EUROPEAN UNION OF THE DEAF

A European Non-Governmental Organisation in official liaison with
European Parliament, European Commission and the Council of Europe

Report on the implementation of the European Electronic Communications Code

INTRODUCTION

As the only supranational organisation representing all deaf people before the European Union through a network of National Associations of the Deaf from 31 countries, the European Union of the Deaf (EUD) is issuing a report on the implementation of the Directive 2018/1972 establishing the European Electronic Communications Code (hereafter « EECC »)[1]. The purpose of this report is to assess the effects of the implementation of the EECC among 1 million deaf people who are sign language users and living in the European Union and the EEA. The report will identify the shortcomings of the EECC as well as provide recommendations to strengthen its obligations. This report is timely published as the European Commission is bound to review the EECC by December 2025.

The Directive 2018/1972 establishing the European Electronic Communications Code (hereafter « EECC ») was adopted and entered into force in December 2018. It establishes legal obligations on electronic communications networks and services in the Member States, benefiting a significant number of persons, among whom deaf people who use internet access services or publicly available interpersonal communication services (hereafter "telecoms and Internet-based services").

While the EECC addresses the obligations of the Member States in regulating electronic communications, services and associated facilities and services, it also provides rights to end-users (hereafter "consumers" or "persons with disabilities" or "deaf people"), in their access and choice of telecom services. Member States, through their National Regulatory Authorities[2] (NRAs), should address the needs, such as affordable prices, of specific social groups, in particular persons with disabilities, as well as choice and equivalent access (Art. 3(2)(d)). The EECC does not address specific rights of deaf people, but throughout some of its provisions, it

[1] Directive (EU) 2018/1972 of the European Parliament and of the Council of 11 December 2018 establishing the European Electronic Communications Code, *OJL 321,* 17.12.2018, pp. 36-214.

[2] The list of the National Regulatory Authorities can be found here: https://digital-strategy.ec.europa.eu/en/policies/telecommunications-national-regulatory-authorities

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refers to their access requirements such as the use of relay services as part of access to universal service.

In this report, we share our analysis of the legislation when it comes to deaf people's rights and complement it with evidence from different reports produced at the EU level, especially from the Body of European Regulators for Electronic Communications (BEREC) and the European Emergency Number Association (EENA). The BEREC is an independent body assisting the European Commission and the Member States' National Regulatory Authorities (NRAs) in implementing the EU regulations in the field of electronic communications. The EENA is a non-governmental organisation with the mission to contribute to improving the safety and security of the people, including deaf people, especially in access to emergency communications. In addition to the reports, we will provide quantitative data based on a survey we conducted in May 2024 among our members, the National Associations of the Deaf (NADs). In this survey, the responses we collected come from NADs based in 20 of the 27 EU Member States[3], 2 countries from the EEA[4], and the United Kingdom. We will also provide qualitative insights from deaf people and their representative organisations that were provided in a focus group consultation we conducted in May 2025 among our Members[5].

OBLIGATIONS

The rights of persons with disabilities to electronic communications services enshrined in specific provisions under the EECC will be further assessed in this report, namely under articles 84, 85, 96, 103, 104, 109, 114.

1. Access to universal service (Art. 84 and 85):

Member States must guarantee every deaf person has access to universal service, which is a set of minimum services to be provided to prevent all users, including deaf people, from being excluded from full social and economic participation in society (Recital 212). To make it possible, Member States must ensure everyone, including deaf people, has access to available adequate broadband internet access services – in other terms to high-speed internet – and to voice communications services at an affordable price (Art. 84).

Concretely, Member States must ensure that deaf people receive support and benefit from other specific measures so that the terminal equipment (i.e. smartphones and tablets), specific equipment (i.e. videophones) and specific services that enhance equivalent access (i.e. total conversation services and relay services) are available and affordable (Art. 85 (4)). The European Accessibility Act (hereafter "EAA") complements the EECC by enforcing Member States to provide accessible electronic communications services through Real-Time Text (hereafter "RTT") in addition to voice communication, and, if video is provided, in Total Conversation (hereafter

[3] The respondents came from 20 EU Member States: Austria, Belgium, Bulgaria, Croatia, Czech Republic, Denmark, Finland, France, Germany, Greece, Hungary, Ireland, Lithuania, Luxembourg, Malta, Netherlands, Romania, Slovenia, Spain, and Sweden. We did not get a response from the NADs in 7 EU Member States: Cyprus, Estonia, Italy, Latvia, Poland, Portugal, and Slovakia.
[4] Iceland and Norway.
[5] Belgium, Croatia, Iceland, Italy, Luxembourg, Romania, Slovakia and Spain.

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"TC"). Specifically the EAA enforces Member States to foresee that communication devices (terminal equipment) support RTT, where voice is provided, and TC where video is provided; to require from telecoms providers to transmit RTT communications; and to ensure that 112 emergency services can receive calls using RTT and, where video is provided, using TC.

In the following part, we will address two main aspects of universal service obligation for deaf people: (1) high-speed Internet access, and (2) access to voice communications services.

1. **High-speed Internet access:**

According to Article 85 of the EECC, the adequate broadband internet access service (in other terms "high-speed internet) must be capable of delivering the bandwidth necessary for supporting at least the minimum of the following services: e-mail, search engines, basic training and education online tools, online newspapers or news, buying or ordering goods or services online, job searching (tools), professional networking, internet banking, eGovernment service use, social media and instant messaging, and calls and video calls of standard quality (Annex V).

For deaf people is the making of video calls in national sign languages, the use of relay services, and the possibility to watch videos is of utmost importance as it enables them to communicate and get information in their national sign languages, thereby ensuring their participation in society. However, using such resources can significantly increase data usage and consume considerable bandwidth. This can lead to higher internet or data costs to the detriment of deaf people compared to their non-deaf peers who are able to make voice calls and access audio information on the Internet with lower bandwidth capacity. Therefore, it is crucial that Member States take into account the specific needs of deaf people in terms of data usage and video quality when setting up the requirements for adequate broadband internet access services.

When establishing adequate broadband internet access services, EU Member States must take into account the report on best practices from the Body of European Regulators for Electronic Communications (hereafter "BEREC"). According to the BEREC's report on good practices on internet access service[6], out of the 29 Member States surveyed, only 19 Member States defined their adequate broadband internet access service. In other words, some of the Member States established requirements for a good quality internet connection to be provided to any consumer (download speed, upload speed, latency). What is really missing in the requirements assessed by the BEREC is whether Member States set up data volume caps, limiting deaf people benefitting from the universal service to make a reasonable amount of video calls and access information through sign language videos. Moreover, only 10 Member States have imposed universal service obligations on the providers while 19 others have not yet imposed obligations or do not intend to consider doing so. Among those 10 Member States, there are good practices that should be replicated in other countries: i.e. free or discounted adequate broadband internet access service

[6] BEREC Report on Member States' best practices to support the defining of adequate broadband internet access service, BoR (24) 40, 7 March 2024, available at: https://www.berec.europa.eu/system/files/2024-03/BoR%20%2824%29%2040_Best%20Practice%20Adeq%20Broadband%20final.pdf

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for persons with disabilities (Cyprus, Greece, Hungary, Slovenia, Portugal) and provision of sufficient video quality for deaf persons (Finland).

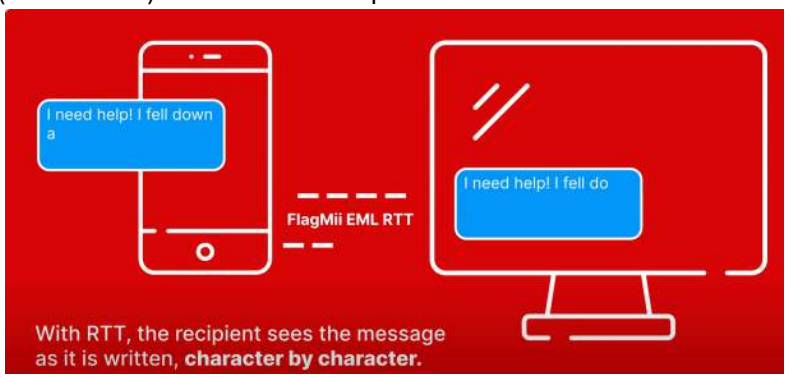
Member States may foresee special tariff options or packages to deal with the needs of low-income users or users with special social needs (Recital 220). Furthermore, they could provide direct financial support to persons with disabilities to compensate for some high costs. Member States must ensure that the cost to persons with disabilities of relay services is equal to the average cost of voice communications services (Recital 226). However, following our consultation with the National Associations of the Deaf, affordability and data access vary significantly, with limited or inconsistent support schemes that often depend on regional policies or income levels. Since deaf people use more data than consumers who can make voice calls, specific internet packages and/or reduced tariffs should be made available to them without consideration of their income level. Slovakia stands out among other countries as telecom providers offer a high-quality, fixed-price, all-inclusive internet package (€23/month) specifically for deaf users, with no roaming restrictions across the EU. To conclude, most other countries continue to rely on generic social tariffs, with limited recognition of the specific communication needs of deaf people.

2. Access to voice communications services:

Deaf people are unable to access voice communications services due to the lack of accessibility of the services in national sign languages. Member States must therefore ensure that deaf people receive equivalent access to voice communications through Real-Time Text (hereafter "RTT"), Total Conversation services (hereafter "TC") and relay services as follows:

a. Real-Time Text (RTT):

Real-Time Text (hereafter "RTT") refers to a form of text conversation in point-to-point situations or in multipoint conferencing where the text being entered is sent in such a way that the communication is perceived by the user as being continuous on a character-by-character basis (Recital 227). Here is an example:



Source: https://www.youtube.com/watch?v=V8j0StlVUco

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For deaf people, it allows them to have a sense of flowing conversation in combination with audio in real time. Telecom operators must provide the possibility to deaf people to opt for RTT and be able to communicate with non-signing people through this medium as it is already the case in the United States. The European Accessibility Act requires Member States to ensure that RTT is operational by 28 June 2025 (Art. 4.3 and 31.2 EAA). Furthermore, RTT must be provided to the single European emergency number 112 by 28 June 2027 (Art. 4.8 and 31.3 EAA).

However, to this date, only a limited number of Member States are providing Real-Time-Text services to deaf users, and they provide this function as part of a mobile application, mostly related to emergency communications. Under the EAA, RTT is the way the interpersonal electronic communication service is beinge made accessible. However, RTT should be provided directly by devices and networks, and not be used through a separate app or data connection. Indeed, EENA confirms that "native deployment in devices and networks is the only way to guarantee full equivalence at home and while roaming[7]". Unfortunately, to this date, despite some countries testing native implementation of RTT, most of the countries are still at the planning stage. Moreover, EENA identified that numerous text-based solutions to contact emergency services available in Europe are not providing RTT[8]. As of 28 June 2025, the broader deployment of native RTT should be effective and will be enforceable. However, except for the monitoring of the provision of RTT in emergency communications of the Member States, neither the European Commission nor BEREC have shared any public findings on whether the authorities are getting ready with the implementation.

b. Total Conversation (TC):

Total Conversation[9] (hereafter "TC") is a multimedia real time conversation service that provides bidirectional symmetric real time transfer of motion video, real time text and voice between users in two or more locations (Art. 2(35)). Here is an example:

Source: https://www.youtube.com/watch?v=SanEUaK_vgw

[7] EENA, "Where are we with Real-Time Text?", 24 September 2024, available at: https://eena.org/blog/where-are-we-with-real-time-text/

[8] EENA, Implementation of RTT and Total Conversation in Europe, 1 March 2023, p. 10, available at: https://eena.org/knowledge-hub/documents/rtt-and-tc-implementation-in-europe/

[9] For more information on this system, please consult the ITU-T F. 703, the ETSI Technical Standard 101 470 and the future ETSI European Standard ES 204 009 currently in development.

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It allows deaf people to communicate in their national sign language while reading Real-Time Text and/or speaking. Since most terminal equipment used by deaf people (i.e. smartphones and tablets) provide functionalities for voice, RTT and video, the telecom providers should be able to provide/foresee access to TC services. The European Accessibility Act enforces Member States to ensure that TC is operational - when electronic communications services provide video in addition to voice communication - by 28 June 2025 (Art. 4.3 and 31.2 EAA). Furthermore, TC must be available for emergency communications by 28 June 2027, but again only when video is provided as a service (Art. 4.8 and 31.3 EAA). In both cases, the obligation to provide TC is conditional on the availability of video, which weakens the strength of this requirement, compared to the obligation to provide RTT.

c. Relay services:

Relay services are services which enable two-way communication between remote consumers of different modes of communication (for example text, sign, speech) by providing conversion between those modes of communication, normally by a human operator (Recital 227). The EECC requires relay services to be available and affordable.

While there are different types of relay services, we will focus on sign language relay services (also called video relay services) in this report. However, it does not undermine the importance of the availability 24/7 and interoperability of text relay services for deaf and hard of hearing people across Europe. Indeed, deaf and hard of hearing people should have the right to choose the relay services that suit their needs and situation: in some instances, they will use text relay services, and in others, especially when they wish to use their first language being the national sign language, they will use video relay services. The obligations lying on both types of relay services are equivalent, and Member States must ensure both text relay services and video relay services are provided 24/7 in their countries. Since video relay services are among the most requested services by deaf sign language users, being part of the target group we represent at the European level, we will focus on the issues related to video relay services in this report.

Here is an example of how a video or a text relay service works:

Source: https://eena.org/knowledge-hub/documents/accessible-emergency-communication-via-relay-services/

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During our consultations with the National Associations of the Deaf, it became evident that in most countries, video relay services are not available 24/7. Instead, they are typically provided for limited hours – ranging from 4 to 10 hours a day – and only on weekdays, as is the case in countries such as Slovakia, Belgium and Iceland. Only a few Member States – namely Spain, France, Germany, and Sweden - offer more comprehensive coverage. In contrast, some countries, including Croatia and Romania, do not provide video relay services at all. Moreover, many of the relay services provided do not comply with the requirements established in the standards established by ETSI (i.e. response delay time, video quality, waiting time, a.o.)[10].

The main issue at stake is the lack of explicit obligation on the Member States to provide relay services available 24/7 in their countries under the EECC, and specifically the requirement of the national regulatory authorities to enforce the telecom providers to fulfill this obligation. Moreover, the EU lacks harmonised legal and technical frameworks that set common minimum standards and functional requirements for relay services[11]. Finally, among the relay services that are operational in some of the Member States, only a minority of them provide Real-Time Text and/or Total Conversation (a.o. France and the Netherlands).

d. Conclusion:

This section reminds us that not only should RTT and TC services be provided through relay services, but they should also be provided to any consumer, deaf or not, as part of the mainstream telecom services, benefiting everyone. This would follow the universal design principle[12]. RTT, at least, should become a default and interoperable means of communication like voice calls and SMS[13].

Member States should require telecom providers to undertake measures ensuring that access to voice communications – part of the universal service – is guaranteed through the provision of RTT and TC as well as the provision of relay services available 24/7 that are interoperable with these two services. However, to date, a huge majority of deaf people are excluded from the possibility

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[10] ETSI ES 202 975, Human Factors (HF): Requirements for relay services, available at: https://www.etsi.org/deliver/etsi_es/202900_202999/202975/02.01.01_60/es_202975v020101p.pdf

[11] EENA, Accessible Emergency Communications via Relay Services, 26 November 2024, p. 7, available at: https://eena.org/knowledge-hub/documents/accessible-emergency-communication-via-relay-services/

[12] BEREC Summary Report on the BEREC - BEUC Joint Workshop on the application of rights of end-users in the EECC, BoR (23) 25, 9 March 2023, intervention made by Alejandro Moledo (EDF), available at: www.berec.europa.eu/system/files/2023-03/BoR%20%2823%29%2025%20Report%20on%20the%20BEREC%20%E2%80%93%20BEUC%20Joint%20Workshop.pdf

[13] BEREC Summary Report on the BEREC Workshop on end-users rights, BoR (24) 140, 3 October 2024, intervention made by Daniel Casas (EDF), available at: https://www.berec.europa.eu/system/files/2024-10/BoR%20%2824%29%20140_Summary%20Report%20on%20the%20BEREC%20Workshop%20on%20end-user%20rights.pdf

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to call any person and/or entity at any time through voice communications due to lack of RT, TC, and availability of relay services in their country. The implementation of the EECC as of today is insufficient in terms of access to universal service for deaf people. The rights of deaf people are breached, leading to their exclusion from unfettered social and economic participation in society.

As part of the EC's revision of the EECC by 21 December 2025, it is recommended that the Commission enforce the provision of 24/7 sign language interpretation relay services across Member States. While BEREC has identified that the Code allows for relay service provisions, it lacks specificity for implementation. The revision should establish a standardized approach to the implementation of these services, with clear minimum requirements, such as 24/7 video relay services with Total Conversation, along with quality standards including video quality, response times, and other functional requirements, to ensure effectiveness for deaf people.

2. **Accessible missing children and child helpline hotlines (Art. 96):**

Member States must ensure that persons with disabilities are able to access services operating a hotline to report cases of missing children[14] to the greatest extent possible. This must also be facilitated when persons with disabilities travel to other Member States. Furthermore, Member States and the Commission must ensure that consumers, including those with disabilities, are adequately informed of the existence and use of services provided under the number 116000, and where appropriate, under 116111 (a number specially reserved for child helplines in Europe).

However, based on our consultation with the National Associations of the Deaf, there is almost no Member State that currently offers direct access to the Missing Children hotline (116000) in national sign language. In Spain, the government funds awareness raising campaigns in sign language through the National Association of the Deaf, but deaf people must call the hotline indirectly through the video relay service. Indeed, since services operating this hotline are not accessible in National Sign Languages, the services can only be reached through relay services. However, in most Member States where video relay services are provided, it is oftentimes limited to weekdays and with specific opening times, while in other Member States where no video relay service is provided, deaf people are unable to call in their national sign language. Due to the lack of available relay services 24/7 in most countries - as part of the universal service obligation mentioned at Article 85 of the EECC - deaf people are left behind and unable to report missing children in the crucial first hours of disappearance of a child and to receive emotional, psychological, social, legal and administrative assistance.

Furthermore, the obligation to render a hotline accessible to persons with disabilities is limited to 116000. Yet, many other EU wide[15] and national helplines should also be made available and accessible to deaf sign language users such as the helpline for crime victims (under EU number

[14] The hotline should be reachable through the number '116000'.

[15] European Commission Decision of 15 February 2007 on reserving the national numbering range beginning with 116 for harmonised numbers for harmonised services of social value, consolidated version of 06/03/2023, available at: https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A02007D0116-20230306

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116006), the helplines for victims of human trafficking, the helplines for child protection or children at risk, the helpline for victims of violence against women (under EU number 116016), and the helpline for emotional support (under EU number 116123), suicide and crisis helplines, among others.

3. Transparency, comparison of offers and publication of information (Art. 103):

Deaf people must be provided access to information on the internet and telecom services in a broad sense. Before a consumer is bound by a contract or any corresponding offer, telecom providers must provide all information required for contracting purposes (Art. 102). What is unclear is whether the contractual information should be made accessible to persons with disabilities, as the terminology of "easily readable" used in this legal provision is vague.

However, the EAA specifies in its Annex I that the information provided by the electronic communications services on the functioning of their services and the products used for those services must be:
(1) available via more than one sensory channel;
(2) presented it in an understandable way;
(3) perceivable by users;
(4) offered in text formats that support alternative assistive presentations across sensory channels;
(5) provided with fonts of adequate size, shape, and contrast with adjustable spacing for different conditions of use;
(6) supplemented non-textual content with alternative formats; and
(7) consistent, perceivable, operable, understandable, and robust[16].

The EECC enforces telecom and Internet providers to publish information in an accessible format for persons with disabilities (Art. 103). The information to be provided includes, *inter alia*, information on the services and their tariffs, on the after-sales, maintenance and customer assistance services (Annex IX). Moreover, the national regulatory authorities can oblige providers to publish specific information on the products and services specifically designed for persons with disabilities (Annex IX). And the national regulatory authorities must provide the possibility for consumers to compare and evaluate different telecom and internet services (prices, tariffs, quality of service performance, etc.). Therefore, deaf consumers may request the telecom and Internet providers to provide information in National Sign Language. Indeed, during a BEREC workshop on end-user rights in April 2024[17], it has been reminded that providers and public authorities must provide support consumers with disabilities (i.e. through an accessible contact point) and information in alternative formats, such as in National Sign Language for deaf

[16] European Accessibility Act, Annex I, Section III, General accessibility requirements related to all services covered by this Directive in accordance with Article 2(2).
[17] BEREC Summary Report on the BEREC Workshop on end-users rights, BoR (24) 140, 3 October 2024, available at: https://www.berec.europa.eu/system/files/2024-10/BoR%20%2824%29%20140_Summary%20Report%20on%20the%20BEREC%20Workshop%20on%20end-user%20rights.pdf

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consumers. However, following a consultation we conducted with our members, the National Associations of the Deaf, we noted that telecom and internet providers do not produce information in national sign language in most Member States. Deaf people are left alone in finding a way to comprehend through the maze of information provided in the national written language, oftentimes being their second language.

4. **Quality of service related to internet access services and publicly available interpersonal communications services (Art. 104):**

The national regulatory authorities may require telecom providers to publish comprehensive, comparable, reliable, user-friendly and up-to-date information for consumers on quality of their services and on measures taken to ensure equivalence in access for persons with disabilities (Art. 104(1)). The quality-of-service parameters are further described in Annex X as well as in the Guidelines of the BEREC ensuring a consistent application of this obligation (Art. 104 (2)). If the accessibility service provided to deaf people, in this case relay services, RTT and TC, complies with the quality-of-service parameters (i.e. quality of audio, interoperability of devices with assistive technology, video quality), then it guarantees effective equal access to Internet and voice communications for deaf people.

Specifically, relay services, RTT and TC services should comply with specific quality of service parameters as recommended by BEREC in its Guidelines[18]. The quality of services applicable for the RTT are:

1. Distinguishable display,
2. Programmatically determinable send and receive direction,
3. Interoperability,
4. RTT responsiveness.

The quality of services parameters for the TC are:

1. Resolution,
2. Frame rate,
3. Synchronization between audio and video.

Furthermore, six Member States developed quality of service requirements for relay services (i.e. on answering time and reporting of statistical data)[19]. Ensuring quality of service for both RTT and TC services is a good step, but it will not be effective as long as those services that are crucial for deaf people's access to voice communications are not provided in all EU Member States.

5. **Emergency communications and the single European emergency number (Art. 109):**

[18] BEREC Guidelines detailing Quality of Service Parameters, BoR (20) 53, 6 March 2020, available at: https://www.berec.europa.eu/sites/default/files/files/document_register_store/2020/3/BoR%20%2820%29%2053%20-%20QoS%20Guidelines%20FINAL.pdf

[19] BEREC Report on measures for ensuring equivalence of access and choice for disabled end-users, BoR (22) 172, December 2022, p. 28, available at: https://www.berec.europa.eu/en/document-categories/berec/reports/report-on-measures-for-ensuring-equivalence-of-access-and-choice-for-disabled-end-users

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a. Scope of application

The EECC requires measures related to the accessibility of the answering of emergency communications in general. The EAA complements the EECC by addressing specific measures on the accessibility of the answering to the 112. Emergency communications are means of interpersonal communications services between a person who requests emergency relief and an emergency call center (Public Safety Answering Point, hereafter "PSAP"), allowing the person to receive relief from emergency services (Art. 2 (38) and (39)). Anyone should be able to access the emergency services, free of charge, through emergency communications by using either the single European emergency number '112' (hereafter "112") or any national emergency number specified by Member States (Art. 109 (1)). However, for persons with disabilities, the EECC gives some leeway to the Member States as follows: "Member States shall ensure that access for end-users with disabilities to emergency services is available through emergency communications and is equivalent to that enjoyed by other end-users" (Art. 109 (5) EECC). There is no specific mention of the accessibility of the single European emergency number 112 or national emergency numbers, allowing Member States to issue alternatives for persons with disabilities, including deaf people, to access emergency communications through other means. This is a shortcoming in the EECC causing huge disparity in the implementation of the EECC among the Member States, in terms of access to emergency communications for deaf people. Some countries provide access to 112 for deaf people, others provide mobile applications without using a specific emergency communication number. Moreover, the European Accessibility Act and the Commission Delegated Regulation (EU) 2023/444 supplementing the EECC provided some clarifications for the implementation of this obligation as described in the next subchapter on equivalency of emergency communications for deaf people. Furthermore, the EECC also requires that persons with disabilities get access to the emergency communications from any Member State when they are travelling (Art. 109 (5) EECC) as well as, where feasible, without being required to pre-register (Recital 45 EAA).

In other words, any person should be able to call 112 or a national emergency number to seek emergency relief from emergency services. For deaf people, it requires specific measures to be implemented as described further under b. and c.

It is important to note that the EECC and EAA do not address further obligations such as the organisation of emergency services which remain in the exclusive competence of Member States (EAA Recital 44). This has an impact on the national implementation of the EECC and the EAA since Member States are given some discretion to determine how they can provide accessible emergency communications in the manner best suited to the organisation of their emergency systems while complying with the European minimal requirements.

b. Equivalency of emergency communications for deaf people

Member States must ensure that persons with disabilities, including deaf people, have access to emergency services through emergency communications equivalent to that provided to persons without disabilities. It means that when PSAPs are reachable through voice calls, deaf people

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should also be able to call them in an equivalent way. The EECC does not explicitly state what equivalency to voice communications means for deaf people. Moreover, the EECC leaves some flexibility to the Member States in determining what communications services can be provided to reach the emergency communications, taking into account the capabilities and technical equipment of PSAPs (Recital 285).

Since there is no common understanding of the functional equivalence requirements of emergency communications for persons with disabilities under the EECC, it has been clarified through the Commission Delegated Regulation (EU) 2023/444 supplementing the EECC (hereafter "Delegated Regulation").

This Regulation established the functional equivalence requirements for access to emergency communications to the single European emergency number 112 but not for national emergency numbers. Member States must comply with those requirements, but the Regulation gives some room to those who, due to technical reasons, are unable to comply with them and/or who provide a system to access emergency communications that does not require or allow the use of 112 (Recital 11). In these cases, they must communicate the specific reasons to the European Commission. The intention of the European Commission at this time was to allow other accessible means of access to emergency communications, due to technological changes and the possible limited importance in the future of the numbers as identifiers, to be deemed compliant with the rules.

The functional equivalence requirements – if we apply them to deaf people - are:

1. Emergency communication must allow two-way interactive communication between the deaf person and the PSAP
2. Access must be uninterrupted and without pre-registration, even while roaming in another Member State
3. Emergency communication must be free of charge for deaf people
4. It must be routed without delay to the most appropriate and equipped PSAP
5. Equivalent accuracy and reliability of caller location data must be ensured for deaf people and non-deaf people alike
6. Deaf people must be equally aware of the ways to access emergency services via accessible communications, either by design or through awareness-raising

Furthermore, the EAA provides a clear framework for the answering to emergency communications under 112 (thus not for national emergency numbers) as follows: deaf people should be able to call the most appropriate PSAP (i.e. in the relevant region or following the nature of the emergency) either through Real-Time Text or, where video is provided, through Total Conversation (Section V of Annex I).

Regarding the deployment of RTT in the calls to emergency services, several countries already offer text-based apps using RTT. EENA identified several countries as good practice examples:

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Austria, France, Germany, Netherlands, Romania, Spain and Sweden. And, as part of the 2024 European Commission's report, the Member States that do not use RTT yet in the emergency communications have committed to proceed to the upgrade of their national PSAP systems to be able to handle RTT with respective deadlines ranging from 2025 to 2027: Austria, Belgium, Bulgaria, Czech Republic, Denmark, Estonia, Greece, Finland, Croatia, Ireland, Lithuania, Malta (in the app), Netherlands (in the app), Poland, Portugal, Romania, Sweden and Slovenia[20]. While these initiatives, monitored closely by the European Commission, are laudable, they do not provide functional equivalence access to emergency communications for deaf people. Indeed, the use of written language will remain a barrier to many of them, and it may have serious consequences, especially in such crucial emergency calls.

The provision of Total Conversation by emergency communications remains the best solution to ensure functional equivalency for deaf people. However, we deplore the lack of specific data and monitoring by the European Commission and BEREC on the implementation of Total Conversation among the Member States. According to the 2022 BEREC's report on equivalence access, 9 Member States confirmed to have TC services implemented[21]. Following the 2023 EENA report on the implementation of RTT and Total Conversation in Europe, no country offers direct calls using TC as defined in a former project REACH112[22] or based on the TC protocols identified by the EENA[23]. This finding reveals a need for an in-depth analysis of the deployment of Total Conversation services among Member States, both in emergency communications and non-emergency communications, to ensure their compliance with the EECC and the EAA obligations.

Since the EAA and the EECC require PSAP operators answering to 112 calls to be accessible for deaf people through RTT or TC, they must use an Internet-based communication system, and their staff must be composed of operators who are proficient in the national sign language. However, many PSAPs were not yet using Internet protocols at the time of the EECC (2018) and the EAA (2019). The EAA suggested an alternative which is to determine a third relay service

[20] European Commission, Report from the Commission to the European Parliament and the Council on the effectiveness of the implementation of the single European emergency number '112', COM(2024) 575, 18.12.2024, p. 12, available at: https://digital-strategy.ec.europa.eu/en/library/2024-report-implementation-eu-emergency-number-112

[21] BEREC Report on measures for ensuring equivalence of access and choice for disabled end-users, BoR (22) 172, December 2022, p. 28, available at: https://www.berec.europa.eu/en/document-categories/berec/reports/report-on-measures-for-ensuring-equivalence-of-access-and-choice-for-disabled-end-users

[22] REACH112 is a three-year project (2009-2012) called "Responding to All Citizens needing Help" that has been a blueprint for the extension of IP-based communications, TC and emergency services in the EU. More information can be found here: https://ec.europa.eu/information_society/activities/ict_psp/projects/portfolio/h3_documents/reach_112.pdf

[23] EENA, Implementation of RTT and Total Conversation in Europe, 1 March 2023, pp. 11-12, available at: https://www.berec.europa.eu/en/document-categories/berec/reports/report-on-measures-for-ensuring-equivalence-of-access-and-choice-for-disabled-end-users

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provider (EAA Recital 45). This relay service provider, for example providing text relay services and/or video relay services, would be used as an intermediary for deaf people to reach out to the PSAPs. The EAA explicitly states that this alternative is temporary until the PSAPs are able to ensure the accessibility of answering the emergency communications (through Internet protocols).

However, the capacity of video relay services in most Member States is very limited (as identified under Part 1. 2(c) in this report) and does not provide equivalent access for deaf people to emergency communications. Video relay services are mostly underfunded, not operational on a 24/7 basis, and do not provide the guarantee for rapid response time, threatening the quality of emergency communications. Moreover, while some countries provide video relay services, these often lack the technical capacity to transmit Advanced Mobile Location (AML) data to PSAPs. Finally, when a deaf person makes an emergency call through the video relay services of his country while visiting another country in the EU, there are issues in reaching out to the most appropriate PSAP. Those are some of the issues that EENA identified when using video relay services to make emergency calls, such as registration requirements, time delay in connecting calls via a third-party, call recording, call handling guidelines, and security impact[24].

Moreover, we deplore the limited scope of the EAA to the answering to emergency communications under 112 and strongly recommend expanding this obligation to national emergency numbers and national-based communications services, ensuring that any emergency call made by deaf people is accessible to them.

Finally, we would like to emphasise the importance of ensuring that deaf sign language users can access emergency communications in their national sign languages, in accordance with the principle of functional equivalence. This stands in contrast to reliance on Real-Time Text (RTT) systems. For most deaf people, their first language is their national sign language, and communicating via Total Conversation enables them to interact as naturally and effectively as non-deaf individuals do through voice communication. In contrast, RTT requires deaf users to adopt an unfamiliar communication method and/or to rely on a second language—namely, the written language used in RTT. Many deaf sign language users experience challenges both in understanding written messages received via RTT and in expressing themselves accurately in writing. This compromises the effectiveness of communication, particularly during emergencies when stress and emotional intensity are heightened. While this perspective is being taken into account by the current European Standardisation Organisations developing new standards in the field of Total Conversation (TC) and the accessibility of emergency communications for deaf people, we strongly urge the European Commission to fully incorporate this perspective into its future legislation and policy development—particularly in the forthcoming revision of the European Electronic Communications Code (EECC). By doing so, the European Commission will

[24] EENA, Accessible Emergency Communication via Relay Services, 26 November 2024, pp. 11-14, available at: https://eena.org/knowledge-hub/documents/accessible-emergency-communication-via-relay-services/

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uphold the rights of at least one million deaf people across Europe to accessible and equitable emergency communication.

c. Interoperability and roaming:

The EECC requires Member States to ensure that persons with disabilities, including deaf people, have access to emergency communications when travelling (Art. 109(5)). The access should not be contingent on a pre-registration, where feasible, and should be facilitated by interoperability between Member States, following the European standards in this matter. Thanks to the Pan-European Mobile Emergency Apps project (PEMEA network), mobile applications from several Member States are interoperable with each other and can provide accurate location and user information to the most appropriate PSAP irrespective of where the user is located. However, despite the current development of the upcoming Harmonised European Standard EN 303 919 as mandated by the European Commission, PSAPs are not equipped for the interoperability outside their country as their existing frameworks are not interoperable yet.

Moreover, while keeping in line with RTT and TC obligations under the EAA, the Delegated Regulation clarifies that it is possible to use mobile applications as a means to ensure interoperability between Member States, especially for persons with disabilities travelling in other Member States (Recital 16). Deaf people could then download and install a mobile application (with text and video services) and use it when they need it in any Member State. To make it possible, the European Commission asks the collaboration of Member States in good faith to identify the common interoperability requirements.

Anyone can reach 112 when travelling in another Member State, but deaf people are still excluded from this roaming access in their national sign language. The only notable initiative to this day is the new Roaming Regulation enforcing roaming providers to send their customers a SMS with a link to access a free of charge dedicated webpage with information on alternative means to access emergency communications in the visited Member State. Even though the BEREC database contains several emergency applications, RTT and TC services provided by some Member States are accessible to deaf people, they cannot be used by deaf people who are roaming in all Member States[25]. The main issue is that deaf people are facing language barriers, both in their national written language and in the national sign language of the country they are visiting, and that there is no interoperability yet between those services to ensure they are redirected to the services accessible in their national sign language.

Here is an illustration:

> A deaf person using Croatian Sign Language as the main language and coming from Croatia where there is no emergency service in sign language travels to France, a country that offers emergency communications services in the French Sign Language. An

[25] https://www.berec.europa.eu/en/emergency-means?field_vas_country_target_id=All&field_means_of_access_value=All&field_em_description_value=

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accident happens and the deaf person wishes to reach out to emergency communications services.

This creates a situation of double barriers as:

1) the French PSAP can only be reached through French Sign Language, which the Croatian deaf person does not know;
2) there is no emergency communications service available in Croatian Sign Language in Croatia that could redirect the call to the relevant PSAP in France;

The only solution in this situation is for the Croatian deaf person to reach out to the emergency number of his country through SMS in Croatian written language that he masters as a second language. The Croatian emergency communications services will need to transmit the information to a French-based PSAP while dealing with huge delays in the communication and thereby in the delivery of the emergency services in France.

Moreover, the huge disparity between the Member States creates an unjustifiable difference of treatment between deaf EU citizens as illustrated by the previous example:

> Imagine that a deaf French person travels to Croatia and has an accident. He reaches out to the French emergency communications services through a mobile app providing Total Conversation in French Sign Languages and the services transmit the live information to a PSAP located in Croatia. He will receive faster and adequate assistance in Croatia than a deaf Croatian person who experiences longer delays in communicating in written Croatian language through SMS. To conclude, the deaf Croatian person requesting emergency assistance in Croatia experiences an unjustifiable difference of treatment compared to a deaf French person requesting emergency assistance while visiting Croatia.

This situation applies to deaf EU citizens in different Member States, thereby breaching their rights to freedom of movement and equal treatment in the European Union. Despite the new advancements provided by the NEXES project[26], we notice that there are still issues that need to be resolved. We therefore encourage the European Commission to launch a new call for proposals in the field of research on the accessibility of emergency communications for deaf people as it could speed up the work undertaken between the Member States to render their services interoperable across the EU. This call would facilitate the identification of potential solutions, the testing of some of those, and their future deployment in the EU.

d. Situation in 2024:

[26] EUD was part of the NEXES project, the first ever end-to-end next generation emergency service (NGES) implementation, offering advanced Internet-enabled capabilities to improve accessibility (Total Conversation capabilities and pan-European 112 Apps), to deliver enhanced location information and to allow higher situational awareness and interoperability among emergency services. For more information, please consult this webpage: https://cordis.europa.eu/project/id/653337/reporting

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In our survey conducted among our members, the National Associations of the Deaf (NADs), we investigated the accessibility of the emergency services (including 112) for deaf people in their countries. Most of them responded that the 112 is accessible other than by phone in their country, presupposing that accessibility could be either through written form (i.e. SMS) or through sign language (i.e. video relay services). This is in line with the 2024 report from the European Commission on the effectiveness of the implementation of the single European emergency number '112' (hereafter "the 2024 EC report")[27]. According to this report, 24 countries on 27 Member States and Norway provide at least SMS to reach 112 or a national-based long number. Among them, 8 countries provide SMS as the sole means to access 112, without any alternative that facilitates the use of national sign language. However, ensuring the accessibility of 112 through SMS does not ensure clear communication and full accessibility for deaf people in emergency communications. National sign languages are the natural and first languages of deaf people, so they should have the right to use these, particularly in crucial situations such as emergency communications.

According to the 2024 EC report, 17 out of the 28 countries also provide access to mobile applications without specifying whether they are text-based and/or video-based. Some are also providing general or specialised relay services as a means to reach 112. It is also unclear what kind of relay services are provided, as some countries might only provide text relay services. We asked our members whether deaf people in their countries have access to 112 in their national sign languages, and the answer differs greatly from the 2024 EC report. Indeed, deaf people from only 9 countries, among which 8 EU Member States, can access emergency communications in their national sign language at all times[28] while in other 3 countries the access is limited in time (i.e. from 9:00 to 17:00)[29], leaving a majority of countries with no sign language access to emergency communications. These results highlight the inconsistency of accessibility to national emergency services in the national sign language across the EU, with a higher number showing inaccessibility and unreliability of timing. To have the option for communicating with emergency services in the national sign language for some of the time does not equate to ensuring equal access to emergency services for all citizens. Emergencies do not only happen between the hours of 9:00-17:00, but they could also happen at any time.

Furthermore, the access to emergency services in the national sign language is not only essential for deaf people who find *themselves* in emergency situations, but also so they can call on behalf of others who may be in, for instance, a medical emergency and unable to contact the emergency services themselves.

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[27] European Commission, Report from the Commission to the European Parliament and the Council on the effectiveness of the implementation of the single European emergency number '112', COM(2024) 575, 18.12.2024, pp. 10-11,
, available at: https://digital-strategy.ec.europa.eu/en/library/2024-report-implementation-eu-emergency-number-112

[28] Croatia, Czech, France, Germany, Hungary, Lithuania, Spain, Sweden, and United Kingdom.

[29] Belgium, Finland and The Netherlands.

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Finally, since the EAA enforces Member States to provide RTT and TC by 28 June 2025, excepted if an extension to 2027 has been stated by the Member States, NADs expected to see developments in the provision of RTT and TC in the answering of the calls to 112. However, only 5 countries among the 27 Member States and Norway provide RTT and only 1 country provides TC in the answering of the calls to 112, according to the 2024 EC report.

We deplore that the current obligations do not go far enough to make Total Conversation a minimum standard for deaf people, nor do they mandate that emergency call centers provide access in national sign language. As it stands, Member States may choose between RTT and TC (when they have video capacity), with the minimum legal requirement being RTT for emergency calls.

We strongly urge the European Commission to enforce the implementation of Total Conversation in the EU as it is the best means for deaf people to access emergency communications and considering the huge technological advancements such as the switching of PSAPs to Internet protocols and the massive use of smartphones (facilitating the use of RTT and video-based services). We encourage the Member States to proceed with the required technological changes and with the training of their PSAPs operators on how to deal with calls from deaf people in their national sign languages.

6. **Equivalent access and choice for end-users with disabilities (Art. 111):**

Member States must ensure that telecom providers are complying with specific requirements to guarantee persons with disabilities have equivalent access to telecom services as other consumers, and that they can benefit from the choice of undertakings and services available to most consumers. While there is no clear definition of equivalent access for persons with disabilities, especially deaf people, and since BEREC could not identify a single approach or best practices to be applied in all Member States, it causes huge disparities in the implementation of the EECC (and the EAA) regarding access to and choice of Internet services and voice communications services, to the detriment of deaf people.

Equivalent access could be interpreted as rendering “mainstream” services accessible to deaf people or as providing equivalent access through the provision of specific solutions that are not coincident with those available to other consumers who are not deaf. Some Member States provide text relay services, ascertaining it ensures the equivalent access for deaf people to voice communications. However, written national language is often a second language for deaf people, and they often face issues with written communication. Equivalent access for deaf people to voice communications means access in their national sign language, not through written language.

Moreover, some Member States confirmed in a BEREC report that they provide Total Conversation services but their respective National Associations of the Deaf clarified that the services are limited to video relay services without Real-Time Text (thus not complying with the minimal

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requirements of Total Conversation)[30]. Where Member States confirm they provide video relay services, their respective National Associations of the Deaf specified that the services are not available on a 24/7 basis, thereby not fulfilling the equivalency requirement under Article 111 of the EECC.

As of today, the concept of equivalent access for deaf people is insufficiently understood by the Member States, their National Regulatory Authorities, and the telecom providers. This has disastrous consequences on the rights of deaf people as they are not provided equivalent access to universal service nor have sufficient choice between the undertakings and services available to most consumers.

7. **Public warning system (Art. 110):**

Member States must ensure that public warnings must be transmitted by telecom providers to consumers when there are imminent or developing major emergencies and disasters. They may also decide to transmit public warnings through other publicly available electronic communications services or through a mobile app that relies on an internet access service. However, there is no specific mention of the necessity to ensure the public warnings are accessible to persons with disabilities, especially deaf people. Except for the information to be provided automatically by SMS on the existence of such a public warning system, which should be easily understandable (Recital 294). However, in this case, the information sent by SMS would only be provided in written form and would exclude some deaf people whose first language is the national sign language of their country.

However, based on our consultation with National Associations of the Deaf, access to public warning systems for deaf people during emergencies is inconsistent across countries, often relying on written alerts that may not be fully accessible, without any sign language provision. Crucially, deaf people do not receive emergency alerts in sign language on their phones, which limits their immediate understanding and response in critical situations. While some countries like Italy and Iceland provide partial solutions such as video relay services or sign language interpretation during live broadcasts, others, including Romania, Spain and Belgium show inconsistent service or lack structured emergency preparedness plans inclusive of sign language.

While the requirements under the EECC and the EAA refer to Total Conversation to ensure equivalent access of deaf people to emergency communications, similar requirements should be issued on the accessible format of the public warnings: they should be produced in videos in National Sign Languages.

In conclusion, the EU should take decisive action to broaden the formats of public warnings by incorporating videos in national sign languages (Article 110). Furthermore, it is essential to ensure that the transmission of these warnings remains uninterrupted, even during catastrophic network

[30] BEREC Report on measures for ensuring equivalence of access and choice for disabled end-users, BoR (22) 172, December 2022, p. 28, available at: https://www.berec.europa.eu/en/document-categories/berec/reports/report-on-measures-for-ensuring-equivalence-of-access-and-choice-for-disabled-end-users

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breakdowns or force majeure situations (Article 108). This will help guarantee equal access to critical emergency information for all citizens, regardless of their communication needs.

RECOMMENDATIONS

EUD recommends the EU:

- to include explicit provisions that address the broadband needs of deaf people with data usage and video quality requirements ensuring that the use of video calls, relay services and sign language video messages is effective and affordable for any deaf person;
- to ensure that Real-Time Text (RTT) services are natively integrated into devices and networks across all Member States both domestically and while roaming and to monitor its deployment beyond emergency communications;
- to strengthen the obligations towards Member States in providing Total Conversation services for deaf people, both in emergency communications and in non-emergency contexts;
- to introduce a clear and enforceable obligation within the EECC for Member States to ensure the provision of 24/7 video relay services and to establish harmonised legal and technical frameworks setting common minimum standards and functional requirements of video relay services in the EU;
- to expand the scope of application of Article 96 to national helplines (i.e. suicide helpline, helpline for victims of human trafficking) and EU wide numbers (i.e. emotional support helpline, helpline for victims of violence against women) and ensure their accessibility for deaf people.
- to mandate the BEREC to encourage the development and implementation of Quality of Service (QoS) standards for relay services, including RTT and TC, across all Member States;
- to take immediate action to enforce the implementation of Total Conversation (TC) services in emergency communications, both for the 112 and the national emergency numbers, across all Member States through policy design, monitoring, funding, and support for Member States;
- to accelerate the standardisation of interoperability and roaming for emergency communication apps and networks, ensuring seamless integration of Total Conversation (TC) services across Member States;
- to leverage European funding to extend a Pan-European interoperability framework enabling the widespread implementation of TC services and ensuring that deaf persons can access emergency communications in their national sign languages while roaming;
- to establish clear and unified guidelines for « equivalent access » among Member States, ensuring they guarantee access to 24/7 video relay services, including Total Conversation in National Sign Languages;
- to broaden the formats of public warnings to include videos in national sign languages and ensure that their transmission remains uninterrupted, even in the event of catastrophic network breakdowns or force majeure situations;

EUD recommends Member States:

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- to implement broadband policies that recognise the unique communication needs of deaf people, ensuring affordable and high-quality internet access, regardless of income, through specific measures such as fixed-price, all-inclusive packages or reduced tariffs;
- to enforce telecom service providers and companies to accelerate the implementation of native RTT beyond emergency communications into devices and networks;
- to adopt additional measures that enable the use of Total Conversation across a wide range of communications services, beyond just number-based services;
- to mandate national regulatory authorities to enforce telecom providers' universal service obligation to ensure that high quality and reliable video relay services are available 24/7;
- to address the accessibility of the 116000 Missing Children hotline in close consultation with National Associations of the Deaf (NADs) to ensure its full 24/7 accessibility in National Sign Language for all deaf people;
- to ensure that telecom and internet providers comply with the EECC's requirement to provide information in National Sign Language for deaf persons on their services, tariffs and customer support;
- to leverage the transition to packet-switched technologies in emergency communications to ensure that Public Safety Answering Points (PSAPs) are equipped with video capacity, enabling the implementation of TC services for emergency communications;
- to invest in building the capacity of PSAPs to receive video calls for 112 and other national emergency numbers in national sign languages through infrastructure upgrade, training to operators, and 24/7 national sign language access;
- to enforce telecom providers to comply with specific requirements on equivalent access to their services for deaf people, including the provision of 24/7 video relay services;
- to engage with NADs in the development of emergency preparedness plans and ensure the use of diverse communication platforms to disseminate alerts and critical information in NSL, ensuring every deaf person receives timely and accessible emergency information.

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