service providers to comply with the law providing for accessibility measures.
- All providers were forced to submit to the CRTA detailed timetables that defined specific actions, with the aim of making as many of their programmes accessible to people with visual and hearing impairments as possible. In 2021, the CRTA evaluated the measures put in place by AVMS providers and considered they were satisfactory.
- In mid-2022 as well as in mid-2023 the CRTA asked providers to submit a new report on their recent relevant actions.
- Most AVMS providers are implementing accessibility measures.
- However, no specific actions have yet been taken regarding accessibility for people with visual impairments (e.g. verbal subtitling/audio description).

4.5.2. Legal framework: primary and secondary legislation

National legislation	Summary of the measures
Article 7(1) AVMSD	
The Radio and Television Broadcasters Law 7(I)/1998 as amended by Law 197(I)/2021, section 30B <i>(Ο περί Ραδιοφωνικών και Τηλεοπτικών Οργανισμών Νόμος του)</i> ¹²³ Cyprus Broadcasting Corporation Law Cap. 300A, as	Instructs service providers to make programmes continuously and progressively more accessible for persons with disabilities. Audiovisual media service providers will aim to progressively increase their programming by at least 5% year on year in addition to short news reports. Measures include subtitling, use of sign language, audio description and spoken subtitling.

¹²² The summary on Cyprus incorporates the feedback received from Ms Chryso Pantopiou, Radio Television Officer at the Cyprus Radio Television Authority, during the checking round with the national regulatory authorities.

¹²³ The Radio and Television Broadcasters Law is available in the original language at: http://www.cylaw.org/nomoi/enop/ind/1998_1_7/section-scaafea67e-4c5a-8b26-6da0-2fd14599bf01.html and in English (unofficial version) at: [https://cрта.org.cy/en/assets/uploads/pdfs/FINAL%20CONSOLIDATED%20LAW%20up%20to%20Amendment%20197\(I\).2021.pdf](https://cрта.org.cy/en/assets/uploads/pdfs/FINAL%20CONSOLIDATED%20LAW%20up%20to%20Amendment%20197(I).2021.pdf)



amended by Law 196(I)/21, section 18C <i>(Ο περί Ραδιοφωνικού Ιδρύματος Κύπρου Νόμος)¹²⁴</i>	Every television broadcaster must provide a news programme which is accessible to D/deaf consumers between 6 p.m. and 9 p.m. every day.
Article 7(2) AVMSD	
Law 7(I)/1998), section 30B Law 196(I)/21, section 18C	Audiovisual media service providers, and the public service broadcaster (Cyprus Broadcasting Corporation – CBC) must submit a report regularly to the CRTA. The CRTA will submit reports every three years to the European Commission.
Article 7(3) AVMSD	
Law 7(I)/1998), section 30B Law 196(I)/21, section 18C	The CRTA encourages audiovisual media service providers, and the CBC to develop action plans, and these plans should be communicated to the CRTA. Audiovisual media service providers must submit schedules detailing how they plan to progressively increase the percentage by at least 5% year on year for persons with visual or hearing disabilities.
Article 7(4) AVMSD	
Law 7(I)/1998), section 30B Law 196(I)/21, section 18C	The CRTA shall set up a publicly available online point of contact for providing public information about accessibility and receiving complaints relating to accessibility.
Article 7(5) AVMSD	
Law 7(I)/1998), section 30B Law 196(I)/21, section 18C	Media service providers and the CBC will provide emergency information which is made available to the public in an accessible manner.

4.5.3. Overview of national rules

Types of accessibility measures	Brief overview of existing rules
Accessibility measures (hearing impairments)	No specific obligations of this type but media service providers have an obligation to increase the volume of accessible content by 5% year on year on top of pre-existing short news segments.
Accessibility measures (visual impairments)	No specific obligations of this type but media service providers have an obligation to increase the volume of accessible content by 5% year on year on top of pre-existing short news segments.

¹²⁴ http://www.cylaw.org/nomoi/enop/ind/0_300A/section-scbc02374e-d128-18d4-5123-9996c1de546e.html



Accessibility measures developed by self- or co-regulatory process	AVMS providers inform the CRTA of their accessibility measures.
Reporting to the NRA – frequency	Yes, on an annual basis.
Designated point of contact for information and complaint	Yes. The CRTA has a general point of contact for dissemination of information and receiving complaints. The Ombudsman for the National Human Rights Institution is also empowered to receive complaints regarding persons with disabilities, including accessibility issues.

4.5.4. Law in practice: selected examples¹²⁵

4.5.4.1. Public service broadcaster: CBC

The Cyprus Broadcasting Corporation provides daily news reports with sign language on its online platform.¹²⁶

4.5.4.2. Private broadcaster: Omega TV

Omega TV provides daily news reports with sign language on its online platform.¹²⁷

¹²⁵ Examples as provided by the national expert.

¹²⁶ See CyBC's on-demand platform at: <https://cybc.com.cy/video-on-demand/%CF%81%CE%B9%CE%BA-2/%CE%B5%CE%B9%CE%B4%CE%AE%CF%83%CE%B5%CE%B9%CF%82-%CF%83%CF%84%CE%B9%CF%82-8-%CF%83%CF%84%CE%B7-%CE%BD%CE%BF%CE%B7%CE%BC%CE%B1%CF%84%CE%B9%CE%BA%CE%AE-%CE%B3%CE%BB%CF%8E%CF%83%CF%83%CE%B1/>

¹²⁷ See Omega TV platform at: <https://www.omegatv.com.cy/cgibin/hweb?-A=199244&-V=vod>



4.6. CZ - Czechia¹²⁸

4.6.1. Key findings

- Broadcasters and on-demand audiovisual media service providers must consult with civil society groups representing persons with auditory or visual-based disabilities to draw up an annual action plan in order to increase the overall share of programmes made accessible.
- Prior to the 2022 amendment, private broadcasters had quotas to meet regarding captioning and audio description, but the amended statute no longer contains this language, as noted by the Council for Radio and Television Broadcasting (RRTV): "The Broadcasting Act will no longer contain a specific commitment in the scope of service availability but sets a system that aims to achieve compliance with accessibility requirements through a gradual and continuous process of making services permanently accessible to persons with disabilities. This objective will be achieved through action plans which broadcasters will be required to prepare for three-year periods."¹²⁹
- Prior to the amendment, RRTV had warned private broadcasters on three occasions about violations, mostly in connection with failure to comply with the obligation to provide access for visually impaired persons to at least 2% of the programmes broadcast in the year 2022.
- Private broadcasters and VOD audiovisual media service providers provide only limited information about accessibility, but awareness appears to be increasing and new policies are being implemented.
- The online complaints procedure is optimised for access by persons with visual impairments using a screen reader.

¹²⁸ The summary on Czechia incorporates the feedback received from the Czech Council for Radio and Television Broadcasting (RRTV).

¹²⁹ The Annual Report of the Council for Radio and Television Broadcasting 2022 (online). Available from: <https://www.rtv.cz/cz/files/zpravy/VZ2022.pdf>



4.6.2. Legal framework: primary and secondary legislation

National legislation	Summary of the measures
Article 7(1) AVMSD	
<p>Act No. 231/2001 on the operation of radio and television broadcasting and amending other laws – consolidated 15 September 2022 (Act 231/2001) – Article 32l, 32(4) – (<i>Zákon č. 231/2001 o provozování rozhlasového a televizního vysílání a o změně dalších zákonů – Konsolidovaný 15. září 2022</i>)¹³⁰</p> <p>Act No. 483/1991 on Czech Television Article 3 (1) j) – (<i>Zákon č. 483/1991 o České televizi Article 3 (1) j)</i>)¹³¹</p> <p>Act No. 132/2010 on on-demand audiovisual media services and amending certain acts – consolidated 15 September 2022 – Article 6b (1) and (4) – (<i>Zákon č. 132/2010 Sb. o audiovizuálních mediálních službách na vyžádání a o změně některých zákonů – Konsolidovaný 15. září 2022</i>)¹³²</p>	<p>Act No. 231/2001:</p> <p>Making programmes accessible for persons with visual or hearing impairments.</p> <p>Exceptions are created for channels that are not made up of individual programmes, music television channels, channels aimed at promoting one's own products, channels consisting solely of television graphics or video text without spoken language and local broadcasting channels.</p> <p>Act No. 483/1991:</p> <p>Public service broadcaster: 70% of programming with closed or open captioning or simultaneous interpretation into Czech sign language. 2% of programming with Czech sign language. 10% of programming audio described.</p> <p>Act No. 132/2010:</p> <p>On-demand audiovisual media service providers will provide programmes, where practicable, with open or closed captioning, or with sign language interpretation, or audio description, or otherwise provide accommodations for persons with hearing or visual impairments.</p> <p>Exceptions are created for programmes which by their nature cannot be made accessible to a person with hearing or visual impairment, like music shows, promotional materials and programmes consisting solely of graphics or video text without spoken language.</p>
Article 7(2) AVMSD	
<p>Act No. 231/2001 Articles 5(3) and 32 (3)</p>	<p>Act No. 231/2001:</p> <p>RRTV will monitor and evaluate the performance of the commitments of television broadcasters and on-demand</p>

¹³⁰ <https://avmsd.obs.coe.int/sharedSearch/eyJmdWxsVGV4dCI6bnVsbCwiZGlyZWNOaXZlcyI6WzMyNV0slmRpcmVjdGJ2ZXMyIjpbXSwiY291bnRyaWVzIjpbMjdlLjJ2ZXJzaW9uIjo1LjJ2ZXJzaW9uMil6MiwIYmVnaW5EYXRlljpuclWxsLjIjbmREYXRlljpuclWxsLjIjkaXNwbGF5TW9kZSI6M5SwibGFuZ3VhZ2UiOjE5InR5cGVZP2kxhdyI6Ii9hbGxfliwIjW5hYmxlO29tcGFyaXNvbil6ZmFsc2V9>

¹³¹ <https://www.zakonyprolidi.cz/cs/1991-483#p3-1-j>

¹³² <https://avmsd.obs.coe.int/sharedSearch/eyJmdWxsVGV4dCI6bnVsbCwiZGlyZWNOaXZlcyI6WzMyNV0slmRpcmVjdGJ2ZXMyIjpbXSwiY291bnRyaWVzIjpbMjdlLjJ2ZXJzaW9uIjo1LjJ2ZXJzaW9uMil6MiwIYmVnaW5EYXRlljpuclWxsLjIjbmREYXRlljpuclWxsLjIjkaXNwbGF5TW9kZSI6M5SwibGFuZ3VhZ2UiOjE5InR5cGVZP2kxhdyI6Ii9hbGxfliwIjW5hYmxlO29tcGFyaXNvbil6ZmFsc2V9>



Act No. 132/2010 Article 6b (3)	<p>audiovisual media service providers and submit reports to the European Commission once every three years. Each television broadcaster must submit to RRTV an annual evaluation of the implementation of the action plan by 30 September of the year in which the action plan was carried out.</p> <p>Act No. 132/2010:</p> <p>Each on-demand audiovisual media service provider must submit to RRTV an annual evaluation of the implementation of the action plan by 30 September of the year in which the action plan was carried out.</p>
Article 7(3) AVMSD	
<p>Act No. 231/2001 Article 32 (2)</p> <p>Act No.132/2010 Article 6b (2)</p>	<p>Act No. 231/2001:</p> <p>Broadcasters must consult with disabled persons' organisations representing persons with visual or hearing impairment in order to develop an annual action plan to increase the overall share of accessible programming. The action plan is broken down into goals for specific channels and assessed from 1 July to 30 June each year based on total transmission time.</p> <p>Act No. 132/2010:</p> <p>On-demand audiovisual media service providers are subject to the same obligations to consult with disabled persons' organisations to create action plans as television broadcasters.</p>
Article 7(4) AVMSD	
Act No. 231/2001 Article 5 (2) b)	RRTV will act as a publicly available contact point to provide information and receive complaints related to accessibility.
Article 7(5) AVMSD	
Act No. 231/2001 Article 32 (1) k)	Broadcasters are obliged to provide the necessary transmission time for making important and urgent announcements, and to ensure that those announcements are accessible to persons with visual or hearing impairments.

4.6.3. Overview of national rules

Types of accessibility measures	Brief overview of existing rules
Accessibility measures (hearing impairments)	Yes, open and closed captioning, sign language interpretation.



	Public service broadcaster: 70% of programming with closed or open captioning or simultaneous interpretation into Czech sign language. 2% of programming with Czech sign language. Licensed private broadcasters: no specific quotas in most recent act.
Accessibility measures (visual impairments)	Yes, audio description. Public service broadcaster: 10% of programming audio described. Licensed private broadcasters: no specific quotas in most recent act.
Accessibility measures developed by self- or co-regulatory process	Yes, for public service broadcasters and for on-demand audiovisual media service providers. They are obliged to develop action plans in conjunction with disabled persons' organisations.
Reporting to the NRA – frequency	Yes, annual basis.
Designated point of contact for information and complaint	RRTV Broadcasting serves as the online contact point for provision of information and receiving complaints relating to accessibility. Complaints can be made online, by post or via the telephone.

4.6.4. Law in practice: selected examples¹³³

4.6.4.1. Public service broadcaster

Czech television (public service broadcaster) meets its goal of 70% compliance and is approaching 100% subtitled content.¹³⁴

4.6.4.2. Private broadcaster: FTV

FTV (private television broadcaster) offers selected programmes with an additional track of audio description and has established a set of labels to designate programming with accessible functionality.¹³⁵ No information is provided regarding the state of subtitling.

¹³³ Examples as provided by the national expert.

¹³⁴ Hidden subtitles on TV – What's the problem? – SILENT NEWS. SILENT NEWS – News is broadcast in Czech sign language with text in Czech language (online). Available from: <https://www.tichezpravny.cz/skryte-titulky-v-televizi-v-cem-je-problem/>

¹³⁵ <https://podpora.iprima.cz/hc/cs/articles/6258976566428-Labeling-oznacovan%C3%AD-vys%C3%ADlaných-pořadů>



4.6.4.3. VOD: VOYO

VOD VOYO launched a subtitling initiative in 2021 and commits to further subtitles of its own creation being more accessible. Additionally, it provides foreign titles in their original versions with subtitles.



4.7. DE - Germany¹³⁶

4.7.1. Key findings

- Germany has implemented a progressive realisation reasonable accommodation model that takes the financial and technical abilities of service providers into account.
- The law addresses not only the accessibility of content but also of design and navigation for audiovisual media services.
- Any provider claiming a disproportionate burden may be subject to additional reporting requirements and may not have availed themselves of public or private financial support to increase accessibility.
- While not specifically mentioned in the law, some broadcasters have implemented “easy language” programming, and made efforts to improve the intelligibility of language.
- The federal system in Germany results in state governance of audiovisual media service providers. Individual states have more specific guidance for service providers.

4.7.2. Legal framework: primary and secondary legislation

National legislation	Summary of the measures
Article 7 (1) AVMSD	
Paragraph 7 section 1, paragraph 76, paragraph 99 a sections 1-2, Interstate Media Treaty (primary legislation) (MStV) (<i>Medienstaatsvertrag konsolidiert 30. Juni 2022</i>) ¹³⁷	Paragraph 7. Broadcasters will include “barrier-free” programming within the scope of their technical and financial ability, and steadily increase the scope of that programming. Paragraph 76 includes “television-like telemedia” (video-on-demand – VOD) in the scope of the regulation. Paragraph 99 a section 1. Service providers will ensure user-friendly access, accessible choices and accessible use so long as it does not impose a disproportionate burden, or it does not require a substantial modification of the service providing access that leads to a fundamental change in its nature. If the provider
Paragraph 7a section 1 Act on the Broadcasting Corporation	

¹³⁶ The summary on Germany incorporates feedback received from Michel Winkels, European affairs adviser of the Media Authority of North Rhine-Westphalia, and Christina Brandt, European affairs adviser at the Joint Management Office of the Media Authorities (*die Medienanstalten*), during the checking round with the national regulatory authorities.

¹³⁷

https://www.die-medienanstalten.de/fileadmin/user_upload/Rechtsgrundlagen/Gesetze_Staatsvertraege/Medienstaatsvertrag_MStV.pdf



<p>under Federal Law “<i>Deutsche Welle</i>”, consolidated 14 September 2021 (DWG) (Gesetz über die Rundfunkanstalt des Bundesrechts “<i>Deutsche Welle</i>”)¹³⁸</p>	<p>receives public or private funding to improve accessibility it may not invoke disproportionate burden. Paragraph 99 a section 2. Service providers conduct their own assessment of whether the provision of accessibility functions requires a fundamental change or imposes a disproportionate burden. Paragraph 99 a section 2 S.1. If found to be non-compliant, providers will take corrective measures. <i>Deutsche Welle</i> (DW – one public service broadcaster) will make content continuously and progressively more accessible subject to its technical and financial ability.</p>
<p>Article 7 (2) AVMSD</p>	
<p>Paragraph 7 section 2, paragraph 76, paragraph 99 a sections 2-4 MStV Paragraph 7a section 2 DWG</p>	<p>Broadcasters of national commercial television services, and VOD services will report on measures taken and future measures contemplated and submit these to the competent state media authority. The public service broadcasters (ARD, ZDF as well as Deutschland Radio) will report on measures taken and future measures contemplated to their respective regulatory bodies at least every three years. DW must submit a report on measures taken and future measures contemplated to the Broadcasting Council every three years beginning 1 November 2022.</p>
<p>Article 7 (3) AVMSD</p>	
<p>Paragraph 7 section 2, paragraph 76, paragraph 99 a sections 2-4 MStV Paragraph 7a section 2 DWG</p>	<p>See above. All providers will keep records of these reports for a period of five years and present those reports at the request of the regulatory body. Additionally, providers may be required produce new reports at the request of the regulatory body or in the event of non-compliance.</p>
<p>Article 7 (4) AVMSD</p>	
	<p>Not transposed – however it has been directly implemented. The <i>Rundfunkkommission Der Länder</i> (Commission of the State Broadcaster) requested that public service broadcasters and state media authorities implement a central online point of contact. <i>Die medienanstalten</i> (the 14 state media authorities working in concert) set up a central point of contact for providing information and receiving complaints. The resulting <i>Zentrale Anlaufstelle für Barrierefreie Angebote</i> (ZABA) is a central point of contact for information and complaints.</p>
<p>Article 7 (5) AVMSD</p>	
	<p>Not transposed.</p>

¹³⁸ <https://www.gesetze-im-internet.de/dwg/DWG.pdf>



4.7.3. Overview of national rules

Types of accessibility measures	Brief overview of existing rules
Accessibility measures (hearing impairments)	Not specifically mentioned. The content should be “barrier-free” within the bounds of the technical and financial constraints of the audiovisual media service provider.
Accessibility measures (visual impairments)	Not specifically mentioned. The content should be “barrier-free” within the bounds of the technical and financial constraints of the audiovisual media service provider.
Accessibility measures developed by self- or co-regulatory process	Yes, audiovisual media service providers, including VOD, must submit reports with plans for increasing accessibility to the appropriate regulatory body every three years.
Reporting to the NRA – frequency	Yes, every three years.
Designated point of contact for information and complaint	Yes, ZABA is a central point of contact for information and complaints and represents 14 state authorities.

4.7.4. Law in practice: selected examples¹³⁹

4.7.4.1. Public service broadcaster: Zweites Deutsches Fernsehen (ZDF)

The public service broadcaster ZDF provided subtitles in 91.5% of its programming broadcast on television in 2021. Its on-demand platform provided subtitling in 88% of TV fiction films, 76% of fiction series, 43% of documentaries and 26% of the news in 2020. It has also implemented sign language on the on-demand platform for all programmes of high societal relevance, audio description as well as a “clear language” initiative to improve intelligibility, and an “easy language” initiative.¹⁴⁰

4.7.4.2. Private broadcaster: ProSieben

Private broadcaster ProSieben reports providing subtitles, audio description, sign language and easy language.¹⁴¹

¹³⁹ Examples as provided by the national expert.

¹⁴⁰ See <https://www.zdf.de/barrierefreiheit-im-zdf>, <https://www.zdf.de/assets/grundlagen-selbstverpflichtungserklaerung-2021-100~original>

¹⁴¹ <https://video.prosieben.de/service/barrierefrei>



4.7.4.3. VOD: Disney+

In practice, German users will be given various options regarding accessibility measures, such as audio description, closed captioning, colour contrast, keyboard navigation, responsive design, and text-to-speech services.¹⁴²

¹⁴² [https://help.disneyplus.com/csp?id=csp_article_content&sys_kb_id=60d525ebdbec0d860f3each139619f2#:~:text=Bildschirmlesefunktionen%20\(Text%20to%20Speech\)%20unterst%C3%BCtzen%20Personen%2C%20die%20gesamten%20Website%20und%20App%20anzubieten](https://help.disneyplus.com/csp?id=csp_article_content&sys_kb_id=60d525ebdbec0d860f3each139619f2#:~:text=Bildschirmlesefunktionen%20(Text%20to%20Speech)%20unterst%C3%BCtzen%20Personen%2C%20die%20gesamten%20Website%20und%20App%20anzubieten)



4.8. DK - Denmark¹⁴³

4.8.1. Key findings

- Denmark imposes obligations for service providers to progressively increase the proportion of accessible content subject to the limitations of financial ability.
- The public service broadcaster (DR) is tasked with implementing a universal design in content delivery for all programme delivery platforms. It uses four strategic “light lines” to guide this effort.
 - Accessibility as a principle – DR must work in a goal-oriented way; “born accessible” is the object.
 - Digital focus – technology has the most potential for accessibility.
 - High quality over high quantity – the priority is for well made, accessible content.
 - Universal design – accommodations cater to the greatest possible audience.
- All broadcasters are obliged to dialogue with disabled persons’ organisations regarding accessibility efforts, including providing seats on a user council that is involved in planning, prioritising and developing accessibility issues, as well as assessing quality and communicating about DR’s various services.
- The greatest obligations are placed on public service broadcasters.
- Denmark has a dedicated sign language channel.
- The national media regulatory authority, Radio and Television Board (RTB) is empowered to investigate, gather evidence, and impose sanctions on non-compliant broadcasters, the legislation giving them more explicit “teeth” than in many other countries.
- The RTB has issued a guidance document on accessibility for broadcasters providing much of the same information and explanations as the statutory and regulatory documents and having the force of law.¹⁴⁴ It applies to private Danish providers of television and video-on-demand (VOD) services, and instructs them to develop action plans for the ways in which they will make the content they provide more accessible.
- DR services do not prepare action plans but are regulated through their public service contracts and licences according to the rules on public service programme operations.

¹⁴³ The summary on Denmark incorporates feedback received from Søren F. Jensen, senior legal advisor at the Danish Agency for Culture and Palaces during the checking round with the national regulatory authorities.

¹⁴⁴ Available at: [https://slks.dk/omraader/medier/tv/tilgaengelighed in Danish](https://slks.dk/omraader/medier/tv/tilgaengelighed%20in%20Danish).



4.8.2. Legal framework: primary and secondary legislation

National legislation	Summary of the measures
Article 7 (1) AVMSD	
<p>The Radio and Television Broadcasting Act – consolidated 4 September 2020, section 48(2) (primary legislation) (<i>LBK nr 1350 af 04/09/2020 - Lov om ra-dio- og fjernsynsvirksom-hed m.v. - § 48, stk. 2</i>)¹⁴⁵</p>	<p>Act</p> <p>The Minister of Culture is empowered to require television broadcasters and on-demand audiovisual media service providers to use proportional measures to constantly and gradually make their programming more accessible.</p>
<p>Order No. 944 of 18 June 2020 – Order on accessibility of licence- and registration-based programme services for persons with disabilities, section 2 (secondary legislation) (<i>BEK nr 944 af 18. juni 2020 - Bekendtgørelse om tilgængelighed af programvirksomhed på grund-lag af tilladelse og regi-strering for personer med handicap - § 2</i>)¹⁴⁶</p>	<p>Order</p> <p>Private television broadcasters and on-demand audiovisual media services must use proportionate measures to make their programming more accessible. Suggested measures include sign language interpretation, subtitles, spoken subtitles and audio description.</p> <p>DR must “give priority” to removing barriers for people with disabilities that impact their ability to hear, see, read, or understand content, as well as enhancing the quality of accessibility initiatives and services.</p>
<p>DR’s Public Service Contract for 2022-2025, section 4.4 (secondary legislation) (<i>DR’s Public Service-Kontrakt for 2022-2025, afsnit 4.4</i>)¹⁴⁷</p>	<p>The order instructs DR to apply a universal design, in line with the four light lines (see above).</p> <p>DR offers subtitles, sign language interpretation, audio description, spoken subtitles and devices to enable insecure readers to access the news, across all platforms except the sign language channel. Assessment of which accommodation is applied is based on highest impact.</p>
<p>DR’s Public Service Contract for 2022-2025, section 4.4 (secondary legislation) (<i>DR’s Public Service-Kontrakt for 2022-2025, afsnit 4.4</i>)¹⁴⁷</p>	<p>Specific quotas are listed below in 1.1.3.</p> <p>To be licensed, TV 2 DANMARK A/S (TV2) must enter into dialogue with disabled persons’ organisations in order to improve accessibility and establish a users’ council in order to advise TV2.</p> <p>Specific quotas relating to TV 2 are listed below in 1.1.3.</p>
<p>Authorisation for TV 2 DANMARK A/S to perform public service programming 2019-2023, section 2.2 (secondary legislation) (<i>Tilladelse til TV 2 Danmark A/S til at udøve public service-</i></p>	<p>TV2 must initiate other accessibility measures during the term of the regulatory contract, including audio description, and spoken subtitles. These efforts will be assessed by the users’ council and included in the public service report.</p>

¹⁴⁵ <https://www.retsinformation.dk/eli/lta/2020/1350>

¹⁴⁶ <https://www.retsinformation.dk/eli/lta/2020/944>

¹⁴⁷ https://kum.dk/fileadmin/_kum/1_Nyheder_og_presse/2022/Public_service-kontrakt_for_DR_endelig.pdf



<i>programvirksomhed 2019-2023, afsnit 2.2</i> ¹⁴⁸	
Article 7 (2) AVMSD	
Order No. 944 of 18 June 2020, section 4 Authorisation for TV 2 DANMARK A/S	Providers report to the RTB once every three years on the implementation of the action plans.
Article 7 (3) AVMSD	
Order No. 944 of 18 June 2020, section 3 Authorisation for TV 2 DANMARK A/S The Danish Radio and Television Board's guidance on accessibility (<i>Radio- og tv-nævnets vejledning for tilgængelighed</i>) ¹⁴⁹	All private providers must submit action plans to the RTB in which they set out how they intend to meet their accessibility obligations, along with what measures they intend to implement. These plans must be developed in consultation with the users' council, including representatives from disabled persons' organisations. The RTB will assess whether the action plans are acceptable or need amending.
Article 7 (4) AVMSD	
Order No. 944 of 18 June 2020, sections 5 to 8	The RTB monitors the submission and execution of action plans and prosecutes noncompliance. The RTB handles complaints about accessibility measures put in place. It publishes information and guidelines regarding accessibility and the complaints procedures that are hosted on the website of the Agency for Culture and Palaces. The RTB is empowered to investigate and gather evidence from providers. The RTB is empowered to withdraw a broadcasting licence temporarily or permanently in response to gross or repeated noncompliance with the accessibility rules.
Article 7 (5) AVMSD	
Order No. 975 of 18 June 2020 – Order on the obligation of DR, TV 2 DANMARK A/S and the regional TV 2 companies to broadcast messages of emergency importance (Emergency Messages) section 5 (2) (secondary legislation)	DR, TV 2 Denmark A/S and the regional TV 2 stations shall broadcast emergency response announcements in a manner that makes them accessible to persons with disabilities. The responsible authority will cover the extraordinary costs associated with this.

¹⁴⁸ https://kum.dk/filead-min/_kum/2_Kulturomraa-der/Medier/TV2/TV2_Public_service-til-ladelse_2019-2023_.pdf

¹⁴⁹ <https://slks.dk/omraader/medier/tv/tilgaengelighed>



<p><i>(BEK nr 975 af 18. Juni 2020 – Bekendtgørelse om DR's, TV 2 DANMARK A/S' og de regionale TV 2- virksomheders forpligtelse til at udsende meddelelser af beredskabsmæssig betydning (Beredskabsmeddelelser) § 5, stk. 2)</i>¹⁵⁰</p>	
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4.8.3. Overview of national rules

Types of accessibility measures	Brief overview of existing rules
<p>Accessibility measures (hearing impairments)</p>	<p>Yes.</p> <p>Subtitling DR: aiming for 95% of non-live broadcast programming, 70% of live broadcast programming, regardless of the platform, a minimum of 100% of prime-time news broadcasts, elections, and political programming. Improve live subtitling on the sign language channel.</p> <p>TV2: the “vast majority” of programming must be subtitled.</p> <p>Private broadcaster: no specific quotas.</p> <p>Sign language DR: the sign language channel must have at least two news broadcasts on weekdays and one on weekends between 7.30 p.m. and 9 p.m. Additionally, the broadcaster must ensure varied content on the sign language channel as well as a sign language interpreted news programme in simple language. Elections and political programming must be offered with sign language interpretation, as well as transmissions of events of great social interest to the extent possible.</p> <p>TV2: two daily prime-time newscasts provided with subtitles. Variance from this allowed in connection with dialogue with users' council.</p> <p>Private broadcaster: no specific quotas.</p>
<p>Accessibility measures (visual impairments)</p>	<p>Yes.</p> <p>Audio description TV2: Must initiate and extend provision of audio described programming.</p>

¹⁵⁰ <https://www.retsinformation.dk/eli/lta/2020/975>



	<p>Private broadcaster: no specific quotas.</p> <p>Spoken subtitles</p> <p>DR: all DR's channels must offer spoken subtitling.</p> <p>TV2: must initiate and extend provision of audio described programming.</p> <p>Private broadcaster: no specific quotas.</p>
Accessibility measures (other impairments)	<p>No quota specified.</p> <p>The public service broadcaster (DR) must offer a news programme in a simple language version on the sign language channel.</p> <p>While there are no other quotas specifically mentioned, an obligation exists for DR to remove barriers for the benefit of those "with difficulties ... reading and understanding ...".¹⁵¹</p>
Accessibility measures developed by self- or co-regulatory process	<p>Yes, for private broadcasters, they must develop accessibility action plans in consultation with a user's council which includes representatives from disabled persons' organisations.</p>
Reporting to the NRA – frequency	<p>Yes, every three years public broadcasters must submit reports to the RTB.</p>
Designated point of contact for information and complaint	<p>The RTB handles complaints about accessibility measures put in place. It publishes information and guidelines regarding accessibility and the complaints procedures that are hosted on the website of the Agency for Culture and Palaces.</p>

4.8.4. Law in practice: selected examples¹⁵²

4.8.4.1. Public service broadcaster: DR

The public service broadcaster DR offers five accommodations: subtitles, sign language interpretation, audio description, spoken subtitles and devices to enable insecure readers to access the news. These accommodations are meant to remove barriers to hearing, seeing, reading, and understanding DR's public service content. The choice of which accommodations are to be offered in which programmes, and on what platforms, is based on an assessment of what will have highest impact. If TV content is offered with DR's accommodations, it must also be offered on the live stream and on-demand version of that content. This does not apply to the sign language channel as it is not available to live stream but is available on demand.¹⁵³

¹⁵¹ DR Public Service Contract 2022-2025, section 4.4

¹⁵² Examples as provided by the national expert.

¹⁵³ https://kum.dk/fileadmin/_kum/1_Nyheder_og_presse/2022/Public_service-kontrakt_for_DR_endelig.pdf



4.8.4.2. Private broadcaster: DK4

The private broadcaster DK4 provides all foreign language programming with subtitling and is working on increasing the volume of Danish language content with subtitles. It does not offer sign language, spoken subtitles, audio description or any other accessibility measure.¹⁵⁴

4.8.4.3. VOD: YouSee c/o Nuuday

YouSee c/o Nuuday A/S (VOD) YouSee offers subtitling in Danish and English for most of its content. It does not offer sign language, spoken subtitling or audio description, as it is subject to the whim of its suppliers. It plans to explore adding spoken subtitles and audio description by 2024.¹⁵⁵

¹⁵⁴ https://slks.dk/fileadmin/user_upload/SLKS/Omraader/Medier/Radio- og tv-naevnet/Afgoerelser og handlingsplaner_2022_/HAND_DK4

¹⁵⁵ https://slks.dk/fileadmin/user_upload/SLKS/Omraader/Medier/Radio- og tv-naevnet/Afgoerelser og handlingsplaner_2022_/HAND_YouSee



4.9. EE - Estonia¹⁵⁶

4.9.1. Key findings

- Progressive reasonable accommodation style legislation to make programming gradually more accessible.
- Quotas will not be established until 2025, and action plans/reporting will not be required until February 2024.
- The public service broadcaster has the highest proportion of accessible content with a regular news programme accompanied by sign language translation, and increasing numbers of news and current affairs programmes as well as programming of societal importance are available with subtitles or audio description.
- The national expert reports that the proportion of content with subtitling, sign language translation, audio description and spoken subtitles is increasing across all broadcasters and on-demand platforms.

4.9.2. Legal framework: primary and secondary legislation

National legislation	Summary of the measures
Article 7 (1) AVMSD	
Media Services Act (MSA) paragraphs 23 (1) and 23 (1 ⁴) – (<i>Meediateenuste seadus – MeeTS</i>) ¹⁵⁷	Audiovisual media service providers, including television and video-on-demand (VOD), will use proportionate measures to gradually increase accessibility for persons with disabilities. Measures include subtitles, sign language translation, descriptive translation, separate audio channels, teletext and others.
Estonian Public Broadcasting Act (EPBA), paragraph 5 (1) 1)	The minister in charge of the policy sector will establish by regulation a minimum percentage of programmes with subtitles and sign language translation, descriptive translation and spoken subtitles.

¹⁵⁶ The summary on Estonia incorporates the feedback received from Peeter Sookruus, advisor to the Information Society Division at the Consumer Protection and Technical Regulatory Authority during the checking round with the national regulatory authorities.

¹⁵⁷ <https://www.riigiteataja.ee/en/eli/ee/514062022001/consolide/current>



– (<i>Eesti Rahvusringhäälingu seadus – ERHS</i>) ¹⁵⁸	The public broadcaster will produce at least two television programme services and four twenty-four-hour radio programme services. The original programmes offered by the television programme services will be made available to persons with hearing disabilities to the extent possible.
Article 7 (2) AVMSD	
MSA, paragraphs 23 (3) and 65 ²	Audiovisual media service providers will submit annual action plans along with information about the implementation of the previous year’s action plan by 15 February. The second obligation – to submit information about the implementation of the previous year’s action plan – will be enforced from 2024.
Article 7 (3) AVMSD	
MSA, paragraphs 23 (2), 65 ² and 65 ³	Action plans must be submitted annually and must include a description of the activities designed to improve accessibility for the current year and the subsequent three years, the timeframe for implementation and plans for funding needed.
Article 7 (4) AVMSD	
MSA, paragraph 23 (4)	The point of contact for information and complaints is the national media regulatory authority, the Consumer Protection and Technical Regulatory Authority (CPRTA). No specific information is provided about whether this is online or paper based. It means that requests for information and complaints could be submitted in any form, either online, in hard copy or by phone.
Article 7 (5) AVMSD	
MSA paragraph 18(2)	Television providers are obliged to transmit emergency information in manner that is accessible to people with disabilities.

4.9.3. Overview of national rules

Types of accessibility measures	Brief overview of existing rules
Accessibility measures (hearing impairments)	Subtitling: No quotas yet specified – these must be set by the Ministry of Culture by 2025. Sign language: No quotas yet specified – these must be set by the Ministry of Culture by 2025.
Accessibility measures (visual impairments)	Audio Description:

¹⁵⁸ <https://www.riigiteataja.ee/en/eli/ee/528022022001/consolide/current>



	No quotas yet specified – these must be set by the Ministry of Culture by 2025. Spoken Subtitles: No quotas yet specified – these must be set by the Ministry of Culture by 2025.
Accessibility measures developed by self- or co-regulatory process	Action plans must be developed by broadcasters beginning in 2023.
Reporting to the NRA – frequency	Yes, annually to the CPRTA. The public broadcaster report is available to the public. Private broadcasters' reports are not.
Designated point of contact for information and complaint	The CPTRA is the designated point of contact by law. This provision is enacted in the Media MSA (paragraph 24 (4)).

4.9.4. Law in practice: selected examples¹⁵⁹

4.9.4.1. Public service broadcaster

Estonian Public Broadcasting offers a regular news programme with sign language, and is increasing its news and current affairs programming with subtitling, as well as adding programming considered “important for society” with sign language and audio description.

4.9.4.2. Private broadcaster: AS All Media Eesti

AS All Media Eesti (private broadcaster) offers an increasing proportion of programming with subtitles or spoken subtitles across TV channels TV3, TV6, TV3 Life and 3+ Estonia.

4.9.4.3. VOD: Elisa Eesti AS

Elisa Eesti AS (VOD) provides a number of movies with subtitles and is exploring technical solutions to improve the accessibility of their VOD content for persons with visual or hearing disabilities.

¹⁵⁹ Examples as provided by the national expert.



4.10. ES - Spain¹⁶⁰

4.10.1. Key findings

- There is a right to access emergency information in an accessible format, however, the mechanics of who is meant to provide this access are not clear in the language of the statute.
- Spain requires that accessibility measures travel with content when licensed, i.e. if a movie was made with an audio description file, the service provider must disseminate it while maintaining that accessibility measure, provided it is available in an interoperable format.
- Audiovisual media service providers are to engage in self-regulation in consultation with civil society groups representing disabled persons. If this fails to improve the quality of accessible services, the government may step in to regulate.

4.10.2. Legal framework: primary and secondary legislation

National legislation	Summary of the measures
Article 7 (1) AVMSD	
Article 101.1.a) of Law 13/2022 of 7 July on Audiovisual Communication (<i>Ley General de Comunicación Audiovisual</i>) (LAC) ¹⁶¹	Audiovisual media service providers must progressively and continuously improve accessibility to the audiovisual media services. These obligations do not apply to service providers with a low volume of business and low audience numbers. ¹⁶² Service providers must finance necessary adaptations in their services to provide them in an accessible manner.
Article 101 LAC	Article 101 guarantees progressive compliance with the quality requirements for subtitling and audio description in line with the quality regulations of UNE, the Spanish Association for Standardisation. ¹⁶³ Article 101 ensures that any sign language translation meets the quality requirements of the Centre for Linguistic Standardisation

¹⁶⁰ The summary on Spain incorporates feedback received from Laura Guindo Arias, senior legal advisor at the Directorate of Telecommunications and Audiovisual at the National Commission of Markets and Competition (*Comisión nacional de los mercados y la competencia* – CNMC), during the checking round with the national regulatory authorities.

¹⁶¹ <https://www.boe.es/buscar/act.php?id=BOE-A-2022-11311>

¹⁶² The cut-offs were established by the CNMC in a regulation in February 2023 <https://www.cnmc.es/sites/default/files/4601240.pdf>

¹⁶³ <https://www.une.org/encuentra-tu-norma/busca-tu-norma/norma?c=N0032787>



<p>Article 102 LAC</p> <p>Article 103 LAC</p> <p>Article 104 LAC</p> <p>Article 105 LAC</p>	<p>of Spanish Sign Language (or the equivalent autonomous community body).¹⁶⁴</p> <p>Article 101 promotes accessible commercials.</p> <p>Article 101 guarantees that web pages and apps are gradually more accessible.</p> <p>Article 102 sets specific quotas for linear television – see details below in 1.1.3.</p> <p>Article 103 sets specific quotas for subscription linear television – see details below in 1.1.3.</p> <p>Article 104 sets specific quotas for video-on-demand (VOD) services – see details below in 1.1.3. It also requires that these providers gradually incorporate measures that promote accessibility to the services that they offer to other member states of the EU.</p> <p>Article 105 requires that audiovisual media service providers ensure that if rebroadcasting content created by third parties with accessibility measures in place, they maintain those measures if they are in an interoperable format.</p>
<p>Article 7 (2) AVMSD</p>	
<p>Article 106.2-3 LAC</p>	<p>The national media regulatory authority (<i>Comisión nacional de los mercados y la competencia</i> – CNMC) must publish an annual report on compliance with the accessibility obligation of audiovisual media service providers and the penalty procedures completed. The audiovisual authorities in the autonomous communities will monitor compliance within their jurisdiction.</p>
<p>Article 7 (3) AVMSD</p>	
<p>Article 101.1.(b) LAC</p> <p>Article 108 LAC</p>	<p>Audiovisual media service providers must develop accessibility plans for the continuous improvement of accessibility to services which must be submitted annually to the CNMC.</p> <p>The CNMC or competent autonomous community regulatory authority(ies) will promote the adoption of self-regulation codes by audiovisual media providers, in consultation with disabled persons' organisations. If the self-regulation proves insufficient, the government may establish quality requirements by regulation.</p>

¹⁶⁴ <https://cnlse.es/es/actualidad/noticias/ndp-estudio-lse-comunicacionaudiovisual>



Article 7 (4) AVMSD	
Article 107 LAC	The CNMC will be the contact point for sharing information with the public and receiving complaints on issues of accessibility affecting audiovisual media services at the state level. The autonomous communities may create contact points available to the public for issues affecting audiovisual media services at the autonomous community level.
Article 7 (5) AVMSD	
Article 101.3 LAC	The right of persons with disabilities to have access to emergency information in an accessible format shall be ensured.

4.10.3. Overview of national rules

Types of accessibility measures	Brief overview of existing rules
Accessibility measures (hearing impairments)	<p>Yes.</p> <p>Public broadcasters</p> <p>Subtitling: 90% of programmes broadcast, and all programmes broadcast during prime time.</p> <p>Sign language: >15 hours/week primarily during prime time, and this must include newscasts, children’s programming, current affairs programmes, and programmes related to consumer interests or religious services.</p> <p>Free to air linear broadcasters</p> <p>Subtitling: 80% of programmes must be subtitled and all programmes broadcast during prime time. Sign language: >5 hours/week primarily during prime time, which must include newscasts, children’s programming, news content, and programmes related to consumer interests or religious services.</p> <p>Subscription linear broadcasters</p> <p>Subtitling: >30% of programmes Sign language: gradual incorporation of programming with sign language, and promotion of those programmes .</p>
Accessibility measures (visual impairments)	<p>Yes.</p> <p>Public broadcasters</p>



	<p>Audio description: >15 hours/week primarily during prime time which must include movies of any genre, including documentaries and animation, TV films of any genre, including documentary films, animations and series.</p> <p>Free to air linear broadcasters</p> <p>Audio description: >5 hours/week primarily during prime time which must include movies of any genre, including documentary and animation, TV films of any genre, including documentary and animation and series.</p> <p>Subscription linear broadcasters</p> <p>Audio description: gradual incorporation of audio described programming, and promotion of those programmes that are available.</p>
Accessibility measures developed by self- or co-regulatory process	Yes, audiovisual media service providers are to consult with civil society groups representing disabled persons to develop regulatory schemes to improve access to their services. If they fail to achieve improvement, the government may step in to issue regulation.
Reporting to the NRA – frequency	Yes, the CNMC, or relevant autonomous community body is responsible for monitoring. The CNMC issued a requirement in July 2022 that all audiovisual media service providers that provide services in the Spanish state must submit a report on measures they have implemented and those they plan to implement. In November 2022, the CNMC published a report with the results obtained, which was sent to the European Commission in accordance with the provisions of Article 7.2 of the AVMSD.
Designated point of contact for information and complaint	The CNMC or relevant autonomous community body will be the contact point for information and complaints.

4.10.4. Law in practice: selected examples¹⁶⁵

Many audiovisual media service providers are engaging in increasing the accessibility of their services, to adapt to the new requirements of Law 13/2022. The CNMC published a report in 2022 on the accessibility plans implemented by audiovisual media service providers.

¹⁶⁵ Examples as provided by the national expert.



The CNMC does not yet have data on the implementation of the new measures envisaged by Law 13/2022, since these obligations did not enter into force until 9 July 2023.

4.10.4.1. Public service broadcasters

Prior to the entry into force of Law 13/2022, the public service broadcaster was already required to provide a large amount of accessibility services (90% subtitling and 10 hours a week of audio description and sign interpreting). The CNMC supervised the public service broadcaster (RTVE) on an annual basis.¹⁶⁶

The regional public broadcaster *Corporació Catalana de Mitjans Audiovisuals* provides subtitling, audio description and sign language interpretation.¹⁶⁷

4.10.4.2. Private broadcaster: Atresmedia

The free to air linear broadcast stations also had demanding accessibility obligations prior to the entry into force of Law 13/2022 (75% subtitling and two hours a week of audio description and sign language interpreting).

The private broadcaster Atresmedia issued a press release stating that they subtitle 100% of their live broadcasts, and that all big events of public interest were subtitled, and that they were providing an increasing number of entertainment-style programmes with subtitling.¹⁶⁸

4.10.4.3. VOD: Moviestar+

The VOD provider Moviestar+ issued a press release stating that they provide audio description, sign language interpretation and spoken subtitles.¹⁶⁹

¹⁶⁶ Data from 2020: <https://www.cnmc.es/sites/default/files/4451620.pdf>

¹⁶⁷ <https://www.ccma.cat/atencio/accessibilitat/>

¹⁶⁸ <https://www.atresmediacorporacion.com/responsabilidad-corporativa/discapacidad/accesibilidad/>

¹⁶⁹ <https://comunidad.movistar.es/t5/Blog-Movisfera/Movistar-Plus-5S-accesibilidad-en-tu-pantalla-series-y-pelis/ba-p/3302864>



4.11. FI - Finland¹⁷⁰

4.11.1. Key findings

- Reasonable accommodation measure – costs of implementing subtitling and spoken subtitling will not exceed 1% of the operators' prior financial year for private broadcasters.
- Focus is on subtitling and spoken subtitling, which must be applied to 100% of the public service broadcasters' general programming and 75% of “public-interest television programming”.
- Other types of accessibility measures are not mandated or provided for in the guidance document.
- There are no separate accessibility obligations for live broadcasts, however only live music and sports programmes are excluded when calculating the quotas. Regional news programmes do not need to be subtitled as live broadcasts (but made accessible for rerun).
- There is no distinction made under Finnish law for linear and non-linear on-demand services in their accessibility obligations.
- The national regulatory media authority, Traficom, has reprimanded a private audiovisual media service provider, Sanoma Media Finland Ltd., for failure to meet quality requirements for the subtitling provided on the television channel Nelonen. However, the service provider has since improved the quality of subtitling and now meets the requirements.

4.11.2. Legal framework: primary and secondary legislation

National legislation	Summary of the measures
Article 7 (1) AVMSD	
Act on Electronic Communications Services, section 211 (1207/2020) (primary legislation) – (<i>Laki sähköisen viestinnän</i>)	Finnish or Swedish television programmes and on-demand programme service programming shall be accompanied by subtitling and other programmes by audio description or a service where the text of the subtitled programme is converted to voice.

¹⁷⁰ The summary on Finland incorporates feedback received from Eliisa Reenpää, special adviser at the Finnish Transport and Communications Agency (Traficom) during the checking round with the national regulatory authorities.



<p><i>palveluista (917/2014)</i> ¹⁷¹</p> <p>Government decree on audiovisual services (<i>Valtioneuvoston asetusta audiovisuaalisista palveluista</i>) ¹⁷² (1245/2014)</p>	<p>Public service broadcaster Yleisradio Oy (Finnish Broadcasting Company) must provide subtitling and spoken subtitling for linear and on-demand programming. "Public interest television channels/channels serving several different audience groups" broadcast under a national programming licence must also provide subtitling and audio subtitling services to linear and on-demand programming. The services need not be added to music presentations or sports programmes provided as live broadcasts. The implementation of the subtitling service shall be of high quality so that the subtitling is sufficiently clear and comprehensible for the user.</p> <p>The costs of implementing audio subtitling and subtitling incurred by an operator other than a public service television broadcaster shall not exceed 1% of the operator's prior financial period.</p> <p>The share of audio subtitling and subtitling services shall be 75% of the public-interest television programming and 100% of public service programming. The share of audio subtitling and subtitling services shall be 30% of on-demand programme services referred to in subsection 2. The decree provides information about the technical implementation of subtitling and spoken subtitling, the costs of implementation per programming hour and the provision on what is deemed "programming serving several different audience groups".</p>
Article 7 (2) AVMSD	
Act on Electronic Communications Services, section 211	Providers of audiovisual content services must report to the Transport and Communications Agency (Traficom).
Article 7 (3) AVMSD	
Act on Electronic Communications Services, section 211.2	Providers of audiovisual content services must prepare action plans for making their services continuously and gradually more accessible and submit to Traficom.
Article 7 (4) AVMSD	
Act on Electronic Communications Services, section 304	Traficom must act as a single contact point in questions relating to accessibility of audiovisual content.
Article 7 (5) AVMSD	
Act on Electronic Communications Services, section 279	Information of public interest to be relayed to the public without delay. No specific accessibility measures included.

¹⁷¹ <https://finlex.fi/en/laki/kaannokset/2014/20140917>

¹⁷² <https://www.finlex.fi/fi/laki/ajantasa/2014/20141245>



Act on Yleisradio Oy, section 7 subsection 2 paragraph 7 – (<i>Laki Yleisradio Oy:sta (1380/1993)</i>) ¹⁷³	
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4.11.3. Overview of national rules

Types of accessibility measures	Brief overview of existing rules
Accessibility measures (hearing impairments)	<p>Subtitling:</p> <p>Public service programming – subtitling shall be provided in 100% of programmes that are broadcast in Finnish or Swedish (excluding live music/sports).</p> <p>Public interest and “[t]elevision programming broadcast under a national programming licence and serving several different audience groups” – subtitling shall be provided in 75% of programmes that are broadcast in Finnish or Swedish (excluding live music/sports).</p> <p>Video-on-demand (VOD) (of the same channels that have an obligation in linear television): subtitling shall be provided in 30% of programmes that are in Finnish or Swedish (excluding live music/sports).</p> <p>Sign language: no specified quotas.</p>
Accessibility measures (visual impairments)	<p>Audio description: no specified quotas.</p> <p>Audio subtitles:</p> <p>Public service programming – audio subtitling shall be provided in 100% of programmes that are broadcast in a foreign language (excluding live music/sports).</p> <p>Public interest and “[t]elevision programming broadcast under a national programming licence and serving several different audience groups” – audio subtitling shall be provided in 75% of programmes that are broadcast in a foreign language (excluding live music/sports).</p> <p>VOD (of the same channels that have an obligation in linear television): audio subtitling shall be provided in 30% of programmes in a foreign language (excluding live music/sports).</p>
Accessibility measures developed by self- or co-regulatory process	Yes, action plans developed and submitted to the Ministry of Transport and Communications.

¹⁷³ <https://finlex.fi/fi/laki/ajantasa/1993/19931380#L3P7>



Reporting to the NRA – frequency	Yes, not specified.
Designated point of contact for information and complaint	Transport and Communications Agency – a contact form provided on Traficom website ¹⁷⁴

4.11.4. Law in practice: selected examples¹⁷⁵

4.11.4.1. Public service broadcaster: Yleisradio Oy¹⁷⁶

According to Traficom’s guidance combined with the Act on Electronic Communications Services, Yleisradio Oy’s (public service broadcaster) Finnish or Swedish language television programmes and on-demand programming must be accompanied by subtitling, and programmes in other languages by audio subtitling.

4.11.4.2. Private broadcasters: MTV Oy and Sanoma Media Finland Oy

MTV Oy and Sanoma Media Finland Oy shall provide subtitling and audio subtitling in 75% of the programming on their linear TV channels MTV3 and Nelonen respectively. They shall also provide these services in their VOD services, where the quota is 30%.

Sanoma Media Finland Oy (private broadcaster) provides subtitling for some of its content on the channel Nelonen, but that subtitling used to have fundamental problems with reading and comprehensibility as well as subtitle lag. Based on these flaws, Traficom had initiated sanctions proceedings against Sanoma Media Finland Oy for violating the Act on Electronic Communications Services requirement that subtitling shall be of high quality so that it is sufficiently clear and comprehensible.¹⁷⁷ However, in August 2023 the situation improved significantly as Sanoma Media Finland Oy has taken appropriate measures to improve the quality of subtitling on Nelonen.¹⁷⁸

4.11.4.3. VOD

According to Traficom’s guidance combined with the Act on Electronic Communications Services, Sanoma Media Finland Oy’s VOD service Ruutu should follow the same rules as presented above. During the course of the year 2023 Sanoma Media Finland Oy has made a subtitling service available on its VOD service Ruutu as well.

¹⁷⁴ See <https://www.traficom.fi/en/contact-form-audio-subtitling-and-subtitling-services-tv-programmes-and-video-demand-services>

¹⁷⁵ Examples as provided by the national expert.

¹⁷⁶ This section showcases Traficom’s guidance, available at: <https://www.traficom.fi/en/audio-subtitling-and-subtitling-services-people-visual-or-auditory-impairments>

¹⁷⁷ <https://www.traficom.fi/en/news/obligation-address-insufficient-quality-subtitling-services>

¹⁷⁸ <https://www.traficom.fi/fi/ajankohtaista/mediapalvelujen-esteettomyys-osa-yhdenvertaisuutta-nyt-myos-nelosen-tekstitykset>



<p>Article 20-6, 28, 33-1 (TV) and 33-3 (video-on-demand – VOD), 56-1 (<i>Loi L�otard</i>)¹⁸⁴</p> <p>Law No. 86-1067, Article 81</p>	<p>Article 28 obliges television providers to give details of the following in their agreement with Arcom (proportions to be negotiated with Arcom):</p> <p>i) For all providers: the proportion of programmes accessible to persons who are D/deaf and hard of hearing. This proportion shall be substantial and target programmes broadcast during peak times.</p> <p>ii) For television providers with more than a 2.5% share of the total audience of television services: the proportion of accessibility measures for all of their programmes, for D/deaf and hard of hearing consumers and the provision of digital television signals appropriate for adaptive devices to deliver audio description during peak viewing hours to make programmes accessible to blind or partially sighted persons.</p> <p>Article 33-3 (VOD) The quotas of accessible content provided particularly during peak hours will be negotiated in agreements between service providers and Arcom.</p> <p>Article 56-1 All television programmes of the public service broadcaster France T�el�visions (FT) and ARTE must be accessible for D/deaf and hard of hearing viewers, except for advertising. The quotas of programmes accessible to blind or visually impaired viewers will be determined based on the agreement between the service provider and the Ministry of Culture.</p> <p>Arcom shall hold annual hearings with the CNCPH (<i>Conseil national consultative des personnes handicap�es</i>), with a particular focus on the accessibility of audiovisual media services.</p>
<p>Article 7 (2) AVMSD</p>	
<p>Law No. 86-1067, Article 20-6 paragraph 4</p>	<p>Service providers will report to Arcom annually on the accessibility of their programming, and the means of access used.</p>
<p>Article 7 (3) AVMSD</p>	
<p>Law No. 86-1067, Article 20-6 paragraph 4</p>	<p>Service providers will prepare action plans to improve access continuously and gradually to their programmes.</p>
<p>Article 7 (4) AVMSD</p>	
<p>Law No. 86-1067, Article 20-6 paragraph 5</p>	<p>Arcom will create a communication service to provide information and a portal for complaints.</p>

¹⁸⁴ <https://www.legifrance.gouv.fr/loda/id/JORFTEXT000000512205/2023-04-18/>



Article 7 (5) AVMSD	
Law No. 86-1067, Article 20-6 paragraph 2	Arcom will pay particular attention to the accessibility of health alert messages and messages about important current events, both live and for catch-up services on demand.

4.12.3. Overview of national rules

Types of accessibility measures	Brief overview of existing rules
Accessibility measures (hearing impairments)	<p>Yes.</p> <p>Television services with >2.5% of the total audience must make all programmes accessible for D/deaf and hard of hearing viewers. Regarding television services with <2.5% of the total audience, specific quotas will be determined in agreements between Arcom and the individual audiovisual media service provider, especially for programmes broadcast during peak times.</p> <p>FT must ensure that 100% of television content is accessible for D/deaf viewers, excluding advertisements.</p> <p>VOD – Specific quotas of accessible programming will be determined in agreements between Arcom and the audiovisual media service provider.</p>
Accessibility measures (visual impairments)	<p>Yes.</p> <p>Television services with >2.5% of the total audience must make programmes accessible for blind or visually impaired viewers. Specific quotas will be determined in agreements between Arcom and the individual audiovisual media service provider.</p> <p>VOD – Specific quotas of accessible programming will be determined in agreements between Arcom and the audiovisual media service provider.</p>
Accessibility measures developed by self- or co-regulatory process	Yes, audiovisual media service providers are required to draft and submit action plans to increase accessibility and individual providers agree to quotas with Arcom.
Reporting to the NRA – frequency	Yes, annually.
Designated point of contact for information and complaint	Yes, Arcom maintains a communications portal for information and complaints.



4.12.4. Law in practice: selected examples¹⁸⁵

4.12.4.1. Public service broadcaster: France Télévisions

Public service broadcaster FT refers to its terms of reference (*cahier des charges*) for fulfilling its general interest mission.¹⁸⁶ These terms are subject to revisions and will soon be modified by a ministerial decree to reflect the accessibility provisions detailed in Article 56-1 of the *Loi Léotard*. The terms of this provision state that with the exception of advertising, all television programmes of FT shall be adapted to the D/deaf and hard of hearing communities. The decree modifying the terms of reference is still in draft form.

4.12.4.2. Private broadcaster: TF1

Private broadcaster TF1 agreed with Arcom, pursuant to the obligations of a broadcaster with more than 2.5% of the audience share, to make all of its programmes accessible to people who are D/deaf or hard of hearing and committed to ensuring access to the diversity of programmes broadcast by TF1. This agreement excludes advertising, sponsorship, live and instrumental music tracts, trailers, teleshopping, and commentary during live sports broadcasts which are broadcast between 12 p.m. and 6 a.m. Any rebroadcast of any subtitled programme or VOD transfer must include subtitles. A minimum of 100 hundred programmes are audio described, 55 of which are new programming. Any subsequent rebroadcast or transfer of such programming must include audio description. Special announcements of audio described content must be included in trailers and at the time of broadcast, as well as in the “specialised press”.¹⁸⁷

4.12.4.3. VOD

VOD provider UniversCiné SVOD agreed with Arcom that, as a service that achieves between EUR 1 and 20 millions in turnover per year, it must subtitle at least 1% of the programming in 2023 and 2% in 2024. The service must also strive to make its programming accessible by audio description.¹⁸⁸

¹⁸⁵ Examples as provided by the national expert.

¹⁸⁶ <https://www.legifrance.gouv.fr/loda/id/JORFTEXT000020788471>

¹⁸⁷ <https://www.csa.fr/content/download/15980/303198/version/27/file/Convention%20TF1%20sign%C3%A9.pdf>

¹⁸⁸ <https://www.arcom.fr/sites/default/files/2023-02/Convention%20Arcom-Le%20meilleur%20du%20cin%C3%A9ma%20pour%20le%20service%20SVOD%20Universcin%C3%A9.pdf>



4.13. GR - Greece¹⁸⁹

4.13.1. Key findings

- Greece does not make a distinction between audiovisual media service providers; the statute governs linear and non-linear providers.
- Providers must make services continuously and progressively more accessible.
- No specific disabilities are mentioned – the law is aimed to benefit “persons with disabilities” – however, means used are subtitling, sign language interpretation, audio description and spoken subtitles. Further emergency information is provided in “easy-to-understand” language.
- The minister to whom responsibilities of the General Secretariat of Communication and Information are assigned and who is intended to define the means, procedures and technical or detailed issues relating to accessibility has not yet published a decision, meaning that rules about submitting action plans or reports have not yet been issued.
- At present, linear media service providers have the following obligations:¹⁹⁰
 - Private broadcasters: a newscast of at least seven minutes duration provided with sign language and subtitles offered after 17:00 and four hours per week of other subtitled programming between 17:00 and 23:00.
 - Public broadcasters: a newscast of at least 14 minutes duration provided with sign language and subtitles offered after 17:00 and 12 hours per week of other subtitled programming between 17:00 and 23:00.
 - (VOD) providers must provide 20% subtitled programmes in their catalogue.
- A dispute over copyright has lead voice-over actors to refuse to record audio description files for all broadcasters.¹⁹¹
- Spoken subtitles have not been implemented due to technical difficulties reported by all broadcasters.¹⁹²
- Many advertisements have subtitling.¹⁹³
- Private broadcasters and on-demand platforms are presently obliged to pay a levy of 0.3% of their gross income to the Centre for Education and Rehabilitation of the Blind (NPDD) and the Panhellenic Association of the Blind (NPID) in order to fund these civil society organisations in creating national infrastructure to meet the

¹⁸⁹ The summary on Greece incorporates the feedback received from Persa Lambropoulou, legal advisor at the National Council for Radio and Television, during the checking round with the national regulatory authorities.

¹⁹⁰ This is likely to change with the new Ministerial Decision, which has yet to be issued.

¹⁹¹ <https://www.esr.gr/%CE%B1%CE%BC%CE%B5%CE%B1/>

¹⁹² Ibid.

¹⁹³ Ibid.



informational and educational needs of blind students, in lieu of access to television services.¹⁹⁴

- There is an ongoing complaint from a civil society group representing visually impaired persons, Magnites Tyfloi, regarding the failure to include audio translation of foreign speakers' words in news reports.¹⁹⁵

4.13.2. Legal framework: primary and secondary legislation

National legislation	Summary of the measures
Article 7 (1) AVMSD	
Law 4779 of 20 February 2021 "Accessibility of people with disabilities in audiovisual media services" – Article 10 paragraph 1 ("NOMOS YΠ' APIΘM. 4779") ¹⁹⁶	Media service providers must make their services continuously and progressively more accessible. Suggested means are subtitling, sign language interpretation, audio description and spoken subtitles.
Article 7 (2) AVMSD	
Law 4779 of 20 February 2021 – Article 10 paragraph 2	Media service providers must report to the national media regulatory authority, the National Council of Radio and Television (ESR) (<i>Ethniko Symvoulío Radioteleorasis</i>) and the Directorate for Media Surveillance of the Secretariat–General for Communication and Information (the Directorate) within the first two months of each year. The Directorate will report to the Commission every three years.
Article 7 (3) AVMSD	
Law 4779 of 20 February 2021 – Article 10 paragraph 3	Media service providers must develop action plans to make services progressively more accessible and submit them to the ESR and the Directorate.
Article 7 (4) AVMSD	
Law 4779 of 20 February 2021 – Article 10 paragraph 4	The ESR, in cooperation with any other competent authority or body, will provide information about the accessibility of media service providers' programming and allow them to submit complaints on a dedicated website.
Article 7 (5) AVMSD	

¹⁹⁴ Article 7(2) of Law 1866/1989

¹⁹⁵ <https://nevronas.gr/to-somateio-magnites-tyfloi-zita-orthes-praktikes-enimerosis-ton-mme-gia-ta-atoma-me-anapiria-orasis/>

¹⁹⁶ https://www.et.gr/api/DownloadFeksApi/?fek_pdf=20210100027



Law 4779 of 20 February 2021 – Article 10 paragraph 5 Article 51 paragraph 2	Media service providers must provide emergency information, including public communication and announcements in natural disasters in an accessible and easy-to-understand manner. The technical and detailed issue of implementation will be determined by the ESR.
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4.13.3. Overview of national rules

Types of accessibility measures	Brief overview of existing rules
Accessibility measures (hearing impairments)	Private broadcasters: a newscast of at least seven minutes duration provided with sign language and subtitles offered after 17:00 and four hours per week of other subtitled programming between 17:00 and 23:00. Public broadcasters: a newscast of at least 14 minutes duration provided with sign language and subtitles offered after 17:00 and 12 hours per week of other subtitled programming between 17:00 and 23:00. VOD providers must provide 20% subtitled programmes in their catalogue.
Accessibility measures (visual impairments)	No specific obligations or quotas – see 1.1.1 regarding levy payments to civil society groups.
Accessibility measures developed by self- or co-regulatory process	Yes, media service providers are obliged to create action plans and submit them to the regulatory authorities.
Reporting to the NRA – frequency	Yes, media service providers are obliged to report annually to the national regulatory authority ESR and the Directorate.
Designated point of contact for information and complaint	Yes, a website to be maintained by the ESR will provide information and a complaints mechanism.

4.13.4. Law in practice: selected examples¹⁹⁷

All media service providers report that audio description measures have not been implemented due to a dispute over intellectual property rights; and spoken subtitles have not been implemented because of reported technical difficulties. A number of advertisements displayed on these channels have been made accessible with subtitles. Since 1989 the levy to support civil society groups representing blind users in creating national infrastructure to provide access to information and

¹⁹⁷ Examples as provided by the national expert.



education has been used in place of accessibility obligations for television providers relating to providing access for persons who are blind or visually impaired.

4.13.4.1. Public service broadcasters

Public service broadcasters ERT1, ERT2, ERT3, ERTNEWS and Parliament TV use subtitles and sign language interpretation, including for a designated religious service. They have not submitted a plan to the ESR yet, as the ministerial decision governing submission of these plans has yet to be issued.

4.13.4.2. Private broadcasters

Private broadcasters Alpha, Ant1, Makedonia, Mega, Open Star and Skai use subtitles and sign language interpretation to make their programming accessible. They have not submitted a plan to the ESR yet, as the ministerial decision governing submission of these plans has yet to be issued.

4.13.4.3. VOD

VOD providers Cosmote TV, EON-Nova and Vodafone (private) and ERTFLIX (public) use subtitling and sign language interpretation. They have not submitted a plan to the ESR yet, as the ministerial decision governing submission of these plans has yet to be issued



4.14. HR - Croatia¹⁹⁸

4.14.1. Key findings

- There are no specific obligations imposed on media service providers beyond progressive realisation.
- There are no public records of reports to the national media regulatory authority – the Agency for Electronic Media of the Republic of Croatia (AEM) (*Agencija za elektronicke medije*).
- The AEM handles complaints, including those about accessibility. There is no separate complaints procedure.
- The public broadcaster HRT has implemented some accessibility functions for news and political programming.

4.14.2. Legal framework: primary and secondary legislation

National legislation	Summary of the measures
Article 7(1) AVMSD	
Electronic Media Act – Article 18 (1) – (<i>Zakon o elektroničkim medijima, NN - 111/21, 114/22</i>) ¹⁹⁹	Progressive realisation obligation to make broadcasts accessible for children with “developmental disabilities”, and persons with disabilities through proportionate measures.
Article 7(2) AVMSD	
Electronic Media Act – Article 18 (3), (5)	Media service providers report to the Council for Electronic Media on a yearly basis by 1 September. The Council reports to the European Commission every three years.
Article 7(3) AVMSD	
Electronic Media Act – Article 18 (2)	Media service providers are encouraged to develop action plans to implement obligations of Article 18(1).
Article 7(4) AVMSD	

¹⁹⁸ The summary on Croatia incorporates feedback received from Sanja Pančić, advisor to the Director for International Cooperation and Public Relations, at the Agency for Electronic Media (AEM) during the checking round with the national regulatory authorities.

¹⁹⁹ https://narodne-novine.nn.hr/clanci/sluzbeni/2021_10_111_1942.html



Electronic Media Act – Article 18 (2)	The Agency for Electronic Media is an online contact point for all complaints relating to audiovisual media, including complaints regarding accessibility. It also provides information about accessible content.
Article 7(5) AVMSD	
Electronic Media Act – Article 20 (2)	Media Service Providers will provide emergency broadcasting time free of charge. The information communicated will be accessible to children with developmental disabilities and persons with disabilities.

4.14.3. Overview of national rules

Types of accessibility measures	Brief overview of existing rules
Accessibility measures (hearing impairments)	Not specifically listed.
Accessibility measures (visual impairments)	Not specifically listed.
Accessibility measures developed by self- or co-regulatory process	Yes – media service providers are encouraged to produce action plans.
Reporting to the NRA – frequency	Yes – annual basis.
Designated point of contact for information and complaint	Yes, general complaints procedure for all issues relating to audiovisual content, including complaints regarding accessibility go to the Agency for Electronic Media website. The same body is responsible for disseminating information.

4.14.4. Law in practice: selected example of the public service broadcaster²⁰⁰

The public service broadcaster (HRT) has implemented accessibility measures in their audiovisual media services. Implementation of the measures started in 2007 and continued in 2014 under the action plan named “Adaptation of the HRT programme for people with hearing and visual impairments”.

Firstly, measures were implemented for television news programmes, and later on they were expanded to parliamentary debates and documentary programmes produced by

²⁰⁰ Examples as reported by the national expert.



HRT. Finally, measures were implemented on HRTi, video-on-demand services provided by public services broadcaster HRT.



4.15. HU - Hungary²⁰¹

4.15.1. Key findings

- Until recently the emphasis was on ensuring accessibility for persons who are D/deaf or hearing impaired, with 84.8% of television airtime accessible to that audience. The quality of these interventions varied, with significant errors like spelling mistakes and typos.²⁰²
- Since 2020 Hungarian legislation has included obligations for the largest television channels to implement accessibility measures to benefit blind or visually impaired persons.
- The most recent monitoring report by the national media regulatory authority (the Media Council of the National Media and Infocommunications Authority – NMHH) makes no mention of action plans, nor is any action plan publicly available for any media service provider.
- While the statute includes VOD providers, the NMHH makes no mention of VOD providers in its report.

4.15.2. Legal framework: primary and secondary legislation

National legislation	Summary of the measures
Article 7 (1) AVMSD	
Act CLXXXV of 2010 on Media Services and Mass Communication, Article 39 paragraph (1) - (2) - (2a); Article 66 paragraph (4) point c; Article 83 paragraph (1) point f; Article 184 paragraph (1) point c) point cc) (2010. évi CLXXXV. törvény <i>a médiaszolgáltatásokról és a tömegkommunikációról</i>) ²⁰³	Article 39 paragraph (1) Providers of audiovisual media services will continuously and progressively make their services more accessible to persons with disabilities. Paragraph (2) Providers with nationwide coverage whose average audience share exceeds 1% shall ensure that their programming is available with Hungarian subtitles or sign language interpretation. The public service broadcaster (Duna–Magyar Televízió – MTV) with its “significant power of influence” shall ensure that during programming with the highest annual audience share between 6:30 p.m. and 9.30 p.m. Hungarian-made cinematographic works

²⁰¹ It was not possible to receive feedback on the summary concerning Hungary during the checking round with the national competent institutions.

²⁰² Hungarian Media and Infocommunications Authority’s annual report for 2022: https://nmhh.hu/dokumentum/229486/nmhh_orszaggyulesi_beszamolo_mediatanacs_tevekenyseg_2021.pdf

²⁰³ <https://net.jogtar.hu/jogszabaly?docid=a1000185.tv>



	<p>are accessible to the visually impaired. Exceptions are made for teleshopping, advertising, and trailers.</p> <p>Article 66 paragraph (4) Linear television providers should take into consideration the needs of persons with disabilities to access audiovisual media services.</p> <p>Article 83 paragraph (1) The objectives of public service audiovisual media service providers include satisfying the needs of persons with disabilities.</p> <p>Article 184 paragraph (1) The NMHH will supervise implementation of the regulations on making programmes accessible.</p>
Article 7 (2) AVMSD	
Article 39 paragraph (9); 218/C. paragraph (2).	Article 39 paragraph (9) Service providers must draw up action plans on proposed accessibility measures and provide the NMHH with information on the implementation of the previous year's action plan when requested to do so. The NMHH will report to the EU Commission every three years, starting on 19 December 2022.
Article 7 (3) AVMSD	
Article 39 paragraph (9)	Providers of audiovisual media services must draw up action plans to increase the accessibility of programming offered.
Article 7 (4) AVMSD	
Article 39 paragraph (10)	The NMHH will create an online point of contact on its website for handling complaints and providing information.
Article 7 (5) AVMSD	
Article 15 paragraph; Article 39 paragraph (2)	Parliament, the Defence Council, the President of the Republic and the government as well as persons and organisations designated by law may order an audiovisual media service provider to publish free of charge any public service announcements relating to an emergency, distress, extreme danger, or an invasion. The Media Service Support and Asset Management fund will be responsible for providing the conditions necessary for publishing such announcements.

4.15.3. Overview of national rules

Types of accessibility measures	Brief overview of existing rules
Accessibility measures (hearing impairments)	<p>No set quota.</p> <p>Subtitles or sign language interpretation must be implemented for programming by providers with nationwide coverage whose audience share exceeds 1%.</p>



Accessibility measures (visual impairments)	No set quota. No specific measures mentioned, but the public service broadcaster with the highest annual average audience share must ensure that between 6.30 p.m. and 9.30 p.m. Hungarian-made cinematographic works are made accessible for persons with visual impairment.
Accessibility measures developed by self- or co-regulatory process	Yes. Action plans must be developed and made available when requested by the NMHH.
Reporting to the NRA – frequency	Yes. When requested by the NMHH.
Designated point of contact for information and complaint	Yes. The NMHH will maintain a point of contact on its website to provide information and receive complaints.

4.15.4. Law in practice: selected examples²⁰⁴

4.15.4.1. Public service broadcaster: Duna TV

The public broadcaster Duna TV made 91.1% of broadcasting time available with subtitles or sign language interpretation in 2021. Duna TV occasionally provides audio description for individual programmes, mainly cinema and TV films.²⁰⁵

4.15.4.2. Private broadcaster: RTL

The private broadcaster RTL Klub provided subtitling or sign language interpretation for 61.4% of its programming. RTL Klub provides audio description for most of its self-produced programming, and that audio description was described as being of good quality.²⁰⁶

4.15.4.3. VOD: Filmio

The VOD provider Filmio.hu provides spoken subtitles.²⁰⁷

²⁰⁴ Examples as provided by the national expert.

²⁰⁵

https://nmhh.hu/dokumentum/229486/nmhh_orzaggyulesi_beszamolo_mediatanacs_tevekenysege_2021.pdf

²⁰⁶ Ibid.

²⁰⁷ <https://filmio.hu/>



4.16. IE - Ireland²⁰⁸

4.16.1. Key findings

- The national media regulatory authority (the Broadcasting Authority of Ireland – BAI) was dissolved on 15 March 2023 and has been replaced by *Coimisiún na Meán* (CnaM). The BAI Access Rules remain in effect until the new rules are promulgated. The BAI rules are in effect still in place, and are now CnaM rules.
- The current legislation implementing Article 7 encompasses both linear and VOD audiovisual media service providers, but the BAI only promulgated rules for linear broadcasters, since, at the time of drafting the rules, the BAI had no powers regarding VODs. The CnaM will change the accessibility rules in 2024.
- At present, VOD providers are governed by a self-regulating Code of Conduct and a general obligation to endeavour to ensure services are made gradually more accessible.
- The public service broadcaster TG4, the Irish language channel, had significantly fewer accessibility obligations in the time period 2019-2023 compared with the other public service broadcaster, RTÉ.
- Audio description and sign language interpretation lag behind subtitling in broadcast accessibility.
- Oireachtas TV, covering the government, had low obligations for subtitling and sign language and no obligations to provide audio description.

4.16.2. Legal framework: primary and secondary legislation

National legislation	Summary of the measures
<p>Article 7 (1) AVMSD</p> <p>Online Safety and Media Regulation Act 2022, section 460(6-9)²⁰⁹</p>	<p>Section 460(6) Audiovisual media service providers must take steps to provide access to audiovisual programmes by means such as sign language translation, subtitling, or audio description.</p> <p>Section 460(7) The rules promulgated by the CnaM must require media service providers to consider whether the accessibility functions for audiovisual programming are provided at daily or regular intervals, during popular (and other) viewing times and</p>

²⁰⁸ The factsheet on Ireland incorporates the feedback received from the Media Commission (Coimisiún na Meán), during the checking round with the national regulatory authorities.

²⁰⁹ <https://data.oireachtas.ie/ie/oireachtas/act/2022/41/eng/enacted/a4122.pdf>



<p>S.I. No. 258/2010 – European Communities (Audiovisual Media Services) Regulations 2010, section 12²¹⁰</p> <p>BAI Rules 2019 – Secondary Legislation²¹¹ Access Principles</p>	<p>for news and news-related (as well as other) matters, or in the case of the on-demand service providers, in an easily identifiable and easily accessible way.</p> <p>Section 46O(8) The rules promulgated by the CnaM may require media service providers to meet specific quotas or employ specified means in order to promote accessibility.</p> <p>Section 46O(9) The rules promulgated by the CnaM will provide for the matters required by Article 7 AVMSD.</p> <p>Section 12 VOD service providers must endeavour to ensure their services are gradually made accessible to people with a visual or hearing disability.</p> <p>Citizens for whom the access rules are designed should have the fullest possible access to the broadcast media. The level of subtitling, audio description, and Irish Sign Language interpretation will develop incrementally over a period of time, on a five-year timeframe.</p>
<p>Article 7 (2) AVMSD</p>	
<p>BAI Rule 9</p>	<p>Rule 9 The BAI/CnaM may undertake some or all of the following activities:</p> <p>Request reports on the accessibility of programming from broadcasters every 6 months. Meet with broadcasters annually to discuss performance against the rules with regard to reporting and outcomes of monitoring. Produce an annual report for the Compliance Committee of the BAI/CnaM. Apply the BAI/CnaM Compliance and Enforcement Policy in instances of non-compliance. Publish an annual report.</p>
<p>Article 7 (3) AVMSD</p>	
<p>Online Safety and Media Regulation Act 2022, section 46O(5)</p> <p>S.I. No. 258/2010 – European Communities (Audiovisual Media Services) Regulations 2010, section 13</p>	<p>Section 46O(5). The CnaM must make regulations that require audiovisual media service providers to take steps to make programming more accessible for persons who are D/deaf or hearing impaired, blind, or partially sighted, or persons who have a hearing impairment and are partially sighted.</p> <p>Section 13 VOD service providers must develop codes of conduct in consultation with the CnaM and other relevant bodies.</p> <p>The level of subtitling, audio description, and Irish Sign Language will develop incrementally over a period of time in order to facilitate broadcasters to develop capacity and expertise. A five-year timeframe allows the broadcaster to plan for the development and delivery of quality access provision.</p>

²¹⁰ <https://www.irishstatutebook.ie/eli/2010/si/258/made/en/print>

²¹¹ <http://www.bai.ie/en/download/133605/>



BAI Rules – Access Principles	
Article 7 (4) AVMSD	
Commission website/BAI Access Rules	Anyone wishing to make a complaint shall contact the broadcaster directly, and later the BAI/CnaM if necessary.
Article 7 (5) AVMSD	
BAI Rule 5.2	Broadcasters must ensure that audience members requiring access services are kept informed about national emergencies by providing key information with subtitles (preferably open format) and spoken. Unless impracticable, it should also be provided via Irish Sign Language. Irish Sign Language interpreters must be clearly visible and understandable to audiences throughout the entirety of the broadcast.

4.16.3. Overview of national rules

Types of accessibility measures	Brief overview of existing rules
Accessibility measures (hearing impairments)	Yes. Subtitling and sign language targets and timeframes are specified for each broadcaster in Ireland in the BAI/CnaM Access Rules document for the period 2019-2023. The targets and timeframes beyond that window have yet to be published.
Accessibility measures (visual impairments)	Yes. Audio description targets and timeframes are specified for each broadcaster in Ireland in the BAI/CnaM Access Rules document for the period 2019-2023. The targets and timeframes beyond that window have yet to be published.
Accessibility measures developed by self- or co-regulatory process	Yes. Currently, VOD providers must develop codes of conduct in consultation with the BAI/CnaM. This is subject to imminent amendment.
Reporting to the NRA – frequency	Uncertain – pending new rules from the CnaM.
Designated point of contact for information and complaint	Yes. Broadcasters first, then to the CnaM by email.



4.16.4. Law in practice: selected examples²¹²

4.16.4.1. Public service broadcaster: RTÉ

RTÉ, the public service broadcaster, provides programming with subtitling, audio description, and Irish Sign Language. It also provides subtitling and audio description on its VOD player. In 2021, 95% and 89% of prime-time programmes were subtitled for RTÉ1 and RTÉ2. Of the normal 18 hour-day programmes, 52% were subtitled on RTÉjr. Additionally, the BAI Irish Sign Language target was met. RTÉ engages with the D/deaf community and adapts its services in response to feedback.²¹³

4.16.4.2. Private broadcaster: Virgin Media Television

In 2021, the private broadcaster Virgin Media Television provided a weekly list of programmes broadcast with subtitles, audio description, or Irish Sign Language.²¹⁴ The BAI found mixed performance on quotas; one channel, Virgin Media One, exceeded targets for subtitling and audio description, but others did not meet the targets (Virgin Media Two and Three). The BAI did find overall evidence of progress for subtitling and audio description and incremental increase.²¹⁵

4.16.4.3. VOD: Netflix

The VOD Netflix provides viewers in the UK and Ireland with the same service. According to written evidence provided to the UK Parliament, it offered 100% of its programming with “timed text” (subtitling) in English and audio description for more than half of the most-viewed content in the UK.²¹⁶

²¹² Examples as provided by the national expert.

²¹³ https://www.rte.ie/annual-report-2021/pub/pdf/21877_RTE_Annual_Report_YE21_EN.pdf, BAI Access Rules Report 2023 <https://www.bai.ie/en/download/138317/?tmstv=1690213794>.

²¹⁴ <https://www.virginmediatelevision.ie/access-services>

²¹⁵ BAI 2023 Report <https://www.bai.ie/en/download/138317/?tmstv=1690213794>

²¹⁶ <https://committees.parliament.uk/writtenevidence/7209/pdf/>



4.17. IT - Italy²¹⁷

4.17.1. Key findings

- Italy has imposed a progressive realisation obligation to make programming more accessible.
- The national media regulatory authority (*Autorità per le garanzie nelle comunicazioni* – AGCOM) can impose fines of EUR 30 000-60 000 if a service provider does not comply with the provisions of Article 31 of the AVMS Code within a certain time frame.
- In 2022 AGCOM convened a technical round table with disabled persons' organisations and audiovisual media service providers to develop accessibility measures.²¹⁸
- In particular, a questionnaire was published for media service providers to carry out a survey of the measures already in use for the accessibility of audiovisual content by persons with hearing or visual disabilities.²¹⁹ As of April 2023, Article 31 of the AVMS Code (implementing Article 7 AVMSD) is in the process of being implemented, as the technical round table on the specifications of measures and means to comply with accessibility obligations has yet to make its recommendations.

²¹⁷ The summary on Italy incorporates feedback received from Francesco Di Giorgi, Digital Services Directorate, AGCOM (*Autorità per le garanzie nelle comunicazioni*), during the checking round with the national regulatory authorities.

²¹⁸ <https://www.agcom.it/documents/10179/26658730/Delibera+151-22-CONS/e7e86c2d-98fc-4a52-a14c-1bd0488243d1?version=1.0>

²¹⁹ The questionnaire had five areas of research:

1. SUBTITLING: AVMS to indicate the technical measures used, specifying whether these measures are specific for disabilities as well as the percentage of programming subtitled by genre out of the total daily programming.
2. LIS: AVMS to indicate LIS-translated programming by genre out of total daily programming.
3. AUDIODESCRIPTION: AVMS to indicate the technical measures used, specifying whether such measures are specific to the disability and the percentage of audio-described programming by genre out of the total daily programming.
4. ACCESSIBILITY TO ELECTRONIC PROGRAMME GUIDES (EPGs): AVMS to indicate how electronic programme guides are accessible.
5. ACCESSIBILITY IN STREAMING OR DOWNLOAD MODE: AVMS to indicate any measures adopted to allow disabled people access to the audiovisual content in streaming or download mode via the website of the audiovisual media service provider.



4.17.2. Legal framework: primary and secondary legislation

National legislation	Summary of the measures
Article 7 (1) AVMSD	
<p>Article 31 (1) of Legislative Decree No. 208 of 8 November 2021 (AVMS Code)</p> <p><i>(Testo Unico per la fornitura di servizi di media audiovisivi in considerazione dell'evoluzione della realtà di mercato)</i>²²⁰</p>	<p>AGCOM must adopt, in consultation with the trade associations and through co-regulation procedures, appropriate and proportionate measures to ensure that audiovisual media service providers make programming progressively more accessible to persons with disabilities.</p>
Article 7 (2) AVMSD	
<p>Article 31 (2) – (3) AVMS Code</p> <p>Article 4 (1) (f) Annex A to AGCOM Resolution No. 353/11/CONS of 23 June 2011 laying down the “New Regulation on digital terrestrial television broadcasting”</p> <p><i>(ITA: Allegato A alla Delibera AGCOM n. 353/11/CONS del 23 giugno 2011 recante “Nuovo Regolamento Relativo alla Radiodiffusione Televisiva Terrestre in Tecnica Digitale”)</i>²²¹</p> <p>Article 8 of Annex A to AGCOM Resolution No. 607/10/CONS of 25 November 2010 laying down the “Regulation on on-demand audiovisual media service providers pursuant to Article 22-bis of the audiovisual media services code” (i.e. Legislative Decree No. 177/2005, repealed by the AVMS Code) <i>(ITA: Allegato A alla Delibera AGCOM n. 607/10/CONS del 25 novembre 2010 recante “Regolamento in materia di fornitura di servizi di media audiovisivi a richiesta ai sensi dell’art. 22-bis del</i></p>	<p>Article 31 Providers must develop action plans to make programming more accessible and submit them to AGCOM at least every three years beginning in 2022.</p> <p>Article 4(1)(f) 343/11/CONS; Article 8 607/10/CONS</p> <p>Providers must declare the specific technical and editorial measures implemented to ensure the usability of their services for persons with disabilities when applying for authorisation as a digital terrestrial television broadcaster or as an on-demand media service provider in the Italian territory.</p>

²²⁰ <https://www.gazzettaufficiale.it/eli/id/2021/12/10/21G00231/sg>

²²¹ While not a measure developed to implement Article 7, this provision has relevance to the goals of Article 7(2): <https://www.agcom.it/documents/10179/539615/Allegato+22-06-2011+4/7b04938a-08c9-4420-b2d0-48aa84112713?version=1.0>



<i>testo unico dei servizi di media audiovisivi e radiofonici</i>) ²²²	
Article 7 (3) AVMSD	
Article 31 (2) – (3) AVMS Code	Providers must report on a regular basis to AGCOM on measures taken to increase accessibility and submit these reports at least every three years. AGCOM will consult with the Ministry of Enterprises and Made in Italy (MIMIT) to prepare a report to submit to the EU Commission, by 19 December 2022 and then at least every three years.
Article 7 (4) AVMSD	
Article 31 (6) AVMS Code	AGCOM will set up a single easily accessible online point of contact for providing information and receiving complaints.
Article 7 (5) AVMSD	
Article 31 (4) AVMS Code	Audiovisual media services containing emergency information must be provided in an accessible manner.

4.17.3. Overview of national rules

Types of accessibility measures	Brief overview of existing rules
Accessibility measures (hearing impairments)	Not yet. Specific measures yet to be developed.
Accessibility measures (visual impairments)	Not yet. Specific measures yet to be developed.
Accessibility measures developed by self- or co-regulatory process	Yes. Action plans must be developed to progressively make services more accessible. Further, technical accessibility rules will be developed in consultation with disabled persons' organisations, AGCOM, and AVMS providers.
Reporting to the NRA – frequency	Yes, every three years.
Designated point of contact for information and complaint	Yes. AGCOM will set up and maintain a designated point of contact online for providing information and receiving complaints. The point of contact is the <i>Ufficio Relazioni con il Pubblico</i> .

²²² Annex A, Resolution No. 607/10/CONS: <https://www.agcom.it/documents/10179/539471/Allegato+25-11-2010+1/7a61634d-feaa-43e1-abe0-f2282dcb312d?version=1.0&targetExtension=pdf>



4.17.4. Law in practice: selected examples²²³

4.17.4.1. Public service broadcaster: RAI

The public service broadcaster Radiotelevision S.p.A (RAI) is required to provide subtitles for at least 85% of generalist networks between 6 a.m. and 12 p.m. with the exception of advertising and service messages, as well as for all daily editions of news programming on Tg1, Tg2, Tg3 in the midday and evening timeslots. It is obliged to provide the highest quality subtitling for news programming. It must also provide sign language translation for at least one edition of news programming per day of the national news programmes.

It must also gradually extend subtitling and audio description to thematic channels, particularly those aimed at children.²²⁴

4.17.4.2. Private media broadcaster: Mediaset

The private media broadcaster, Mediaset, reports that it provides subtitles in a significant portion of its programming.²²⁵

4.17.4.3. VOD: Prime Video

In practice, Italian users will be given various options regarding accessibility measures, such as subtitling, alternative tracks and audio description.²²⁶

4.17.4.4. The ENS Association's work

During the work of the technical round table established by AGCOM with Resolution No. 151/22/CONS, the National Deaf Organisation (ENS) presented its main requests regarding accessibility to communication and information to guarantee the citizenship rights of D/deaf people. In particular, it noted the need to be able to enlarge the window dedicated to the Italian Sign Language (LIS) interpreter on each television, as already happens for Samsung ones, as well as giving the option to change the size of the subtitles on each streaming platform, as currently happens on Amazon Prime. Finally, with specific reference to the public service broadcaster RAI, it highlighted the need to increase the quantity and quality of subtitling services (to cover the entire programming) and interpreting (including programmes dedicated to children) on all channels of the exclusive broadcaster for the public radio and television service in Italy.

²²³ Examples as provided by the national expert.

²²⁴ https://www.rai.it/dl/doc/1607970429668_Contratto%20di%20servizio%202018-2022.pdf

²²⁵ http://www.mediaset.it/digitaletterestre/articoli/la-guida-tv-interattiva_10445.shtml

²²⁶ https://www.primevideo.com/help/ref=atv_hp_nd_cnt?language=it_IT&nodeId=GUZE7UNGCAN9UUM4#:-:te xt=Prima%20di%20iniziare%20la%20riproduzione.%C3%A8%20indicata%20dall'icona%20Sottotitoli%20



4.18. LT - Lithuania²²⁷

4.18.1. Key findings

- Lithuania is in the process of developing an information accessibility system, which is scheduled to be live by the end of 2024.
- All governmental and presidential announcements are accompanied by sign language interpretation.
- Lithuania is using a technology driven subtitling software, as well as other equipment which converts text to synthetic speech, which it implemented in 2022.
- The Radio and Television Commission of Lithuania (RTCL) (*Lietuvos radijo ir televizijos komisija*) has not yet published information on how to file a complaint about accessibility.

4.18.2. Legal framework: primary and secondary legislation

National legislation	Summary of the measures
Article 7 (1) AVMSD	
Article 34(2), Law on the provision of information to the public of the Republic of Lithuania, (Consolidated version 1 June 2023) (LRVI) – (<i>Lietuvos Respublikos visuomenės informavimo įstatymas</i>) ²²⁸	<p>Article 34(2): Producers and Disseminators of public information, including audiovisual media service providers,²²⁹ in cooperation with state and local bodies will ensure that information is released to persons with disabilities in a consistent manner.</p> <p>The Lithuanian Public Broadcaster (LRT) must adapt television programmes for persons with “hearing and visual impairment” in accordance with the provisions of the Lithuanian National Radio and Television Law.</p> <p>Other audiovisual media service providers must adapt the public information disseminated to persons with disabilities in</p>

²²⁷ The summary on Lithuania incorporates feedback received from Nerijus Maliukevičius, market research analyst at the Radio and Television Commission of Lithuania, during the checking round with the national regulatory authorities.

²²⁸ <https://www.e-tar.lt/portal/lt/legalAct/TAR.065AB8483E1E/asr>

²²⁹ A producer of public information is defined as “a provider of an audiovisual media service, a broadcaster of radio programmes, a publishing house, a film, audio, or video studio, an information advertising or public relations agency, an editorial office, a manager of the information society media, an independent producer, a journalist or any other person producing public information or submitting it for dissemination.” LRVI Article 2(77)



Article 5(10) LRVII	<p>accordance with the action plan approved by the regulatory body approved by the government.</p> <p>Article 5(10): LRT will adapt television programmes to benefit persons with hearing and visual impairments. The quotas appear below in 1.1.3.</p>
Article 7 (2) AVMSD	
<p>Article 34(2), LRVII</p> <p>Article 28(5), Law amending the Law on the Provision of Information to the Public (No. XIV) of 14 January 2021 – (2021 m. sausio 14 d. Visuomenės informavimo įstatymo pakeitimo įstatymas (Nr. XIV))²³⁰</p>	<p>Audiovisual media service providers must report to RTCL ²³¹ according to the procedure established by RTCL. RTCL will submit a summary report on the implementation of accessibility measures to the EU Commission every three years starting no later than 19 December 2022.</p>
Article 7 (3) AVMSD	
Article 34(2), LRVII	<p>An action plan has been developed between government actors, civil society groups and the media sector to improve information accessibility for persons with disabilities by private audiovisual media service providers. It will be approved by an institution authorised by the government and submitted to RTCL to monitor implementation.</p>
Article 7 (4) AVMSD	
Articles 34(2) and 48(1)(10) LRVII	<p>34(2) RTCL website will contain publicly available information about how to file a complaint about the accessibility of public information; this information should itself be accessible.</p> <p>48(1)(10) RTCL will examine viewers' complaints concerning the activities of broadcasters and the suppliers of on-demand audiovisual media services, as well as other providers supplying television broadcasts and/or individual programming online, as well as video-sharing platform services.</p>
Article 7 (5) AVMSD	
Article 20(1) LRVII	<p>In the event of an actual or imminent emergency, producers and/or disseminators of public information must publish warnings on behalf of the state and local authorities free of charge or allow state or local authorities to publish live warnings free of charge. Warnings must be published in such a way that they are accessible to persons with disabilities.</p>

²³⁰ <https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/394ba4e25a5911eba1f8b445a2cb2bc7>

²³¹ <https://www.rtk.lt/en/>

4.18.3. Overview of national rules

Types of accessibility measures	Brief overview of existing rules
Accessibility measures (hearing impairments)	Subtitling: at least 50% of total monthly transmission time of LRT. Sign language: at least 20% of total monthly transmission time of LRT. Private broadcasters have no quotas but must abide by the action plan.
Accessibility measures (visual impairments)	No specific adaptation mentioned, but 10% of total monthly transmission time must be accessible to persons with visual impairments.
Accessibility measures developed by self- or co-regulatory process	An action plan has been developed in consultation between governmental institutions, civil society groups and the media sector. It applies to private audiovisual media service providers. It is not presently publicly available.
Reporting to the NRA – frequency	Audiovisual media service providers must report “regularly”.
Designated point of contact for information and complaint	RTCL website will provide information about how to file a complaint. That information will be accessible.

4.18.4. Law in practice: selected examples²³²

4.18.4.1. Public service broadcaster: LRT

In 2021 the public broadcaster LRT provided 610 hours of content with subtitling, 503 hours of content with sign language interpretation and 25 hours of content with audio description. It has also implemented software to convert all displayed text to speech.²³³ In previous years, a goal was set to increase the volume of subtitled content by 5% of total broadcasting time year on year, the volume of signed content by 1% every year and content accessible to visually impaired persons by 1% each year, until the target amount is reached.²³⁴ Its video-on-demand platform allows for video quality and speed adjustments when streaming.²³⁵ Its music content provider LRT (mediatheque) makes some content available with subtitles, sign language translation, or audio description.²³⁶

²³² Examples as provided by the national expert.

²³³ https://apie.lrt.lt/api/uploads/LRT_ataska_ita_2021_web_UPDT_45b6db87e4.pdf

²³⁴ <https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/7f522eb294e711eaa51db668f0092944>

²³⁵ <https://epika.lrt.lt/>

²³⁶ <https://www.lrt.lt/paieska>



4.18.4.2. Private broadcasters

The private broadcaster TV3 has subtitles available for video content.²³⁷

The private broadcaster and VOD provider Laisvas ir nepriklausomas kanalas and LNK studija LNK.lt allows videos to be slowed down.²³⁸

4.18.4.3. VOD

Other VOD providers including CinemaClub, VšĮ AVAKADEMIJA and MEGOGO, provide subtitles; MEGOGO also provides other content with audio description and sign language interpretation.

²³⁷ <https://pagalba.go3.lt/article/nustatymu-keitimas/>

²³⁸ www.lnk.lt



4.19. LU - Luxembourg²³⁹

4.19.1. Key findings

- The language of the statute obliges the national media regulatory authority, the Luxembourg Independent Media Authority (ALIA) (Autorité luxembourgeoise indépendante de l'audiovisuel) to encourage audiovisual media service providers to make their services progressively more accessible.
- Regulation applies without distinction to all audiovisual media service providers.
- ALIA reports that it is in the process of developing guidelines with more precise provisions to submit to service providers.
- Due to the limited audience size, and multiple languages spoken by those in Luxembourg, accessibility tends to be considered a disproportionate burden by some of the audiovisual media service providers targeting mainly the population of Luxembourg.

4.19.2. Legal framework: primary and secondary legislation

National legislation	Summary of the measures
Article 7 (1) AVMSD	
Article 35 2) point c) Law of 27 July 1991 on electronic media – (<i>Loi du 27 juillet 1991 sur les medias électroniques</i>) ²⁴⁰	ALIA must encourage audiovisual media service providers to make their services continuously and progressively more accessible.
Article 7 (2) AVMSD	
Article 27quater 1) Law of 27 July 1991 on electronic media	Service providers must develop action plans to make their services more accessible.
Article 7 (3) AVMSD	

²³⁹ The summary on Luxembourg incorporates feedback received from the Department of Media, Telecommunications and Digital Policy (Ministry of State) and the Luxembourg Independent Media Authority (ALIA) during the checking round with the national regulatory authorities.

²⁴⁰ <https://www.legilux.public.lu/eli/etat/leg/loi/1991/07/27/n1/consolide/20220821>



Article 27quater 2) Law of 27 July 1991 on electronic media	Service providers must submit a report on the implementation of their action plans by 30 September 2022, and every three years subsequently to ALIA. ALIA will prepare and send a report for the EU Commission every three years beginning in December 2022.
Article 7 (4) AVMSD	
N/A	Not transposed.
Article 7 (5) AVMSD	
Article 27quater 3) Law of 27 July 1991 on electronic media	Public communications and announcements in natural disaster situations that are made available to the public will be provided in an accessible manner.

4.19.3. Overview of national rules

Types of accessibility measures	Brief overview of existing rules
Accessibility measures (hearing impairments)	No specific quotas or measures mentioned.
Accessibility measures (visual impairments)	No specific quotas or measures mentioned.
Accessibility measures developed by self- or co-regulatory process	Audiovisual media service providers must create action plans and submit them triennially.
Reporting to the NRA – frequency	Audiovisual media service providers must report on their action plans triennially.
Designated point of contact for information and complaint	In August 2023, ALIA was designated as the single point of contact for providing information and receiving complaints regarding accessibility.

4.19.4. Law in practice: selected examples²⁴¹

Luxembourg has no public service broadcaster of its own. Nevertheless, CLT-UFA and the RTL Group are entrusted with a public service mission and Luxembourg has a public service radio, namely Radio 100,7.

The convention signed in this context between the state of the Grand-Duchy of Luxembourg and CLT-UFA and the RTL Group provides as follows in Article 1.2.(e).

Aware of the importance of ensuring accessibility to public service television for people with disabilities, CLT-UFA is drawing up an action plan for the continuous and progressive improvement of accessibility. Communications and public announcements concerning natural disasters, as well as those relating to public health, made available to the public, are provided in a way that is accessible to people with disabilities.

²⁴¹ Examples as provided by the national expert.



4.19.4.1. Private broadcaster: RTL Télé Lëtzebuerg

The private broadcaster RTL Télé Lëtzebuerg has a webpage laying out its terms and conditions of use, but there are no provisions on accessibility. The live broadcast of the evening news programme is in Luxembourgish, and it is replayed with subtitles in French, but not Luxembourgish, limiting their usefulness to non-French-speaking members of the D/deaf and hard of hearing community.²⁴²

4.19.4.2. VOD

The VOD provider Sooner Luxembourg specialises in art house and children's cinema. There is no information provided regarding accessibility.²⁴³

Other VOD providers such as RTL Luxembourg provide, for instance, subtitles for some of their programmes.

²⁴² <https://privacy-center.rtl.lu/fr#terms>

²⁴³ <https://sooner.lu/>



4.20. LV - Latvia²⁴⁴

4.20.1. Key findings

- Latvia imposes a progressive realisation obligation on linear and non-linear audiovisual media service providers.
- Audiovisual media service providers must consult with disabled persons' organisations to draw up action plans.
- The statute does not distinguish between different types of audiovisual media service providers.
- The statute does not distinguish between different impairments or set quotas for accessible content or measures. The national media regulatory authority (*Nacionālā elektronisko plašsaziņas līdzekļu padome* – NEPLP) has issued guidelines that list suggested suitable accessibility solutions.²⁴⁵
- Action plans are publicly available and the NEPLP publishes a report based on these action plans.²⁴⁶

4.20.2. Legal framework: primary and secondary legislation

National legislation	Summary of the measures
Article 7 (1) AVMSD	
Section 24 (1) Electronic Mass Media Law (<i>Elektronisko plašsaziņas līdzekļu likums</i>) ²⁴⁷	Audiovisual media service providers ²⁴⁸ must ensure their services are made continuously and progressively more accessible.

²⁴⁴ The summary on Latvia incorporates the feedback received from Māra Madara Lūse, head of the International Cooperation and Analytics Division at the National Electronic Mass Media Council, during the checking round with the national regulatory authorities.

²⁴⁵ Guidelines for the Electronic Media Law for the application of the guidelines for promoting access to electronic content media programmes and services (*Vadlīnijas Elektronisko Plašsaziņas Līdzekļu Likuma Piemērošanā Satura Pieejamības Veicināšanai Elektronisko Plašsaziņas Līdzekļu Programmās Un Pakalpojumos*) available in Latvian at: <https://www.neplp.lv/lv/media/5097/download?attachment>

²⁴⁶ <https://www.neplp.lv/lv/cita-informacija>

²⁴⁷ <https://likumi.lv/ta/en/en/id/214039-electronic-mass-media-law>

²⁴⁸ Under the statute, “electronic mass media” are defined as all private persons to whom a broadcasting or retransmission permit has been issued, or who has submitted to the National Electronic Mass Media Council a notification of the provision of on-demand services.



Article 7 (2) AVMSD	
Section 24 (2) Electronic Mass Media Law	Service providers must draw up action plans in cooperation with disabled persons' organisations setting out measures and plans for ensuring accessibility.
Article 7 (3) AVMSD	
Section 24 (2) Electronic Mass Media Law	The NEPLP will be notified of an action plan within 14 days of it being approved by the service provider.
Article 7 (4) AVMSD	
Section 60 (2) fourth paragraph Electronic Mass Media Law	The NEPLP will monitor compliance with this statute, by providing information and hearing complaints or any problems relating to the accessibility of services or information.
Article 7 (5) AVMSD	
Section 24.1 (3) Electronic Mass Media Law	A service provider that makes public announcements and provides emergency information must do so in an accessible manner.

4.20.3. Overview of national rules

Types of accessibility measures	Brief overview of existing rules
Accessibility measures (hearing impairments)	No quota set. Electronic mass media should provide, for example, subtitles, sign language interpretation, or production of content in sign language as provided by the NEPLP's guidelines for promoting access to electronic content media programmes and services.
Accessibility measures (visual impairments)	No quota set. Electronic mass media should provide, for example, spoken subtitles or audio description, as provided by the NEPLP's guidelines for promoting access to electronic content media programmes and services.
Accessibility measures developed by self- or co-regulatory process	Yes. Action plans must be developed in consultation with disabled persons' organisations.
Reporting to NRA - Frequency	Yes. Statutory language has been interpreted to mean reporting both on action plan creation and on the success of the previous year's action plan.
Designated point of contact for information and complaint	Yes, the NEPLP provides information and hears complaints, but there is no specific online point of contact.



4.20.4. Law in practice: selected examples²⁴⁹

4.20.4.1. Public service broadcaster: Latvijas televīzija (VSIA)

Public service broadcaster VSIA provides subtitling and sign language interpretation and plans to increase the amount of subtitling and sign language translation of LTV channel programmes and films in its linear service, as well as developing sign language translation and subtitling in its video-on-demand (VOD) services, including LSM.lv, replay.lv, and on social media.²⁵⁰

4.20.4.2. Private broadcaster: SIA Helio Media

Private broadcaster SIA Helio Media provides subtitles, and sign language translation, and according to its published action plan, plans to gradually increase the volume of programming with simple subtitles and specialised subtitles (including spoken subtitles).²⁵¹

4.20.4.3. VOD: SIA Tet

VOD SIA Tet (Tet Films) provides subtitles and audio description. According to its action plan it will gradually increase the volume of accessible content with simple and specialised subtitles. It also planned to add 180 new episodes of content with subtitles in Latvian in 2021, with 686 subtitled new episodes added over a three-year period.²⁵²

²⁴⁹ Examples as provided by the national expert.

²⁵⁰ <http://polsis.mk.gov.lv/documents/7167>

²⁵¹ <https://www.nepl.lv/lv/media/5178/download>

²⁵² <https://www.nepl.lv/lv/media/5178/download>



4.21. MT - Malta²⁵³

4.21.1. Key findings

- Malta imposes a progressive realisation obligation on media service providers, both linear and non-linear services which provide the same content as linear services, limiting it to proportionate measures.
- Malta has a very detailed complaints procedure along with a timeline, and the national media regulatory authority (Malta Broadcasting Authority) has the ability to adjudicate complaints and order audiovisual media service providers to comply within a time limit.
- Audiovisual media service providers in the Maltese jurisdiction are primarily linear television providers.
- In practice, Malta has provided access to a daily news bulletin and progress remains to be made to improve access to other content.

4.21.2. Legal framework: primary and secondary legislation

National legislation	Summary of the measures
Article 7 (1) AVMSD	
16JB (1) Broadcasting Act, amended in 2020 (<i>Att Dwar Ix-Xandir</i>) ²⁵⁴	Audiovisual media service providers must ensure that content is made progressively and continuously more accessible by means of proportionate measures.
Article 7 (2) AVMSD	
16JB (2) Broadcasting Act	Audiovisual media service providers must submit annual reports to the Broadcasting Authority on the progress made in implementing measures to increase accessibility.
Article 7 (3) AVMSD	
16JB (1) Broadcasting Act	Audiovisual media service providers must submit an action plan detailing measures adopted to increase accessibility to the Broadcasting Authority. The action plan must be updated at least once every two years. The Broadcasting Authority may request the media service provider to make changes to both the action plan and the updates if the authority is of the opinion that the media service provider is not effectively meeting its obligations.

²⁵³ The summary on Malta incorporates feedback received from Dr Joanna Spiteri, chief executive of the Maltese Broadcasting Authority, during the checking round with the national regulatory authorities.

²⁵⁴ <https://legislation.mt/eli/cap/350/eng/pdf>



Article 7 (4) AVMSD	
16JB (3) Broadcasting Act	The Broadcasting Authority must designate a single easily accessible publicly available online point of contact for providing information and receiving complaints.
Article 7 (5) AVMSD	
16JB (4) Broadcasting Act	Audiovisual media service providers must ensure that emergency information, including public communication and announcements in natural disaster situations will be made available in an accessible manner.

4.21.3. Overview of national rules

Types of accessibility measures	Brief overview of existing rules
Accessibility measures (hearing impairments)	No specific measures or quotas contained in the text. Secondary legislation imposes an obligation that a general interest objective television service shall broadcast at least 30 minutes of programming per week accessible to people with a hearing disability. ²⁵⁵
Accessibility measures (visual impairments)	No specific measures or quotas contained in the text.
Accessibility measures developed by self- or co-regulatory process	Yes. Action plans must be submitted to the Broadcasting Authority, which can respond and ask for amendments to the plan.
Reporting to NRA - Frequency	Yes. Audiovisual media service providers must report annually to the Broadcasting Authority.
Designated point of contact for information and complaint	Yes. The Broadcasting Authority provides information and a mechanism for complaints on its website. This mechanism allows for complaints to be submitted in written or electronic form to the main Authority email address.

²⁵⁵ Subsidiary legislation 350.32 – General Interest Objectives (Television Services) (Selection Criteria) Regulations (*Regolamenti dwar il-kriterji tal-għaġla ta' servizzi tat-televiżjoni b'oāāettivi ta' interess āeneralī*): <https://legislation.mt/eli/sl/350.32/eng>



4.21.4. Law in practice: selected examples²⁵⁶

4.21.4.1. Public service broadcaster: PBS Malta

For news bulletins: the public service broadcaster in Malta provides a daily news programme with sign language interpretation and the main news bulletin of the public service broadcaster use a news crawl as well at the bottom of the screen.

4.21.4.2. Private broadcasters

Private broadcasters have a text-based “news crawl” at the bottom of the screen during the main news bulletin.

²⁵⁶ Examples as provided by the national expert.



4.22. NL - The Netherlands²⁵⁷

4.22.1. Key findings

- The text of the law only explicitly mentions providing access for users who are D/deaf or hard of hearing, but the law contains general mentions of accommodations to increase the accessibility for persons with disabilities.
- A 2022 amendment to the budget of the Dutch public service broadcaster, NPO, added EUR 4.2 millions for 2023-2026 to add audio description.²⁵⁸
- According to the disabled persons' organisation Eye Association Netherlands, there are no private broadcasters offering audio description.²⁵⁹
- The term “progressively” found in the AVMSD has not been interpreted by the legislators to mean a greater quantity or higher percentages of accessible offerings by audiovisual media service providers, but rather higher quality of the existing quotas.
- Accessibility quotas apply only to traditional linear broadcast services.

4.22.2. Legal framework: primary and secondary legislation

National legislation	Details
Article 7 (1) AVMSD	
Media Act 2008, Article 2.1, 2.123 under f (<i>Mediawet 2008</i>) ²⁶⁰	Article 2.1 Public media services must provide media services that are accessible to everyone. 2.123 This authorises rulemaking by government decree in regards to subtitling, such as quotas for television programmes of national public broadcasters that are at least 50% presented in Dutch or Frisian language (Covered programming defined in Article 2.122 of the Media Act 2008), and gives the national media regulatory authority (<i>Commissariaat voor de media</i> – CvdM) the ability to grant exceptions, as well as authorising the CvdM to attach conditions to those exceptions.
Media Act 2008, Article 3.25	3.25 This authorises rulemaking by government decree in regard to subtitling, such as quotas for television programmes of commercial television providers which are at least 50%

²⁵⁷ The summary on the Netherlands incorporates feedback received from Marcel Betzel, senior international policy advisor at the CvdM, during the checking round with the national regulatory authorities.

²⁵⁸ <https://www.tweedekamer.nl/kamerstukken/amendementen/detail?id=2022Z23288&did=2022D50239>

²⁵⁹ <https://www.oogvereniging.nl/leven-met/film-televisie-en-theater/>

²⁶⁰ <https://wetten.overheid.nl/BWBR0025028/2023-01-01/0>



<p>Media Decree 2008, Articles 15 and 17 (<i>Mediabesluit</i>)²⁶¹</p> <p>Public Media Institutions Quota Policy Rule 2023, Articles 12 and 13 (<i>Beleidsregel quota publieke media-instellingen 2023</i>)²⁶²</p> <p>Commerical Media Institutions Quota Policy Rule 2023, Articles 14 and 15 (<i>Beleidsregel quota commerciele media-instellingen 2023</i>)²⁶³</p>	<p>presented in Dutch or Frisian language, and gives the CvdM the ability to grant exceptions, as well as authorising the CvdM to attach conditions to such exceptions.</p> <p>Sets quotas for subtitling, see 1.1.3.</p> <p>Sets criteria and calculation methods for subtitling for persons with hearing impairment for public broadcasters.</p> <p>The CvdM sets criteria and calculation methods for subtitling for persons with hearing impairment for private broadcasters.</p>
<p>Article 7 (2) AVMSD</p>	
<p>Media Act 2008, Article 2.58 paragraph 1 under f, and paragraph 2, Article 3.27 and Article 3.29d</p>	<p>Article 2.58 paragraph 1 under f. NPO must send the CvdM and the minister in charge a report on the past calendar year regarding measures taken by NPO to further develop the accessibility of audiovisual media content for persons with a disability, before 1 June every year.</p> <p>Article 2.58 paragraph 2 and Article 3.27 paragraph 2. The CvdM reports to the European Commission on the implementation of paragraph 1 no later than 19 December 2022 and every three years thereafter.</p> <p>Article 3.27 paragraph 1. A commercial media institution must report annually to the CvdM on the measures it takes to further develop the accessibility of audiovisual media content for people with disabilities.</p> <p>Article 3.29 d applies Article 3.27 by analogy to on-demand commercial media services.</p>
<p>Article 7 (3) AVMSD</p>	
<p>The Explanatory Memorandum to the draft proposal transposing the AVMS Directive²⁶⁴</p>	<p>This explains that the reporting requirement is designed to ensure that media institutions actually draw up an action plan and develop media that is accessible for persons with disabilities. No formal transposition of this element.</p>

²⁶¹ <https://wetten.overheid.nl/BWBR0025036/2022-01-01/0>

²⁶² <https://zoek.officielebekendmakingen.nl/stcrt-2023-5501.html>

²⁶³ <https://zoek.officielebekendmakingen.nl/stcrt-2023-5500.html>

²⁶⁴ Page 16 <https://zoek.officielebekendmakingen.nl/kst-35361-3.pdf>



Article 7 (4) AVMSD	
The Explanatory Memorandum to the draft proposal transposing the AVMS Directive ²⁶⁵	This explains that the point of contact will be set up and maintained by the CvdM. The government response to this memorandum is that it regards this as sufficient implementation of this article. ²⁶⁶
Article 7 (5) AVMSD	
Media Act 2008, Article 6.27	Emergency information will be provided as far as possible in a manner that is accessible to persons with an auditory or visual impairment.

4.22.3. Overview of national rules

Types of accessibility measures	Brief overview of existing rules
Accessibility measures (hearing impairments)	<p>Subtitling: Yes.</p> <p>The public service broadcaster must provide 95% subtitling for original Dutch language production. This does not apply to advertising or teleshopping, programme offerings for Dutch speakers abroad, or visual radio offerings.</p> <p>Private broadcasters that reach 75% of all households in the Netherlands, and provide programming which consists of original Dutch language productions must ensure at least 50% subtitled offerings. This excludes advertising, teleshopping and visual radio offerings.</p> <p>Sign language: None.</p>
Accessibility measures (visual impairments)	<p>Audio description: None – however the Dutch public broadcaster is expected to implement audio description over the next few years.</p> <p>Spoken Subtitles: None.</p>
Accessibility measures developed by self- or co-regulatory process	<p>Yes.</p> <p>Audiovisual media service providers are expected to prepare reports on their activities to increase the quality of the accessibility services, and as a preparatory step they will likely produce action plans.</p>
Reporting to the NRA – frequency	Yes, annually.
Designated point of contact for information and complaint	<p>Yes.</p> <p>The CvdM is tasked with setting up and maintaining a point of contact for providing information and receiving complaints.</p>

²⁶⁵ Page 8 Ibid.

²⁶⁶ Memorandum of Reply, page 28: <https://zoek.officielebekendmakingen.nl/kst-35361-6.pdf>



4.22.4. Law in practice: selected examples²⁶⁷

4.22.4.1. Public service broadcaster: NPO

NPO publishes its actions regarding accessibility on its website,²⁶⁸ including general information, explainer videos and answers to questions about subtitling, theatrical signers, audio description, and spoken subtitles. There is no information about accessibility quotas available on the NPO website.

4.22.4.2. VOD: Netflix

In the Netherlands, Netflix provides Dutch users with information on audio description, how to display text in larger sizes, subtitling and closed captions, as well as a list of programming with accessibility functionality.²⁶⁹

²⁶⁷ Examples as provided by the national expert.

²⁶⁸ <https://over.npo.nl/voor-publiek/toegankelijkheid#content>

²⁶⁹ <https://help.netflix.com/nl/node/116022>



4.23. PL - Poland²⁷⁰

4.23.1. Key findings

- Quotas for linear television broadcasting services have been and will continue to be increased between 2019 and 2024, and VOD quotas were introduced in 2021.
- Specific accessibility measures are mandated for linear broadcasters (through media regulation issued by the national media regulatory authority (*Krajowa Rada Radiofonii i Telewizji* – KRRiT). The same is not true for VOD providers: the Broadcasting Act does not detail what specific measures these services must implement to meet the accessibility quota.
- Polish legislation takes a top-down regulatory approach, setting general quotas that audiovisual media service providers are expected to achieve over time. For the moment, there is no public information pertaining to the drafting process of action plans.
- However, this leaves room for audiovisual media service providers to go further than the floor set by the regulation should they so choose. Audiovisual media service providers may use self-regulation to implement accessibility obligations. For instance, there is an agreement authorising on-demand audiovisual media services and children's television programmes to engage in self-regulation.²⁷¹

4.23.2. Legal framework: primary and secondary legislation

National legislation	Details
Article 7 (1) AVMSD	
Article 18a, paragraph 1 of the Broadcasting Act (as amended in 2021 by the act implementing the directive 2018/1808) Act of 11 August 2021 amending the Broadcasting Act and the Cinematography Act, Official Journal 1676. ²⁷² (Broadcasting	Article 18a.1 Television broadcasters must ensure programmes are accessible to persons with visual or hearing impairments by providing appropriate accommodations to at least 50% of quarterly broadcast time, excluding advertising and teleshopping. Article 18a.2 This calls for secondary legislation to set exact quotas for television broadcasters.

²⁷⁰ The summary on Poland incorporates feedback from Albert Woźniak, an expert from the Department of Strategy of the National Broadcasting Council (*Krajowa Rada Radiofonii i Telewizji* – KRRiT) during the checking round with national regulatory authorities.

²⁷¹ This agreement is available (only in Polish) at: <https://lewiatan.org/udogodnienia-dla-osob-z-niepelnosprawnosciami-dolacz-do-porozumienia-dostawcow-vod/>

²⁷² <https://lexlege.pl/ustawa-o-radiofonii-i-telewizji/>



<p>Act) (<i>Ustawa o radiofonii i telewizji</i>)</p> <p>Article 18a, paragraph 2 Broadcasting Act</p> <p>Media Regulation of 13 April 2022 issued by the Regulatory Authority (KRRiT)²⁷³ (secondary legislation)</p> <p>Article 47g, paragraph 1 Broadcasting Act</p> <p>Article 47g, paragraph 6</p> <p>Media Regulation of 17 May 2022 issued by the Regulatory Authority (KRRiT)²⁷⁴</p>	<p>Regulation 13/4/22 sets out which accessibility measures broadcasters should apply to various programmes (including sports, children's, music, news, and current affairs programmes). It excludes obligations to provide accessibility measures for broadcasters whose audience is less than 0.5 million viewers, or an audience share of less than 1%, calculated as a channel's average audience share in the preceding year, or on which the total transmission time of advertising and telesales does not exceed 72 minutes between 6 a.m. and 6 p.m. and 36 minutes between 6 p.m. and midnight.</p> <p>Article 47g.1 On-demand audiovisual media service providers shall ensure programmes are accessible to persons with visual or hearing disabilities by ensuring accessible content in their catalogues, increasing from 5% in 2022 to 30% by 2026.</p> <p>Article 47g.6 This calls for secondary legislation to set exact quotas for VOD service providers.</p> <p>Regulation 17/5/22 sets a floor for specialised VOD service providers whose catalogues consist of more than 50% news and current affairs programmes, sports, children's, or music programmes. For such specialised providers, at least 5% of the catalogue must have technical accessibility measures applied.</p> <p>The regulation also sets out exceptions where the quota obligations in Article 47g.1 may be lessened or not apply at all, including services where subscriber numbers did not reach two million in the previous calendar year and those offering specialised catalogues such as musical concerts.</p>
<p>Article 7 (2) AVMSD</p>	
<p>Article 18a paragraph 1, 1b, 47g paragraph 5 Broadcasting Act</p>	<p>Article 18a 1. Television broadcasters will report to the KRRiT the details of accessible programmes.</p> <p>Article 18a.1b, 47g.5 Both broadcasters and VOD service providers must submit annual reports to the KRRiT regarding the implementation of the requirements of 18a.1 and 47g.1, respectively, by 31 March for the previous calendar year.</p>
<p>Article 7 (3) AVMSD</p>	
	<p>For the moment, there is no public information pertaining to the drafting process of action plans.</p>

²⁷³

<https://www.gov.pl/web/krrit/pozostale-rozporzadzenia#:~:text=Rozporz%C4%85dzenie%20Krajowej%20Rady%20Radiofonii%20i%20Telewizji%20z%20dnia%2013%20kwietnia%202022%20r.%20w%20sprawie%20udogodnie%C5%84%20dla%20os%C3%B3b%20z%20niepe%C5%82nosprawno%C5%9Bciami%20w%20programach%20telewizyjnych.%20pdf%20240%20KB>

²⁷⁴

<https://www.gov.pl/web/krrit/pozostale-rozporzadzenia#:~:text=Rozporz%C4%85dzenie%20KRRiT%20z%20dnia%2017%20maja%202022%20r.%20w%20sprawie%20ni%C5%BCszego%20udzia%C5%82u%20lub%20zwolnienia%20z%20obowi%C4%85zku%20zapewniania%20audycji%20z%20udogodnieniami%20dla%20os%C3%B3b%20z%20niepe%C5%82nosprawno%C5%9Bciami%20w%20katalogach%20audiowizualnych%20us%C5%82ug%20medialnych%20na%20C5%BC%C4%85danie>



Article 7 (4) AVMSD	
Article 6 paragraph 2 (15) Broadcasting Act	This tasks the KRRiT with setting up and maintaining a point of contact for providing information and receiving complaints.
Article 7 (5) AVMSD	
Article 18a paragraph 1a; Article 47g paragraph 4 Broadcasting Act	Audiovisual media service providers must provide emergency information in an accessible manner, if at all possible.

4.23.3. Overview of national rules

Types of accessibility measures	Brief overview of existing rules
Accessibility measures (hearing impairments)	<p>Yes.</p> <p>Public and private broadcasters are treated identically by Regulation 13/4/22.</p> <p>General programming: In 2022-2023, at least 30% of programming will be provided with subtitles or sign language translation. In 2024 and thereafter, at least 43% will be provided with subtitles or sign language translation.</p> <p>Children’s programming channels (more than 50% of broadcast time aimed at children): In 2022-2023 at least 21% of programming provided with subtitles or sign language translation. In 2024 and thereafter, at least 30% to be provided with subtitles or sign language translation.</p> <p>Sports programming channels (more than 50% of broadcast time devoted to sport): In 2022-2023, at least 14% of programming provided with subtitles or sign language translation. In 2024 and thereafter, 20% of programming to be provided with subtitles or sign language translation.</p> <p>News and current affairs programming channels (more than 50% of broadcast time devoted to news and current affairs): In 2022-2023, at least 17.5% of programming provided with subtitles or sign language translation. In 2024 and thereafter, 25% of programming to be provided with subtitles or sign language translation.</p> <p>Music programming channels (more than 50% of broadcast time devoted to music): In 2022-2023, at least 17.5% of programming provided with subtitles or sign language translation. In 2024 and thereafter, 25% of programming to be provided with subtitles or sign language translation.</p> <p>VOD providers are obliged to increase the accessibility of their catalogues, but there is no imposition of specific measures or quotas</p>



	<p>as such. Benchmarks are: 2022 – 5% accessible content; 2023 – 10%; 2024-2025 – 20%; 2026 and thereafter – 30%.</p> <p>The charter of obligations of the public broadcaster also imposes obligations to ensure that political programming is provided in an accessible format.²⁷⁵</p>
Accessibility measures (visual impairments)	<p>Yes.</p> <p>General programming: In 2022-2023, at least 5% of programming provided with audio description. In 2024 and thereafter, at least 7% to be provided with audio description.</p> <p>Children’s programming channels (more than 50% of broadcast time aimed at children): In 2022-2023, at least 14% of programming provided with audio description. In 2024 and thereafter, at least 20% to be provided with audio description.</p> <p>Sports programming channels (more than 50% of broadcast time devoted to sport): In 2022-2023, at least 3.5% programming provided with audio description. In 2024 and thereafter, 5% of programming to be provided with audio description.</p> <p>VOD providers, see above.</p>
Accessibility measures developed by self- or co-regulatory process	<p>The KRRiT encourages audiovisual media service providers to go beyond the set floor of the regulation.</p>
Reporting to the NRA – frequency	<p>Yes, annually.</p>
Designated point of contact for information and complaint	<p>Yes.</p> <p>The National Broadcasting Council maintains an online point of contact for information and complaints.²⁷⁶</p>

4.23.4. Law in practice: selected examples²⁷⁷

Measures and quotas are set out by the KRRiT, as presented in the table above. Types of measures and quotas are the same for public and private broadcasters.

²⁷⁵ Charter of obligations for the public broadcaster for the years 2020-2024 <https://www.gov.pl/web/krrit/tvp-sa---projekt-zmiany-karty-powinnosci-na-lata-2020-2024>

²⁷⁶ <https://www.gov.pl/web/krrit/media-bez-barier3>

²⁷⁷ Examples as provided by the national expert.



4.24. PT - Portugal²⁷⁸

4.24.1. Key findings

- There is no self- or co-regulation of linear providers under the Portuguese statute. However, the national media regulatory authority (*Entidade Reguladora para a Comunicação Social* – ERC) is required to consult with stakeholders, representing both audiovisual media service providers and disabled persons’ organisations when developing the regulations to be imposed on service providers.
- The statute creates a gradual and progressive realisation standard and asks the ERC to consider market and technical capabilities when developing regulations.
- In 2021 the public service broadcaster (RTP) had already exceeded the floor set by the regulation on both Channel 1 and 2 as it relates to audio description.
- A compliance report for 2022 is available.²⁷⁹

4.24.2. Legal framework: primary and secondary legislation

National legislation	Summary of the measures
Article 7 (1) AVMSD	
Television and Audiovisual On-Demand Services Law, Article 34-A, paragraph 1 (<i>Lei n.º 27/2007</i> , current wording, <i>Lei da Televisão e dos Serviços Audiovisuais a Pedido</i>) ²⁸⁰	Broadcasters and VOD service providers must make their services continuously and progressively more accessible to persons with special needs.
Article 7 (2) AVMSD	
Law No. 27/2007, Article 34-A, paragraphs 4 and 6	Broadcasters and VOD service providers must provide the ERC with all information necessary for the ERC to ensure compliance and monitor developments.

²⁷⁸ The summary on Portugal incorporates feedback received from Joana Duarte, expert of the Supervision Department of the Portuguese Media Regulatory Authority (ERC), during the checking round with the national regulatory authorities.

²⁷⁹ See: <https://www.flipsnack.com/ercpt/acessibilidade-dos-servi-os-de-programas-televisivos-em-2022/full-view.html>

²⁸⁰ https://www.erc.pt/documentos/legislacaosite/English/law74-2020_eng.pdf



	The ERC will publish media accessibility reports every three years on its website starting in 2022 and will send those reports to the member of the government responsible for forwarding it to the EU Commission.
Article 7 (3) AVMSD	
Law No. 27/2007, Article 34-A, paragraphs 2 and 3	The ERC must set out obligations for broadcasters and VOD service providers in order to gradually improve the accessibility standards as part of a multiyear plan. The measures used to implement these obligations are subtitling, sign language interpretation, audio description, spoken subtitling or “other appropriate techniques”, as well as providing easily understood navigation menus. In order to develop these obligations, the ERC must consult with stakeholders, namely, the National Institute for Rehabilitation, as well as other disabled persons’ organisations, broadcasters, and VOD service providers. They must also take technical and market conditions into account.
Article 7 (4) AVMSD	
Law No. 27/2007, Article 34-A, paragraph 7, line b)	The ERC website will provide an information point, particularly publishing the multiyear plan to increase accessibility, details of monitoring and compliance of audiovisual media service providers, and the triennial reports. It will also receive requests for information and handle complaints, in cooperation with the providers’ customer ombudsman.
Article 7 (5) AVMSD	
Law No. 27/2007, Article 30, paragraph 3	Emergency information will be provided in an accessible manner, particularly with subtitling and verbalisation of essential visual content.

4.24.3. Overview of national rules²⁸¹

Types of accessibility measures	Brief overview of existing rules ²⁸²
Accessibility measures	Yes.

²⁸¹ Decision ERC/2021/317 (OUT-TV), 10 November amended by Decision ERC/2022/261(OUT-TV), 24 August, available at: <https://www.erc.pt/download.php?info=YT0zOntzOjU6ImFjY2FvIjtzOjg6ImRvd25sb2FkljtzOjY6InRpdHVsbyl7cz0ONT0iRGVsaWJlcmEIRTcIRTNvK0VSOyUyRjIwMjllMkYyNjErJTl4T1VULVRWJTl5IjtzOjg6ImZpY2hlaXJvIjtzOjM5OijtZWRpYS9kZWNPc29lcy9vYmplY3RvX29mZmxpbmUvODYyOS5wZGYiO30=> on ERC webpage <https://www.erc.pt/pt/a-erc/noticias/erc-avalia-se-emissoes-televisivas-cumprem-obrigacoes-de-acesso-dos-publicos-com-necessidades-especiais/>



<p>(hearing impairments)</p>	<p>Public service broadcaster (RTP): 60% of accessible programming must be scheduled between 8 a.m. and 12 p.m.</p> <p>Subtitling: <u>Channel 1</u> Recorded programmes: 25 hours/week 2022-2023, 30 hours/week 2024-2025 Live Programmes: 25 hours/week 2022-2023, 30 hours/week 2024-2025 <u>Channel 2</u> Recorded programmes: 25 hours/week 2022-2023, 30 hours/week 2024-2025 Live Programmes: 15 hours/week 2022-2023, 14 hours/week 2024-2025 <u>News and Regional Channels</u> Two hours/week pre-recorded either/or/and four hours live programming (combining the two is permitted to meet the obligation) 2022-2025 Sign language: <u>Channel 1</u> 17 hours/week, including one news service 2022-2023, 20 hours/week 2024-2025 <u>Channel 2</u> 14 hours/week 2022-2023, 20 hours/week 2024-2025 <u>News and Regional Channel</u> 10 hours/week including one news service 2022-2025</p> <p>Free-to-air private broadcaster: 60% of accessible programming must be scheduled between 8 a.m. and 12 p.m.</p> <p>Subtitling: 20 hours/week 2022-2023, 22 hours/week 2024-2025 Sign language: 10 hours/week, including one news service 2022-2023, 12 hours/week 2024-25, also providing such on website at a proportion of one quarter of the screen.</p> <p>Subscription private broadcaster: 60% of accessible programming must be scheduled between 8 a.m. and 12 p.m.</p> <p>Subtitles: 2 hours/week 2022-2025 Sign language: 6 hours/week 2022-2025</p> <p>VOD service providers with revenue >EUR 2 Million are to present plans to the ERC to progressively incorporate accessibility tools in their catalogues, particularly subtitling, sign language and audio description.</p>
<p>Accessibility measures (visual impairments)</p>	<p>Yes.</p> <p>Public service broadcaster (RTP): 60 % of accessible programming must be scheduled between 8 a.m. and 12 p.m.</p> <p>Audio description: <u>Channel 1</u>: 20 hours/trimester 2022-2025 <u>Channel 2</u>: 6 hours/trimester 2022-2025</p> <p>Private broadcaster: 60 % of accessible programming must be scheduled between 8 a.m. and 12 p.m. (free-to-air)</p>



	Audio description: 5 hours/trimester 2022-2025
Accessibility measures developed by self- or co-regulatory process	Yes – only for VOD providers, ²⁸³ although the ERC must consult with stakeholders prior to developing a multi-year regulatory plan.
Reporting to the NRA – frequency	Yes, quarterly for linear services and semi-annually for VOD services.
Designated point of contact for information and complaint	Yes. The ERC website is designated as the point of contact for the provision of information and for receiving complaints.

4.24.4. Law in practice: selected examples²⁸⁴

4.24.4.1. Public service broadcaster: RTP

In 2021 public service broadcast channels RTP1 and RTP2 provided 20 hours/week of subtitled content, and 12 hours/week of sign language interpretation. Audio description is reported at 70 hours per year for RTP1 and 20 per year for RTP2.²⁸⁵ The VOD affiliated with the public broadcaster provides subtitles, sign language interpretation, audio description, spoken subtitles and teletex.²⁸⁶

In 2022²⁸⁷ public service broadcast channels RTP1 and RTP2 provided 25 hour/week of subtitled content and 25 hour/week (RTP1) or 15 hours/week (RTP2) in live television programmes, as well as 17 hours/week of sign language interpretation for RTP1 and 14 hours/week for RTP2. They also have to adopt a dimension of sign language interpreter not less than one fifteenth.

In audio description, the obligations increased to 20 hours/quarterly (RTP1) and 6 hours/quarterly (RTP2).

4.24.4.2. Private broadcasters: SIC and TVI

In 2021, free-to-air private broadcasters SIC and TVI provided 18 hours/week of subtitling, and 8 hours/week of sign language interpretation, as well as 12 hours/year of audio

²⁸³ https://www.cm-tv.pt/SinalizacaoDeEmissao_CMtv.pdf

²⁸⁴ Examples as provided by the national expert.

²⁸⁵ <https://www.flipsnack.com/ercpt/acessibilidade-dos-servi-os-de-programas-televisivos-em-2021/full-view.html>

²⁸⁶ <https://www.rtp.pt/wportal/acessibilidades/>

²⁸⁷ <https://www.erc.pt/pt/estudos/acessibilidades/acessibilidade-dos-servicos-de-programas-televisivos-em-2022/>



description. The SIC affiliated VOD platform OPTO does not provide information about accessibility measures.

In 2022,²⁸⁸ free-to-air private broadcasters SIC and TVI provided 20 hours/week of subtitling and 10/hours/week of sign language interpretation, with a dimension of sign language interpreter not less than one fifteenth. For audio description, the obligation increased to 5 hours/quarter.

The SIC affiliated VOD platform, OPTO and the TVI affiliated VOD platform, TVI Player, already provide information.

4.24.4.3. Private news broadcasters

In 2021 subscription private news broadcasters, Porto Canal, CMTV, SIC Notícias and CNN Portugal all provided three hours per week of sign language interpretation.²⁸⁹

In 2022,²⁹⁰ subscription private news broadcasters, Porto Canal, CMTV, SIC Notícias and CNN Portugal had to provide two hours/week of subtitled content or four hours/week in live television programmes and six hours per week of sign language interpretation, with a dimension of sign language interpreter not less than one fifteenth.

²⁸⁸ Ibid. [9]

²⁸⁹ <https://www.flipsnack.com/ercpt/acessibilidade-dos-servi-os-de-programas-televisivos-em-2021/full-view.html>

²⁹⁰ Ibid. [9]



4.25. RO - Romania²⁹¹

4.25.1. Key findings

- The Romanian statute encompasses both linear and VOD audiovisual media service providers.
- It recognises a right of access to audiovisual media services.
- It places an obligation on the Romanian cinematographic producers of audiovisual media content to provide subtitling, rather than placing this burden exclusively on the providers of audiovisual media services.
- Under the current legislation action plans are not compulsory, but if they are made and contain information about access for persons with disabilities, that information must be relayed to the national media regulatory authority – the National Audiovisual Council (NAC).
- Further norms are likely to be developed to allow the NAC to effectively monitor and enforce AVMSD Article 7.
- There is a greater focus on accessibility for the D/deaf and hard of hearing communities.

4.25.2. Legal framework: primary and secondary legislation

National legislation	Summary of the measures
Article 7 (1) AVMSD	
Article 10(3)k and n, Law No. 504/2002 of 11 July 2002 (Audiovisual Law) consolidated 3 July 2022 <i>(Legea audiovizualului nr. 504/2002, cu modificările și completările ulterioare consolidată la 3 iulie 2022)</i> ²⁹² 41^1 (1); 42^1 (1-5) Audiovisual Act	Article 10(3)k The NAC must encourage audiovisual media service providers to ensure the services provided are accessible to persons with hearing or visual disabilities. Article 10(3)n The NAC must encourage audiovisual media service providers to create action plans to make services continuously and progressively more accessible and send these to the NAC. 41^1 (1) Audiovisual media service providers will ensure the services they provide are continuously and progressively more accessible to persons with disabilities, measures to be used including but not limited to sign language, subtitling for the

²⁹¹ The summary on Romania incorporates feedback received from Ruxandra Minea-Cristea, head of the Regulatory and European Union Relations office at the NAC, during the checking round with the national regulatory authorities.

²⁹² <https://www.cna.ro/article12050.12050.html>



	<p>D/deaf or hard of hearing, spoken subtitles and audio description.</p> <p>42¹ (1) This recognises the right of persons with disabilities to have access to audiovisual media services, subject to technological possibilities.</p> <p>42¹ (2) To this end, television programme services with national coverage must provide sign language interpretation and real-time subtitles for a scheduled period of at least 30 minutes a day for news, analysis and debate programming, interpretation into sign language and real-time subtitles for programmes of major importance, and the spoken notice “Attention! This programme is also intended for people who are hard of hearing” accompanied by a written, static, and legible statement of the same. Any programmes of major importance must also be broadcast with a warning sign.</p> <p>42¹ (3) Television programme services with local coverage must provide interpretation into sign language and/or real-time subtitles for a scheduled period of at least 30 minutes a day for news, analysis and debate programmes, interpretation into sign language and/or real-time subtitles for programmes of major importance in full or in summary, and a spoken and written notice of “Attention! This programme is also intended for people who are hard of hearing.” Programmes of major importance must be broadcast with a warning sign.</p> <p>42¹ (4) Television programme services with national coverage broadcast by any means in the form of digital packages must broadcast Romanian feature-length or short cinematographic productions and documentaries produced after 1 January 2019 with Romanian subtitles. The obligation to provide such subtitles rests with the producer of the programme.</p> <p>42¹ (5) Any subtitling provided must be closed rather than open, meaning it can be turned off.</p>
Article 7 (2) AVMSD	



Article 41 ¹ (2) Audiovisual Law	41 ¹ (1)2 Audiovisual media service providers must submit an annual report to NAC on the implementation of accessibility measures. This report should also be published on the provider's website.
Article 10(12) Audiovisual Law	Article 10(12) By 19 December 2022, and every three years thereafter, the NAC shall submit a report to the EU Commission on the applications of Article 41 ¹ (1)
Council Decision No. 320 of 2012 on providing video-on-demand services <i>(Decizia nr. 320/2012 privind furnizarea serviciilor audiovizuale la cerere)</i> ²⁹³	Article 24 of the Council Decision - On-demand providers will ensure the accessibility of their web pages according to international standards for web accessibility.
Article 7 (3) AVMSD	
Article 10 (3)n Audiovisual Law	Article 10 (3)n The NAC will encourage audiovisual media service providers to develop accessibility action plans in order to continuously and progressively make their services more accessible to people with disabilities and send those plans to the NAC.
Article 41 ¹ (3) Audiovisual Law	41 ¹ (3) Audiovisual media service providers must notify the NAC of any action plan that contains measures relating to the accessibility of their services to people with disabilities.
Article 7 (4) AVMSD	
Article 10(8) Audiovisual Law	The NAC is authorised to establish and designate a single, easily accessed (including to persons with disabilities) and publicly available online point of contact for providing information and receiving complaints relating to accessibility.
Article 7 (5) AVMSD	
Note 42 ¹ (6) Audiovisual Law	Emergency information that is made available to the public through audiovisual media services must be provided in a manner which is accessible to persons with disabilities.

4.25.3. Overview of national rules

Types of accessibility measures	Brief overview of existing rules
Accessibility measures (hearing impairments)	Yes. Services with national coverage must provide at least 30 minutes a day of news or current events programming with subtitling or sign language interpretation. They must also provide subtitling or sign language interpretation for programmes of major importance. The subtitling must be of a “closed” variety, meaning it can be turned off. Notifications

²⁹³ <https://www.cna.ro/Decizie-nr-320-din-29-mai-2012,5314.html>



	<p>regarding the accessibility of the programme must be displayed.</p> <p>Any broadcast of Romanian feature-length, or short cinematographic productions or documentaries produced after 2019 by television programme services by means of digital packages must include subtitling provided by the producer of such programmes.</p> <p>Services with local coverage must provide at least 30 minutes of news or current events programming with subtitling or sign language interpretation. They must also provide subtitling or sign language interpretation for programmes of major importance, either in full or in summary. Subtitles must be closed. Notifications regarding the accessibility of the programme must be displayed.</p>
Accessibility measures (visual impairments)	<p>No.</p> <p>Not specifically mentioned by the statute beyond mentioning audio description and spoken subtitling as measures that may be implemented to increase accessibility.</p>
Accessibility measures developed by self- or co-regulatory process	<p>Yes.</p> <p>Audiovisual media service providers are encouraged, but not required, to create action plans and submit these to the NAC.</p>
Reporting to the NRA – frequency	<p>Yes.</p> <p>Yearly reports to the NAC must include information about accessibility if the audiovisual media service provider has created an action plan which includes such measures.</p>
Designated point of contact for information and complaint	<p>The NAC will set up a single, easy to access, online point of contact to publish information and receive complaints relating to accessibility.</p>

4.25.4. Law in practice: selected examples²⁹⁴

4.25.4.1. Public service broadcaster: SRTv

The public broadcaster, the Romanian Television Broadcasting Corporation (SRTv) broadcasts two news programmes with sign language interpretation, the Telejournal at 12 p.m. on TVR 2 and the Telejournal at 2 p.m. on TVR 1, Monday through Friday. The Cultural Journal live broadcast at 9 p.m. Monday through Friday is also broadcast with sign language interpretation. The educational programme TELESKOALA, or Teleschool, is provided with sign language interpretation. SRTv also provides programming promoting the culture of national minorities with sign language interpretation.

²⁹⁴ Examples as provided by the national expert.



SRTv also has a programme entitled “Without Prejudice”, produced by the regional public television station TVR Cluj, which hires reporters with disabilities for on-air reporting. This initiative came from a partnership between Romanian Television and the Hans Spalinger Cluj Association, a civil society group specialising in the education and therapy of persons with disabilities. It has produced more than 350 premier education programmes and presented nearly 1 000 guests and initiatives that promote the rights of persons with disabilities and vulnerable groups. It is provided with sign language translation and as an audio podcast for blind or low vision audience members.²⁹⁵ TVR Cluj was the first television station in Romania to offer sign language interpretation in 2013.²⁹⁶

SRTv recently financed the production of a full-length feature film, *Apostolul Bologa*, with Romanian subtitling for the D/deaf and hard of hearing to be shown in cinemas, and broadcast on television. SRTv is considering setting up access to electronic documents for persons with visual or intellectual disabilities on its news sites.

4.25.4.2. Private broadcaster: Pro TV

The private broadcaster Pro TV introduced sign language interpretation for news programmes starting at 1 p.m. from Monday through Friday, and the morning news at weekends.²⁹⁷

²⁹⁵ http://www.tvr.ro/site-accesibilizat-pentru-persoane-cu-dizabilitati_36517.html#view

²⁹⁶ Duhomnicu, A. and Damian, O. (2022), “Technical and Content Aspects in Sign Language Interpretation in Romanian Television”, *SAECULUM*, Vol. 54, No. 2, 2022, pp. 109-122 online ISSN 2601-1182, DOI: 10.2478/saec-2022-0022

²⁹⁷ <https://stirileprotv.ro/stiri/social/limbajul-international-al-semnelor-legatura-cu-persoanele-hipoacuzice-in-romania-pest-30-de-mii-de-oameni-traiesc-izolati.html>



4.26. SE - Sweden²⁹⁸

4.26.1. Key findings

- The law explicitly considers the financial resources of the media service providers, and the technological development of accessibility services, in determining their accessibility obligations.
- The national media regulatory authority (*Myndigheten för press, radio och tv* – MPRT) has issued a report that includes a non-exhaustive list of questions to consider in helping media service providers develop an action plan and increase the accessibility of the services provided.²⁹⁹ These questions are updated alongside the decisions issued by the MPRT.³⁰⁰
- The most recent decision of the MPRT provides accessibility requirements for specific television channels or video-on-demand (VOD) services.³⁰¹ The MPRT regularly reviews the success of the measures mandated in the previous period and updates the requirements in consultation with civil society organisations representing persons with disabilities and media service providers.

4.26.2. Legal framework: primary and secondary legislation

National legislation	Details
Article 7 (1) AVMSD	
Chapter 5, section 12, paragraphs 1-2	Section 12(1-2) Audiovisual media service providers must design their services to be accessible, by means of subtitles, sign language interpretation/audio description, text to speech or similar techniques. Public service broadcasters must implement accessibility measures to

²⁹⁸ The summary on Sweden incorporates feedback received on the information related to the Radio and TV Act from Rebecca Parman from the Swedish Press and Broadcasting Authority (MPRT), during the checking round with the national regulatory authorities.

²⁹⁹ MPRT report with decision model for requirements on suppliers of media services to make their television broadcasts and VOD accessible:

<https://www.mprt.se/globalassets/dokument/publikationer/rapporter/rapporter-2020-2023/rapport-2021-tillganglig-tv-v01.pdf>

³⁰⁰ Last decision issued in June 2023, for the period 2023-2026:

https://www.mprt.se/globalassets/dokument/tillganglighet/dokument/beslut/beslut-framjande/23_02017-1-23-02017-beslut-om-att-framja-tillganglighet-1112051_5_0.pdf

³⁰¹ The MPRT 's latest decision on accessibility presented here:

<https://www.mprt.se/en/regulations/accessibility/broadcasters/regulations-on-accessibility/>



<p>Swedish Radio and Television Act (SRTA) (<i>Radio- och tv-lag</i>)³⁰²</p> <p>The Swedish Press and Broadcasting Authority decision regarding accessibility³⁰³</p>	<p>the extent decided by the government,³⁰⁴ and all other media service providers to the extent decided by the MPRT.</p> <p>The financial situation of media service providers and the technical development of accessibility services must be considered in determining their accessibility obligations.</p> <p>The decision lays out general and specific requirements for accessibility. Media service providers with an audience share of less than 1% of the total viewership have general requirements and may decide which accommodation technique to use, but at least some programming must be made increasingly accessible during the decision period. If technically feasible, providers must increase the accessibility of their programmes in Swedish using subtitling, sign language interpretation and/or audio description. Audio description and spoken subtitling services can be provided by a secondary device, such as a mobile phone. The specific parameters are outlined in the decisions, which are updated regularly.</p> <p>Media service providers with an audience share of 1% or more of the total viewership have specific accessibility requirements. Specific quotas can be found below in 1.1.3 and will increase over time.</p>
<p>Article 7 (2) AVMSD</p>	
<p>Chapter 16, section 6a SRTA</p>	<p>Media service providers must submit a report to the MPRT detailing how their services have been made accessible and include an action plan. The MPRT may issue regulations regarding these reports.</p>
<p>Article 7 (3) AVMSD</p>	
<p>Chapter 5, section 12, paragraph 3 SRTA</p> <p>Section 5 Swedish Radio and Television Ordinance (SRTO) (<i>Radio- och tv-förordning</i>)³⁰⁵</p>	<p>Media service providers must prepare action plans for how they will increase the accessibility of their services. The government or designated authority may issue regulations about what specifically should be included.</p> <p>The MPRT is authorised to issue regulations regarding the content of action plans.</p>
<p>Article 7 (4) AVMSD</p>	
<p>Section 3 SRTO</p>	<p>The MPRT provides an online point of contact.</p>

³⁰² <https://www.mprt.se/globalassets/dokument/lagar-och-regler/the-swedish-radio-and-television-act.pdf>

³⁰³ <https://www.mprt.se/en/regulations/accessibility/broadcasters/regulations-on-accessibility/>

³⁰⁴ Rules of the Swedish Press and Broadcasting Authority on accessibility: <https://www.mprt.se/globalassets/dokument/beslut/regeringsbeslut/beslut-om-krav-pa-tillganglighet-for-ur.pdf> and <https://www.mprt.se/globalassets/dokument/beslut/regeringsbeslut/beslut-om-krav-pa-tillganglighet-for-svt.pdf>

³⁰⁵ https://www.riksdagen.se/sv/dokument-och-lagar/dokument/svensk-forfattningssamling/radio--och-tv-forordning_sfs-2020-878/



Article 7 (5) AVMSD	
Chapter 5, section 12a SRTA	Media service providers that broadcast messages of importance to the general public must publish such messages in an accessible manner as soon as possible.

4.26.3. Overview of national rules

Types of accessibility measures	Brief overview of existing rules
Accessibility measures (hearing impairments)	<p>Yes.</p> <p>Public service channels (Sveriges Television AB (SVT), Sveriges Radio AB (SR) and Utbildningsradion AB (UR))³⁰⁶ Subtitling: 100% of pre-recorded programmes in Swedish, 80% of live programmes in Swedish during 2023-2024 (85% during 2025). Sign language: 6% of all programmes in Swedish during 2023 (6.5% during 2024 and 7% during 2025).</p> <p>Private broadcasters³⁰⁷ with >1% audience share Subtitling: 100% of pre-recorded programmes in Swedish, 60% of live programmes in Swedish (increasing to 65%). Sign language: 10% of broadcasting time of programmes in Swedish.</p> <p>Public service VOD and private VOD³⁰⁸ providers with specific rules Subtitling: all programming in Swedish with some exceptions. Sign language: certain requirements.</p>
Accessibility measures (visual impairments)	<p>Yes.</p> <p>Public service channels Audio description: 6% of all programmes in Swedish during 2023 (6.5% during 2024 and 7% during 2025). Spoken subtitles: 100% of the broadcasting time with Swedish translation text.</p> <p>Private broadcasters with >1% audience share Audio description: 10% of broadcasting time of programmes in Swedish. Spoken subtitles: a certain percentage annually as mandated by the decision of the authority.</p> <p>Public Service VOD and private VOD providers with specific rules Audio description: a certain percentage annually as mandated by the</p>

³⁰⁶ See the MPRT's decision on accessibility requirements: <https://www.mppt.se/globalassets/dokument/beslut/regeringsbeslut/beslut-om-krav-pa-tillganglighet-for-ur.pdf> and <https://www.mppt.se/globalassets/dokument/beslut/regeringsbeslut/beslut-om-krav-pa-tillganglighet-for-svt.pdf>

³⁰⁷ Excerpted from the MPRT (e.g. TV4 AB or Viaplay): <https://www.mppt.se/en/regulations/accessibility/broadcasters/regulations-on-accessibility/>

³⁰⁸ Ibid. (e.g. Max (formerly HBO Max)): <https://www.mppt.se/en/regulations/accessibility/broadcasters/regulations-on-accessibility/>



	decision of the authority. Spoken subtitles: a certain percentage annually as mandated by the decision of the authority.
Accessibility measures developed by self- or co-regulatory process	Yes. Media service providers develop action plans, within a framework of government regulation.
Reporting to the NRA – frequency	Yes, the statute does not specify the frequency. Decisions by the government and the MPRT require yearly reports.
Designated point of contact for information and complaint	Yes. The MPRT provides an online point of contact for providing information and receiving complaints regarding accessibility issues. ³⁰⁹

4.26.4. Law in practice: selected examples³¹⁰

4.26.4.1. Public service broadcaster: Swedish Television (SVT)

Swedish Television abides by the MPRT's latest decision as presented above.

4.26.4.2. Private broadcaster: TV4

TV4 abides by the MPRT's latest decision as presented above. TV4 is free to decide whether the interpretation/audio description requirements are to be fulfilled in the linear TV service or by providing the interpretation/audio description on TV4 Play while the programme is being broadcast linearly.³¹¹

4.26.4.3. Private broadcaster: HBO Max

HBO Max shall subtitle all programmes in Swedish published on its platform for the period decided by the MPRT in its decision. Regarding audio descriptions, the requirements may be met by providing the services as an audio track on a separate device such as a mobile phone or tablet.³¹²

³⁰⁹ <https://www.mprt.se/regelverk/tillganglighet-medier/konsument/kontaktpunkt-for-tillganglighet/klagomal/>.

³¹⁰ Examples as provided by the national expert.

³¹¹ See the MPRT's specific requirements on its webpage: <https://www.mprt.se/en/regulations/accessibility/broadcasters/regulations-on-accessibility/>

³¹² Ibid.



4.27. SI - Slovenia³¹³

4.27.1. Key findings

- Slovenia requires the online contact point not only to be accessible to people with sensory impairments, but also to be easy to read.
- The procedure for complaints is provided in great detail, but the obligations on service providers are not.

4.27.2. Legal framework: primary and secondary legislation

National legislation	Summary of the measures
Article 7 (1) AVMSD	
Audiovisual Media Services Act (ZAvMS) – Consolidated 15 December 2021 – Articles 14a (1) and 14b (1) – (<i>Zakon o avdiovizualnih medijskih storitvah</i>) ³¹⁴	14a. Audiovisual media service providers must progressively and continuously improve access to their services with proportional measures, such as sign language, subtitling for the deaf and hard of hearing, spoken subtitles and audio description. 14b. The Republic of Slovenia must encourage providers to progressively provide access to their services to people with visual or hearing impairment.
Article 7 (2) AVMSD	
Article 14(a)2-4 ZAvMS	Audiovisual media service providers must submit action plans and report to the national regulatory media authority, national regulatory media authority, Agency for Communication Networks and Services of the Republic of Slovenia (AKOS) (<i>Agencija za komunikacijska omrežja in storitve Republike Slovenije</i>) ³¹⁵ every three years, by the end of April of the calendar year following the previous three-year period. AKOS will report to the EU Commission on the progressive improvement of accessibility.
Article 7 (3) AVMSD	
Article 14(a)2 ZAvMS	Audiovisual media service providers must draft three-year action plans to improve access for people with disabilities and submit them to AKOS.

³¹³ The summary on Slovenia incorporates feedback received from Igor Žabjek, head of the monitoring department at the Agency for Communication Networks and Services of the Republic of Slovenia (AKOS), during the checking round with the national regulatory authorities.

³¹⁴ <http://pisrs.si/Pis.web/pregledPredpisa?id=ZAKO6225>

³¹⁵ <https://www.akos-rs.si/en/>



Article 7 (4) AVMSD	
Article 14(a)5 ZAvMS General Act on the Protection of Vulnerable Groups – 10 May 2022 Article 2(2), (4), Article 3(2) and Article 4 – (<i>Splošni akt o varstvu ranljivih skupin</i>) ³¹⁶	<p>AKOS must set up an online point of contact that is easily accessible to people with disabilities (easy to read, and usable by persons with sensory disabilities). AKOS adopted a statutory act, the General Act on Protection of Vulnerable Groups,³¹⁷ that lays out the procedure for handling complaints regarding the accessibility of all audiovisual media services. AKOS enables the receipt of accessibility-related complaints by post, in person and by telephone as well as through the online contact point.</p> <p>2(2). Designates the AKOS online portal as the contact point. 2(4). A complaint is a verbal or written disagreement with the conduct of an audiovisual media service provider in relation to accessibility.</p> <p>3. Obliges AKOS to carry out the process for considering the complaint, based on the principle of protection of vulnerable social groups, as quickly as possible, without additional costs for the complainant, and to keep records.</p> <p>4. A viewer can file a complaint if the provider is not improving the accessibility of its services, or when emergency information is not conveyed in an accessible manner, or in other cases related to the accessibility of audiovisual media services. Complaints will be addressed in the order they are received. Confidentiality will be maintained.</p> <p>6. If AKOS determines that there is no basis for initiating inspection on the basis of the received complaint, AKOS shall handle the complaint in accordance with the provisions of this General Act. If the complainant does not provide enough information for the complaint to be dealt with, the complainant is invited to provide additional information. AKOS may request the provider to submit a statement or explanation and AKOS can carry out a review of the audiovisual media service if it determines that this is necessary in order to deal with the complaint. After receiving the provider's response and reviewing the recordings and data, AKOS provides an explanation to the complainant. AKOS may also prepare a public facing report if it considers the complaint to be of public relevance.</p>
Article 7 (5) AVMSD	
Article 14a(6) ZAvMS	<p>Emergency information made available to the public must be provided accessibly.</p> <p>Failure to provide emergency information in an accessible manner can be the basis of a complaint.</p>

³¹⁶ <https://www.uradni-list.si/glasilo-uradni-list-rs/vsebina/2022-01-1638?sop=2022-01-1638>

³¹⁷ <https://www.uradni-list.si/1/objava.jsp?sop=2022-01-1638>



General Act on the Protection of Vulnerable Groups – 10 May 2022 Article 4(2)	
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4.27.3. Overview of national rules

Types of accessibility measures	Brief overview of existing rules
Accessibility measures (hearing impairments)	No specific quotas, but subtitling is mentioned in the AVMS Act.
Accessibility measures (visual impairments)	No specific quotas, but audio description and spoken subtitles are mentioned in the AVMS Act.
Accessibility measures developed by self- or co-regulatory process	Action plans must be developed by all audiovisual media service providers, linear broadcasters and VOD providers, and submitted to AKOS.
Reporting to the NRA – frequency	Every three years audiovisual media service providers must report on the implementation of their action plans.
Designated point of contact for information and complaint	AKOS website is the online point of contact for information and complaints, but complaints can also be submitted via telephone, in person and through the post.

4.27.4. Law in practice: selected examples³¹⁸

4.27.4.1. Public service broadcaster

RTV Slovenia (RTVS), the public broadcaster, operates an online portal that provides quick access to information for persons with disabilities; it also offers news with audio description, spoken subtitles, sign language and subtitling as well as easy-to-understand news programming.³¹⁹ This portal also provides links to radio and television programmes offered by RTVS addressing topics relevant to, or about persons with disabilities as well as programming with accommodations, including the Listen to the Silence broadcasts which are produced in cooperation with the Association of Deaf and Hard of Hearing Associations of Slovenia, and are made in Slovenian sign language. RTVS established an Accessibility Department in 2018, which works closely with civil society groups, and is responsible for greater representation of disabled persons in RTVS content, the introduction and development of accessibility techniques and participation in international projects like the European Broadcasting Union Access Services Experts Group.³²⁰

³¹⁸ Examples as provided by the national expert.

³¹⁹ <https://www.rtvsllo.si/dostopno>

³²⁰ <https://www.ebu.ch/groups/access-services-experts>



4.27.4.2. Private service broadcaster

The private broadcaster PRO PLUS offers multiple channels, including the popular POP TV and KANAL A, as well as the most visited online news portal 24ur.com and popular Slovenian VOD platform VOYO. It has the capability of offering subtitling or audio description in collaboration with cable or Internet Protocol TV operators, but this is not always taken advantage of. In the past it tested automated speech-to-text technology but found it to be technologically inconsistent.³²¹

4.27.4.3. VOD

The Slovenian VOD service, VOYO, offers subtitles and dubbing into Slovenian.³²²

³²¹ <https://n1info.si/novice/slovenija/smo-v-informacijski-izolaciji-lacni-smo-vsebin-a-nam-niso-dostopne/>

³²² <https://voyo.si/>



4.28.SK - Slovakia³²³

4.28.1. Key findings

- The legislation provides a clear definition of what is meant by subtitling in the context of accessibility. Further, the decree issued by the Ministry of Culture of the Slovak Republic provides detailed technical specifications for high-quality subtitling, including contrast, a display area, and details to clarify who is speaking.³²⁴
- There is a clear complaints procedure on the website of the national media regulatory authority (Council for Media Services) (*Radu pre mediálne služby*) with very specific rules for how to make a complaint and how the complaint life cycle progresses.
- The revised obligations (as a reaction to the issues identified during the previous implementation) only began in 2022; it is too soon to tell how well the various audiovisual media service providers have done in meeting the adjusted obligations of the law and the decree.

4.28.2. Legal framework: primary and secondary legislation

National legislation	Summary of the measures
Article 7 (1) AVMSD	
Act No. 264/2022 – Act on Media Services and on Amendments to Certain Acts – Article 53 (1) a-d), (2) (Media Services Act) – (<i>ZÁKON o mediálnych službách a o zmene a doplnení niektorých zákonov</i>) ³²⁵	<p>Article 53(1) a-d) provides a technical definition of usable subtitling for accessibility, including that it must be synchronised, clear and must not contain errors that materially affect the overall intelligibility of the spoken speech in the programme. Additionally it must fulfil the conditions in the separate decree issued by the Ministry of Culture</p> <p>(2) designates the Ministry of Culture to adopt a separate decree to lay out further conditions on subtitling.</p> <p>Article 54 a-b) gives a technical definition of audio description, including that it must include the non-verbal expressions and</p>

³²³ The summary on Slovakia incorporates the feedback received from the Office of the Slovak Council for Media Services during the checking round with the national regulatory authorities.

³²⁴ Decree 318/2023 Coll. on subtitles for persons with hearing impairment (that replaced the previous Decree 12/2016 that remains in force until end of 2023) stipulates the following requirements for broadcasters: <https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2016/12/20160101>

³²⁵ <https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2022/264/20230101>



<p>Article 54 a-b)</p> <p>Article 55 (1-9)</p> <p>Article 58 (1-7)</p>	<p>actions of the performers, settings, and other visual elements important for understanding the programme.</p> <p>Article 55 (1-9) places obligations on the broadcasters of linear television, both public and private, to provide accommodations to allow users to access their programming, the specific quotas of which are detailed in 1.1.3 below.</p> <p>Linear Broadcasters must provide a percentage of their programming in an accessible format. That percentage is calculated by looking at the total transmission time of the broadcasters (for all the broadcasting services of the provider) in the calendar quarter, excluding broadcast time devoted to programming offered between 02:00 and 05:00, and not including time devoted to sports programmes or music programmes, or programmes in which the music component is a substantial portion of the programme. If a broadcaster has applied an accommodation to one part of a serial or a series , it is obliged to apply this to all the parts.</p> <p>Parts 7-8 obligate broadcasters to clearly mark which programming is made accessible and what accommodation is provided, and to notify the regulator of the way in which the programmes are marked, as well as providing that information to the public (including via third parties that are given programming overviews by the broadcaster). Programmes which are not made accessible should not be marked as such. Part 9 exempts local broadcasting and broadcast services provided abroad.</p> <p>Article 58 (1-7) places obligations on video-on-demand (VOD) services to provide accommodation to access their programming, the specific quotas of which are detailed in 1.1.3 below. However, these are only applicable as of 2027. Similar provisions to the broadcasting services above on labelling, the calculation method (all programmes in all the on-demand services of the provider during one month of the provision of the services) and exemptions for types of programmes (with an additional exemption for programmes that were added into the catalogue before 1 August 2022 without accessibility provided) are included.</p>
Article 7 (2) AVMSD	
<p>Article 56 (1-2) – Media Services Act</p>	<p>Article 56 obliges broadcasters to provide all information necessary to monitor compliance with the obligations of Article 55 to the regulator within 15 days of a request from the regulator. This information includes data on the percentages, number and duration of the programmes that have been made accessible as well as a list of programmes broadcast with</p>



Article 59 (1-2) – Media Services Act	<p>subtitles, audio description and sign language, or sign language interpretation, along with the dates of broadcast.</p> <p>Similar provisions for VOD services as for broadcasting services above.</p>
Article 7 (3) AVMSD	
Article 57 (1-3); Article (1-2) – Media Services Act	<p>Article 57 Obliges broadcasters, public and private, to draw up action plans for a period of three years to permanently and progressively provide accessible services. They must be submitted by 31 March of the calendar year preceding the three-year period covered. These action plans must be published on the websites of these service providers, should they have them, as well as being published by the regulator. By 31 March following the three-year period of the action plan the broadcaster has to submit to the regulator an assessment of the fulfilment of the action plan (similar rules on publication apply).</p>
Article 60 (1-2) – Media Services Act	<p>Article 60 obliges VOD providers to submit to the regulator an action plan aimed at permanently and gradually ensuring multimodal access to the service, with similar provisions applied as per Article 57 (2-3). Similar provisions for quotas for accessibility of programmes are only applied as of 2027 – see below.</p>
Article 7 (4) AVMSD	
Article 110 (3)s – Media Services Act	The regulator must provide an online point of contact for the provision of information and the submission of complaints relating to the accessibility of audiovisual media services.
Article 7 (5) AVMSD	
Article 20(4)d and Article 28(3)c – Media Services Act	Broadcasters and VOD service providers must provide necessary broadcasting time to broadcast emergency information, as well as providing in these cases sign language interpretation, and subtitling, or simultaneous transcription.

4.28.3. Overview of national rules

Types of accessibility measures	Brief overview of existing rules
Accessibility measures (hearing impairments)	<p>Subtitling or sign language:</p> <p>Public Broadcaster: 100% of broadcast time (“all</p>



	programmes ³²⁶) by ³²⁷ 2027. Private Broadcaster: 25% of broadcast time by 2027. VOD: 25% of the total volume of programming starting in 2027 according to the website of the regulator.
Accessibility measures (visual impairments)	Audio Description: Public Broadcaster: 50% of broadcast time by 2027. Private Broadcaster: 10% of broadcast time by 2027. VOD: 10% of the total volume of programming starting in 2027 according to the website of the regulator.
Accessibility measures developed by self- or co-regulatory process	All linear and VOD service providers are obliged to create action plans which are submitted to the regulator.
Reporting to the NRA – frequency	All linear and VOD service providers are obliged to provide the regulator with information to assess compliance with the rules within 15 days of a request.
Designated point of contact for information and complaint	The regulator is obliged to set up and maintain an online point of contact to share information and receive complaints.

4.28.4. Law in practice: selected examples³²⁸

4.28.4.1. Public service broadcaster

According to the regulator, the public service broadcaster is obliged to ramp up accessible content offerings from 2023 to 2027, from 55% subtitled, 5% with Slovak sign language and 25% audio described in 2024 to 100% either subtitled or signed, and 50% audio described.³²⁹ According to the broadcaster, the financial investment in this project is around EUR 25 million.³³⁰

4.28.4.2. Private broadcasters

The private broadcaster MAC TV s.r.o. published an action plan in December 2022 stating that it was currently testing the provision of accommodations on its VOD platform, but that it is struggling to develop capacity to implement accessibility across its mobile applications. It has a plan that should, by 2027, allow for 25% of total programming to be offered with subtitling or sign language interpretation and 10% of total programming to be offered with

³²⁶ For details on how “broadcast time” is determined see section 1.1.2 (Article 7(1) AVMSD) above.

³²⁷ The detailed timetable of the progressive increase of the quotas up to 2027 is laid down in Articles 239 and 240 of the Media Services Act.

³²⁸ Examples as provided by the national expert.

³²⁹ <https://rpms.sk/co-je-multimodalny-pristup>

³³⁰ <https://medialne.trend.sk/televizia/rtyv-povinnosti-noveho-medialneho-zakona-zvysia-naklady-25-milionov-eur>



audio description. It is committed to participating in the working group on the decree of the Ministry of Culture of the Slovak Republic to further regulate accessibility.³³¹

The private broadcaster MARKÍZA–SLOVAKIA, spol. s.r.o. published an action plan in February 2023 detailing a gradual increase in accessible programmes from 2023 to 2025 which should achieve the percentages required by the Media Services Act in 2027.³³²

4.28.4.3. VOD

The VOD provider MARKÍZA–SLOVAKIA, spol. s.r.o., operator of the platform VOYO, published an action plan in February 2023 stating that it was researching and testing various accessibility solutions that would allow it to provide subtitling and audio description to the extent required by the law. According to the plan, the technical specifications of the decree issued by the Ministry of Culture on the quality of subtitling are beyond the capacity of the provider to implement. It anticipates partially meeting the needs of disabled users, but not meeting the obligations of the Ministry of Culture.³³³

The VOD provider MAC TV s.r.o. published an action plan in December 2022 stating that it is testing the provision of subtitling and audio description on its VOD services but does not yet have all the testing outputs. The provider foresees the need for further technical developments in order to achieve accessibility on services provided via mobile apps. During the years 2023-2025, the provider will technically, organisationally and in terms of personnel prepare for a yearly increase in accessible programmes in order to achieve the percentages required by the Media Services Act in 2027.³³⁴

³³¹ <https://www.joigroup.sk/wp-content/uploads/Akcny-plan-multimodalny-pristup.pdf>

³³² <https://n1.cms.markiza.sk/e2fs/docs/2023/02/27/d9df2769-a1bf-4735-ac0c-c91b6d39a271.pdf>

³³³ <https://n1.cms.markiza.sk/e2fs/docs/2023/02/27/22c8d15e-70dc-4a65-a0ad-54eb34995992.pdf>

³³⁴ <https://www.joigroup.sk/wp-content/uploads/Akcny-plan-multimodalny-pristup.pdf>



5. Appendix – Type of accessibility measures in member states

The table below provides for types and quotas of accessibility measures as provided by national regulatory framework. Some member states did not specifically listed quotas in national framework.

Countries	Type of provider	Subtitling	Sign Language	Audio Description	Spoken Subtitles	Simple Version
AT						
BE(FR)	Public	95% ≥ 2.5% viewer share; 35% ≤ 2.5% viewer share		25% ≥ 2.5% viewer share; 15% ≤ 2.5% viewer share		
	Private	75% ≥ 2.5% viewer share; 35% ≤ 2.5% viewer share		20% ≥ 2.5% viewer share; 15% ≤ 2.5% viewer share		
	Non-linear	25% every-effort to ensure		25% every-effort to ensure		
BE(VL)	Public	99% Dutch-language programmes - Public; News programmes after 20:00	1 news programme, 1 children's news program	All fiction programmes except soap operas	Maximally support spoken subtitles for non-Dutch programmes	
	Private	> 2% market share: 90% news and current affairs programming; at least 40% of programming between 13:00-24:00; main news programme	>30% market share: Main news programme or current affairs programme	Must provide information about audio description available	>2% market share: >40% attached spoken subtitle signal between 13:00-24:00	



BG	Public	Progressively achieve 100% of news, current affairs, films, series and other programming content	Linear broadcasting with news programmes with a daily audience share >20% will provide at least 1 newscast between 19:00-23:30			
	BG Private		Linear broadcasting with news programmes with a daily audience share >20% will provide at least 1 newscast between 19:00-23:30			
CY						
CZ	Public	70% closed or open captioning, or simultaneous sign language	2% Czech sign language	10%		
DE						
DK	Public	DR 95% non-live, 70% live, 100% prime-time news broadcasts, elections and political; increase live subtitling sign language channel; TV 2 "vast majority"	DR >2 News broadcasts between 19:00-21:00; Varied content on sign language, including elections and political programming channel; TV2 2 prime-time newscasts	TV2 Initiate and Extend audio described programming	DR All channels must offer spoken subtitling	One news programme on sign language channel



EE						
ES	Public	90%, incl. all programmes during prime-time	>15 hours/week, primarily during prime-time	>15 hours/week, primarily during prime-time. Must include films.		
	Private - free to air	80%, incl. all programmes during prime-time	>5 hours/week, primarily during prime time	>5 hours/week primarily during prime-time. Must include films.		
	Private-subscription	>30% of programmes	Gradual incorporation	Gradual incorporation		
FI	Public	100% in Finnish or Swedish, except live music/sports			100% programmes broadcast in foreign language, except live music/sports	
	National programming license	75% in Finnish or Swedish, except live music/sports			75% programmes broadcast in foreign language, except live music/sports	
	VOD - connected with linear service	30% in Finnish or Swedish, except live music/sports			30% programmes broadcast in foreign language, except live music/sports	
FR	Public	100% television content must be accessible efor D/deaf viewers	100% television content must be accessible efor D/deaf viewers			



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	Private	>2.5%total audience: all programming accessible; <2.5%: negotiated with ARCOM	>2.5%total audience: all programming accessible; <2.5%: negotiated with ARCOM	>2.5 total audience: Negotiated with Arcom	>2.5 total audience: Negotiated with Arcom	
	VOD	Negotiated with ARCOM	Negotiated with ARCOM	Negotiated with ARCOM	Negotiated with ARCOM	
GR	Public	Newscast >14 minutes after 17:00; 12 hours/week subtitled content between 17:00-23:00	Newscast >14 minutes after 17:00			
	Private	Newscast >7 minutes after 17:00; 4 hours/week subtitled content between 17:00-23:00	Newscast >7 minutes after 17:00			
	VOD	20% of catalogue				
HR						
HU						
IE						
IT						
LT	Public	50% monthly transmission time	20% monthly transmission time	10% monthly transmission available to persons with visual impairments - not specifically audio described		
LU						
LV						
MT	Unclear	30 minutes accessible to persons with hearing disabilities	30 minutes accessible to persons with hearing disabilities			



NL	Public	95% of original, dutch-language programming				
	Private	Reaches $\geq 75\%$ households in the Netherlands, consists of original Dutch-language productions: $>50\%$ offerings				
PL	Public/Private	2023: General Programming $>30\%$; 2024 forward: $>43\%$ Subtitles or Sign	2023: General Programming $>30\%$; 2024 forward: $>43\%$ Subtitles or Sign	2023: General Programming $>5\%$; 2024 forward: $>7\%$ Audio Described		
		2023: Children's channels $>21\%$ subtitles or sign; 2024 forward: 30% Subtitles or Sign	2023: Children's channels $>21\%$ subtitles or sign; 2024 forward: 30% Subtitles or Sign	2023: Children's Programming $>14\%$; 2024 forward: $>20\%$ Audio Described		
		2023: Sports channels $>14\%$ subtitles or sign; 2024 & forward: 20% Subtitles or Sign	2023: Sports channels $>14\%$ subtitles or sign; 2024 forward: 20% Subtitles or Sign	2023: Sports Programming $>3.5\%$; 2024 forward: $>5\%$ Audio Described		
		2023: News & Current Affairs channels $>17.5\%$ subtitles or sign; 2024 Forward: 25% Subtitles or Sign	2023: News & Current Affairs channels $>17.5\%$ subtitles or sign; 2024 Forward: 25% Subtitles or Sign			



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		2023: Music channels >17.5% subtitles or sign; 2024 & later: 25% Subtitles or Sign	2023: Music channels >17.5% subtitles or sign; 2024 & later: 25% Subtitles or Sign			
	VOD	2023: 10%, 2024-25: 20%, 2025: forward 30% no measures specified	2023: 10%, 2024-25: 20%, 2025: forward 30% no measures specified	2023: 10%, 2024-25: 20%, 2025: forward 30% no measures specified	2023: 10%, 2024-25: 20%, 2025: forward 30% no measures specified	
PT	60% accessible programming between 8:00-12:00					
	Public	Channel 1: recorded 2024-25 30 hours/week, live 30 hours/week	Channel 1: recorded 2024-25 20 hours/week, including 1 news service	Channel 1: 2022-2025 20 hours/trimester		
		Channel 2: recorded 2024-25 30 hours/week, live 14 hours/week	Channel 2: recorded 2024-25 20 hours/week, including 1 news service	Channel 2: 2022-2025 6 hours/trimester		
		News & Regional Channels: 2024-25 2 hours/week and/or 4 hours/week live	News & Regional: recorded 2024-25 10 hours/week, including 1 news service			
	Private - free to air	2024-25: 22 hours/week	2024-25: 12 hours/week including 1 news service	2022-25 5 hours/trimester		



	Private subscription -	2022-25 2 hours/week	2022-25 6 hours/week			
	VOD revenue > Eur 2 million	Progressively incorporate tools	Progressively incorporate tools	Progressively incorporate tools	Progressively incorporate tools	
RO	National Coverage	30 minutes/day news or current events, plus programmes of major importance, plus any broadcast of Romanian feature-length or short cinematographic production or documentary must be aired with subtitles created by the film producer.	30 minutes/day news or current events, plus programmes of major importance			
	Local Coverage	30 minutes/day news or current events, plus programmes of major importance	30 minutes/day news or current events, plus programmes of major importance			
SE	Public	100% pre-recorded programmes in Swedish, 80% of live programmings in Swedish, increasing to 85% in 2025	6% of all programmes in Swedish in 2023, increasing 6.5% in 2024, 7% in 2025	6% of all programmes in Swedish in 2023, increasing 6.5% in 2024, 7% in 2025	100% of broadcasting time with Swedish Translation Text	
	Private broadcasters >1% audience share	100% pre-recorded programmes in Swedish, 60% of live programmings in Swedish,	10% of programmes in Swedish	10% of programmes in Swedish	To be set by authority	



ACCESSIBILITY MEASURES DEVELOPED BY AVMS PROVIDERS
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		increasing to 65% in 2025				
	VOD	100% programming in Swedish - subject to exceptions		To be set by authority	To be set by authority	
SI						
SK	Public	100% broadcast time subtitled or sign by 2027	100% broadcast time subtitled or sign by 2027	50% of broadcast time		
	Private	25% broadcast time subtitled or signed by 2027	25% broadcast time subtitled or signed by 2027			
	VOD	25% total volume subtitled or signed starting in 2027	25% total volume subtitled or signed starting in 2027	10% total volume starting in 2027		

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