

# Digital accessibility: what, why and how? 1/51/24



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Central and local government agencies have been required to create accessible Web content since 2016. This is prescribed by Directive (EU) 2016/2102 of the European Parliament and of the Council of 26 October 2016 on the accessibility of websites and mobile applications of public sector bodies passed in 2016. However, studies suggest that it's still very difficult for people with disabilities to access information in the way they need. For example, in August 2024, having surveyed 15 websites run by central and local government agencies, the Ombudsman found that none of them is fully accessible to people with disabilities. In this article we will explain what accessibility is and why it's important for businesses, as well as exploring the essence of accessibility to digital resources and services, the rationale, legislation, practices and recommendations for providing accessibility successfully.

## The accessibility of digital resources and services to people with disabilities

When visualising a digital material or service such as Web content, written information on a website or a video story, developers often focus on the visual appeal, with moving, flashing and twinkling effects, audiovisual solutions and other narrow aspects of design, while forgetting about how this information can be adapted and made accessible to people with disabilities. Being unable to access digital environment services makes it difficult for people with disabilities to lead an independent life and successfully integrate into society.

## Why does this matter?

Latvia has ratified the UN Convention on the Rights of Persons with Disabilities,<sup>1</sup> which states that Latvia, like its other members, undertakes to ensure and promote the full exercise of human rights and fundamental freedoms of all disabled people without any kind of discrimination on grounds of disability. This means providing access to the physical environment, transport, information and communications, including information and communications technology and systems, as well as other items and services being rendered to the public in cities, towns and rural districts.

The convention also lays down an obligation to promote the research and development of new technology, including information and communications technology, mobility aids, devices and assistive technologies suitable for people with disabilities, as well as promoting their availability and use.

The term 'people with disabilities' applies to people with a long-term physical (vision, hearing, movement), mental, intellectual or sensory impairment. According to the Official Statistical Portal's data for 2023, Latvia has 207,378 people with disabilities, which averages 11% of the population. According to a European Council report based on Eurostat data for 2023, 25% of adults have a disability in the EU and 40% in Latvia. Having different classifications means studies of people with disabilities find different data and percentages (e.g. 16% in Sweden and 29% in Denmark<sup>2</sup>). Each country has its own rules and criteria

for determining whether a person has a disability and what disability classifications are used.

Regardless of how disability figures are calculated in Latvia and the EU, it's clear that a disability or other functional impairment affects a large part of the population and that without an adapted environment, any physical, mental, intellectual or sensory impairment creates obstacles and can make it difficult for them to participate in public life fully and effectively on an equal footing with others.

Accessibility is essential not only for people with a long-term (physical, mental, intellectual or sensory) impairment. The accessibility of the digital environment is important for everyone, as each person can find themselves in a situation where it's difficult to use digital environment opportunities. These may be older or younger people, people with perceptual disabilities or reading difficulties, people with mild or transient functional restrictions (e.g. slightly impaired vision or hearing, hand weakness, or difficulty seeing or hearing in bright sunlight or with a noisy background).

An inaccessible digital environment is a significant obstacle that faces people with short-term or long-term functional impairments and makes it difficult for them to fully integrate into society on an equal footing with others.

## What is accessibility?

The website <https://www.pieklustamiba.lv/> explains the term 'accessibility' as an inclusive practice that promotes a positive interaction between the human and the digital environment. This secures a successful interaction between the content and functionality of the digital environment, regardless of external factors such as the user's digital literacy, the availability of technology, and their health condition.<sup>3</sup>

The explanatory dictionary defines the term 'accessibility' as a principle of design that makes products, devices, services or an environment accessible via more than one sensory channel (e.g. vision, hearing and touch).<sup>4</sup>

Availability of the digital environment means the availability and operation of digital technology, while accessibility to the digital environment dictates how easy it is for users of this technology to access and interact with digital content or to perceive and understand it.

## What does Latvia's new legislation prescribe?

Adopting uniform accessibility requirements for consumer goods and services promotes the participation and independent life of people with disabilities in society by improving the accessibility of goods and services.

The Accessibility of Goods and Services Act has been passed to promote the creation and accessibility of goods and services and to encourage the creation of easy-to-use digital content that could be used without restriction by every user, including people with disabilities.

This Act and the Cabinet of Ministers' rule 'Requirements for the Accessibility of Goods and Services' with certain exceptions<sup>5</sup> will come into force on 28 June 2025. Although it may seem that a relatively long time is allowed for the preparation phase, the new legislation provides for significant changes to certain areas where an early intervention is required.

The new legislation on the accessibility of goods and services helps address economic and social issues:

- In certain areas, goods and services may only be supplied if they are accessible and easy to use for people regardless of their abilities, skills or functional impairments.
- The main principle for economic operators to follow is that goods need to be designed and manufactured in ways that allow more people with disabilities to use them. There is also an obligation to supply every product with accessible information on its operation and elements of accessibility. For example, information should be prepared using letters of a suitable size and form, considering the expected conditions of use and using sufficient contrast as well as adjustable distances between letters, lines and paragraphs.
- Accessible goods and services will include not only accessible computers, tablets, smart phones and their operating systems but also, for instance, self-service terminals (ATMs, ticket machines and queue number machines), elements of air, bus, rail and waterway passenger transport (e.g. websites, mobile apps and electronic tickets), and audiovisual media services (e.g. electronic program descriptions, subtitles, audio descriptions and websites).
- Websites and apps offered by public and private service providers will have to be accessible in future.

The conformity of services to the accessibility requirements will be monitored by several competent bodies, such as the Public Utilities Commission, the National Electronic Media Council, the Consumer Rights Protection Centre, and municipalities.<sup>6</sup>

## Where do we start?

The accessibility of goods and services (including digital content) is determined by several internal and external enactments and guidelines.

The usability and accessibility levels of digital content are assessed according to international Web Content Accessibility Guidelines (WCAG). The accessibility of digital content to a wider audience, including people with various disabilities, should follow these principles:

- Perceivable – alternatives for displaying imagery, multimedia content and other digital content are available.
- Operable – digital content can be accessed and freely used not only with the mouse but also with assistive technologies (e.g. the TAB key).
- Understandable – displaying digital content in simple language to make it comprehensible for every user, including people with various perceptual disabilities.
- Robust – digital content can be adapted for various types of equipment (e.g. screen reading devices or virtual voice assistants in smart phones).

WCAG are designed to evaluate websites on 11 key aspects of accessibility. For more information on WCAG and how they are applied, you can visit the official W3C website and see practices and examples here.

The 'Sample Declaration of Conformity' appendix to the Cabinet of Ministers' rule 'Requirements for the Accessibility of Goods and Services' provides for conducting conformity assessments and preparing a declaration of conformity for products, thus confirming that the requirements applicable to the product are satisfied and the manufacturer ensures it's designed and manufactured according to the accessibility requirements. The manufacturer should retain the technical documentation and the declaration of conformity for five years after the product is placed on the market and should constantly update the information stated in the declaration.

## Examples of promoting digital accessibility<sup>7</sup>

### *Accessibility of Web content*

- Information content is accessible to people with disabilities using more than one sensory channel (e.g. vision, hearing and touch). It's possible to choose website adjustments according to functional impairments (e.g. voice prompts and keyboard navigation).
- The website's 'Easy Read' section includes information translated into language that's easy to understand. This is a special way of presenting information to make it easier to understand for people who struggle to understand language and for people with intellectual disabilities.
- The website's 'Contacts' section includes a description of accessibility to the organisation and its premises for people with disabilities. There are images/photographs about the building's physical accessibility so people can evaluate whether they will be able to enter the institution unaided. Information on accessibility can be grouped according to elements of space and information (e.g. car park, stairs and elevator).

### *Accessibility of video/image content*

- An alternative text (a description) should be used for all visual solutions - images, videos, SmartArt objects, GIF, hyperlinks, etc.
- Video material should be made with a description of the content, with subtitles for video recordings and with real-time transcription, or an alternative text may be made, i.e. a short description of the video in the text.

### *Accessibility of apps*

- Apps should be easy to use on screens of all sizes.
- There should be sufficient colour contrast for visually impaired people and for every person, for instance, in bright sunlight.
- The app navigation should be convenient and easy to understand with a logical sequence of information.

### *Accessibility of digital information in the media*

- Information comes with voice solutions (speech, recorded voice, music, etc.) and contrast solutions for visually impaired people. Hearing-impaired people can access the content with sign language translation, subtitles and real-time transcription.
- To make information easier to understand, concise solutions, large letters and spaces between lines should be used. Of course, information should be easy to understand (easy read).

Adapting goods and services for people with disabilities to provide equal opportunities for using digital services may be perceived by some businesses as an unreasonable burden. It's possible that many will meet only the minimum statutory requirements. Yet we need to remember that people with disabilities and people related to them form a significant part of society and that unequal access to goods and services is discriminatory and violates the principle of legal equality laid down by the Constitution.

The accessibility of goods and services also drives social sustainability and allows your company to reach a much larger customer base, thus boosting your growth, competitiveness, and revenues. Accessible

information is a precondition for every member of the public to freely receive services and information suitable for their needs, and to carry out their daily activities, relax, and live a dignified life.

Businesses and organisations that foster an inclusive, accessible and diverse environment will receive a positive assessment from their current and potential employees, customers, suppliers, investors and society at large, which improves the employer's image and reputation. Providing accessibility has positive financial, legal and moral effects, as well as in terms of social responsibility, sustainability and, most importantly, humanity.

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<sup>1</sup> Parliament acceded to the UN Convention on the Rights of Persons with Disabilities on 1 March 2010.

<sup>2</sup> The Foundation for Society Integration, 'An Assessment of Global Discrimination Practices on Grounds of Disability', 2022

<sup>3</sup> Piekļūstamība.lv, 2024, 'What is accessibility?'

<sup>4</sup> Latvian Explanatory Dictionary, 2024, explaining the term 'accessibility'

<sup>5</sup> The requirements this Act lays down do not apply to, for example:

1) Goods placed on the market up to 27 June 2025

2) Audio and video recordings published up to 27 June 2025

3) Office file formats published up to 27 June 2025

4) Web and mobile app content that has not been updated or edited up to 27 June 2025

5) Service agreements concluded up to 27 June 2025, however if such an agreement continues to operate after 27 June 2030, the service provider must ensure it complies with accessibility requirements.

A service provider may continue to provide services up to 27 June 2030, using goods he has legitimately used to provide similar services up to that date. The use of self-service terminals a service provider has used for providing services up to 27 June 2025 may be continued for providing similar services until the end of their useful life, but no longer than 20 years after their use began.

<sup>6</sup> The Ministry of Welfare, 2024, 'The Accessibility Directive'

<sup>7</sup> This information is based on the Welfare Ministry's 2024 presentation 'Information accessibility. Good practice.'