

ACCESSIBILITY REPORT

2023



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2023 Report on Accessibility

There are more than 1.5 million people with disabilities in Austria. Only a small percentage of these disabilities are congenital, or were acquired as a result of an accident or an occupational illness. The vast majority are the result of a disease or disorder.¹ Nor should it be forgotten that disabilities also affect older people especially.

The following groups are most likely to experience restrictions to participation in society and democratic discourse:

- People with vision impairment or blindness
- People with hearing impairments
- People with physical or motor impairments affecting the upper limbs
- People with learning difficulties

The UN Convention on the Rights of Persons with Disabilities – and the subsequent EU Directive on Audiovisual Media Services – introduced ‘accessibility’ as one of its foundational principles.² Accessibility is a prerequisite for people with disabilities to be able to live independently, participate equally in society and exercise their rights.

Pursuant to Article 8 (1) of the UN Convention on the Rights of Persons with Disabilities (UN CPRD),³ the signatory countries are committed to taking immediate, effective and appropriate measures

- a) To raise awareness throughout society, including at the family level, regarding persons with disabilities, and to foster respect for the rights and dignity of persons with disabilities;
- b) To combat stereotypes, prejudices and harmful practices relating to persons with disabilities, including those based on sex and age, in all areas of life;
- c) To promote awareness of the capabilities and contributions of persons with disabilities.

Paragraph (2) sets out measures to promote awareness, with (c) specifying the measure of *encouraging all organs of the media to portray persons with disabilities in a manner consistent with the purpose of the present Convention*.

In relation to media services, accessibility is not simply reduced to how the persons concerned are portrayed, however. Rather, the issue here is to ensure that media are discoverable, accessible and usable by people with disabilities in a general and typical manner without encountering undue difficulty or requiring the aid of another person.

Guaranteeing accessibility of audiovisual content is a key requirement in the context of the obligations entered into by parties to the United Nations Convention on the Rights of Persons with Disabilities.

Accordingly, media service providers should “actively seek to make content accessible to persons with disabilities, in particular with a visual or hearing impairment.”⁴ This accessibility should not be restricted to persons with a visual or hearing impairment, but should also include persons with other disabilities (such as learning difficulties). Accessibility requirements 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.

1 For figures, see the federal government’s third report on the situation of people with disabilities, available (in German) at <https://www.sozialministerium.at/Themen/Soziales/Menschen-mit-Behinderungen/Bericht-der-Bundesregierung-ueber-die-Lage-der-Menschen-mit-Behinderung.html> (accessed 21 April 2022)

2 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), last amended by Directive (EU) 2018/1808

3 <https://www.sozialministerium.at/Themen/Soziales/Menschen-mit-Behinderungen/UN-Behindertenrechtskonvention.html>

4 Cf. Directive (EU) 2018/1808, Recital 22

The moving image – and therefore the role played by vision – plays a significant role in audiovisual media as a whole. Yet vision is not the only means of human sensory perception that is stimulated by audiovisual content. Moving images should be made perceptible so that they evoke mental pictures and emotions in the audience. Although the strong presence and significance of video viewing in our society constitutes a disadvantage for people with vision impairments as well as individuals with hearing impairments, this disadvantage can be mitigated by the deployment of technical aids. This enables these consumers to participate in audiovisual media. Furthermore, modern media tools also permit the creation of technical solutions – such as the incorporation of media content in simple language – that allow people with learning difficulties to access audiovisual media content and therefore participate more fully in an inclusive social and cultural life.

1. Legal basis

The legal basis for increasing percentage shares of accessible content and for creating action plans and reports can be found in the Audiovisual Media Services Act (AMD-G) on the one hand, and in the ORF Act (ORF-G) on the other.

Pursuant to Art. 30b Par. 1 AMD-G, media service providers are to achieve a continuous and step-by-step annual increase in programmes that meet accessibility standards compared with programming as at 31 December 2020. This increase is to be achieved throughout all of their channels and programming in accordance with their economic capabilities while also accounting for the financing provided for such measures from public funds. In terms of live content, the greater degree of effort required to ensure accessibility to this content permits certain technically justifiable exemptions to be made.

To achieve the goals of ensuring accessibility for audiovisual content, Art. 30b Par. 2 AMD-G stipulates that providers of audiovisual media services should take appropriate steps to ensure a continuous and progressive increase in the proportion of their audiovisual content that they have made accessible to people with hearing and vision impairments. Media service providers must provide details of how they intend to implement these measures by preparing an action plan in consultation with a representative organisation acting on behalf of people with vision or hearing impairments and on behalf of people with intellectual disabilities. This action plan must set out concrete details for a three-year time frame and build on the earlier action plan adopted for the prior period. The plan must also ensure an annual increase in the proportion of programmes meeting accessibility standards, within the categories of news and current affairs, entertainment, education, art and culture, and sport. In terms of live programming, justifiable technical exemptions from the requirement to pursue this proportional increase can be made, as this kind of content requires greater effort to make it accessible. Media service providers must publish the action plan so it is easily and immediately available, and accessible at all times. The action plan must also be submitted to KommAustria in a standardised format.

Exemptions to this requirement are granted to media service providers whose prior-year earnings from their audiovisual media service did not exceed EUR 500,000. Media service providers whose programming is of an exclusively local or regional nature are also granted an exemption to this requirement for the audiovisual media services that they offer.

A failure to prepare or publish the action plan will be sanctioned through the imposition of an administrative penalty. KommAustria may also initiate a supervisory procedure in the event that an action plan is not made available, or may respond to a public complaint.

Similar provisions are envisaged for the ORF in Art. 5 ORF-G.

Pursuant to Art. 5 Par. 2 ORF-G, news and current affairs television broadcasts (Art. 3 Par. 1) must be designed, in accordance with technical advances and economic feasibility, to simplify the consumption of such broadcasts by individuals with vision and/or hearing impairments and persons with intellectual disabilities (who need content to be expressed in simple language). Beyond that, the ORF is required to offer at least one news broadcast in simple language during its daytime programming (9 am to 10 pm).

The ORF is also to ensure that appropriate measures are taken to ensure a continuous and progressive increase in the respective proportion of audiovisual content made accessible to individuals with intellectual disabilities (who need content to be expressed in simple language) as well as to people with vision and/or hearing impairments, in comparison with programming as at 31 December 2020. The ORF may also be granted technically justifiable exemptions in the case of live content.

The ORF must provide details of the measures intended to increase the aforesaid proportion by preparing an annual action plan in consultation with the Audience Council and with the representative organisations for people with vision or hearing impairments and individuals with intellectual disabilities. This plan must include a detailed, three-year timetable for the annual increase in the proportion of ORF programming and online content that meets accessibility requirements (excepting live broadcasts), within the categories of news and current affairs, entertainment, education, arts and culture, and sport.

Art. 5 Par. 2 ORF-G also specifies an annual increase of at least 2.5% in the categories of news and current affairs, education, and arts and culture, and of at least 4% in the category of entertainment, compared with figures at the end of the prior calendar year. Here priority is to be given to ensuring accessibility for all television broadcasts in early evening and main evening programming (7 pm to 10 pm) as well as online services provided pursuant to Art. 4e Par. 1 No. 4 ORF-G and approved pursuant to Art. 4f Par. 1 ORF-G in conjunction with Art. 6b ORF-G. Priority is additionally given to regional broadcasts in the news and current affairs category, press conferences and broadcasts reporting on elections or election results, and children's programming in the categories of news and current affairs, and entertainment.

As at 31 December 2021, a total of ten media service providers had submitted an action plan for their audiovisual media services. Two action plans were submitted in March 2022, applying to the 2021–2023 period. By 31 December 2022, two (other) media service providers had submitted an action plan for their audiovisual media services; these apply to the 2022–2024 period. Of these, one action plan was a late submission.

KommAustria is tasked with reporting on the status quo and developments in relation to the duties as described in Art. 30b Par. 1 AMD-G and in Art. 5 Par. 2 ORF-G, together with a comparative presentation of intended target values and the actual values as achieved. Both provisions require the preparation of an annual report on implementation of the measures specified in the action plan and the proportional increase achieved by 31 March of the year after the reporting period. These reports are to be published in the same way as the action plans.

In 2023, infringement procedures were initiated and completed against two media service providers, as a result of a late submission of the 2022 annual report and a failure to prepare the 2022 annual report. One further infringement procedure was initiated as a result of a late submission of the 2022 annual report and a failure to publish the action plan according to requirements; this procedure is still pending. The newly submitted action plans and the annual reports submitted for 2023 are being evaluated, and procedures will be initiated as appropriate.

Pursuant to Art. 30b Par. 4 AMD-G, the regulatory authority's annual report (Art. 19 KOG) must present for each media service provider the status quo and development in terms of the requirements described in Par. 1, together with a comparative presentation of intended target values and the actual values achieved by the provider. The regulatory authority can enclose with this report, supported by RTR as a service point pursuant to Art. 20b KOG, a statement about further improvements to accessibility.

Pursuant to Art. 20b KOG, RTR has the remit to act as a service point for complaints and information services relating to accessible audiovisual media services and to accordingly provide information for media service providers and for the general public. This information is presented under www.barrierefreiheit.rtr.at. Furthermore, RTR serves as a complaints board for accessibility issues with the content of audiovisual media services. No complaints were received relating to accessibility issues in 2023.

2. Reports on 2021–2023 action plans

In accordance with statements provided by media service providers, the preparation of all action plans was preceded by a consultation with a representative organisation acting on behalf of people with vision or hearing impairments and on behalf of people with learning difficulties. The action plans are subdivided into the categories of entertainment, news and current affairs, education, arts and culture, and sport.

With the 2023 annual reports, the first action plans that started with the 2020 reference year have come to a conclusion. These plans envisage an increase in accessible content as a proportion of overall broadcasting for 2021 to 2023. As a result, the following section can contrast the planned figures with the figures actually achieved.

2.1 ProSiebenAustria GmbH

Table 01: Planned increase for the ProSieben Austria channel according to action plan (in %)

ProSieben Austria	Base year 2020	2021	2022	2023
Planned increase according to action plan	0.00%	0.33%	0.66%	0.99%
Actual increase according to annual reports	-	0.10%	0.76%	0.99%

Reporting requirements pursuant to Art. 30b Par. 3 AMD-G

ProSiebenAustria GmbH submitted a report.

In the 2023 reporting period, a total of 399 minutes (0.99%) of accessible broadcasts in overall programming were subtitled.

The figure stated in the annual report thus exceeds the target in the action plan.

2.2 SAT.1 Privatrundfunk und Programmgesellschaft mbH

Table 02: Planned increase for the SAT.1 Österreich channel according to action plan (in %)

SAT.1 Österreich	Base year 2020	2021	2022	2023
Planned increase according to action plan	0.00%	0.31%	0.61%	0.92%
Actual increase according to annual reports	-	0.09%	0.88%	1.16%

Reporting requirements pursuant to Art. 30b Par. 3 AMD-G

SAT.1 Privatrundfunk und Programmgesellschaft mbH have presented a report.

In the 2023 reporting period, a total of 510 minutes (1.16%) of accessible broadcasts in overall programming were subtitled.

The figure stated in the annual report thus exceeds the target in the action plan.

2.3 PULS 4 TV GmbH & Co KG

PULS 4 TV GmbH & Co KG submitted a report for both channels.

2.3.1 Puls 4

Table 03: Planned increase for the Puls 4 channel according to action plan (in %)

Puls 4	Base year 2020	2021	2022	2023
Planned increase according to action plan	0.00%	0.02%	0.04%	1.00%
Actual increase according to annual reports	-	0.02%	0.04%	1.02%

In the 2023 reporting period, within overall programming, 5,357 minutes (1.02%) of accessible broadcasts in the category of entertainment were subtitled.

The figure stated in the annual report thus exceeds the target in the action plan.

2.3.2 Puls 24

Table 04: Planned increase for the Puls 24 channel according to action plan (in %)

Puls 24	Base year 2020	2021	2022	2023
Planned increase according to action plan	0.00%	0.02%	0.04%	0.30%
Actual increase according to annual reports	-	0.02%	0.07%	0.38%

In the 2023 reporting period, 2,002 minutes (0.38%) of accessible broadcasts in overall programming for the Puls 24 channel were subtitled.

PULS 4 TV GmbH & Co KG claimed that an internal decision was made to offer not only entertainment shows with subtitles, but also to provide news programmes with sign language interpreters. However, this decision is not reflected in the figures from the 2023 annual report.

In the action plan, the percentage figure for the entertainment category was 1.5%. PULS 4 TV GmbH & Co KG reported that this referred to the total broadcasting time in the entertainment category.

The total figure stated in the annual report exceeds the target in the action plan.

2.4 ATV Privat TV GmbH & Co KG

ATV Privat TV GmbH & Co KG submitted a report for both channels.

2.4.1 ATV

Table 05: Planned increase for the ATV channel according to action plan (in %)

ATV	Base year 2020	2021	2022	2023
Planned increase according to action plan	0.00%	0.02%	0.04%	1.03%
Actual increase according to annual reports	-	0.02%	0.04%	1.08%

In the 2023 reporting period, within overall programming, 5,674 minutes (1.08%) of accessible broadcasts in the category of entertainment were subtitled.

The figure stated in the annual report thus exceeds the target in the action plan.

2.4.2 ATV 2

Table 06: Planned increase for the ATV 2 channel according to action plan (in %)

ATV 2	Base year 2020	2021	2022	2023
Planned increase according to action plan	0.00%	0.01%	0.01%	1.05%
Actual increase according to annual reports	-	0.02%	0.04%	1.13%

In the 2023 reporting period, within overall programming, 5,953 minutes (1.13%) of accessible broadcasts in the category of entertainment were subtitled.

The figure stated in the annual report thus exceeds the target in the action plan.

2.5 Sky Österreich Fernsehen GmbH

Sky Österreich Fernsehen GmbH submitted a report for both channels.

2.5.1 Sky Sport Austria

Table 07: Planned increase for the Sky Sport Austria channel according to action plan (in %)

Sky Sport	Base year 2020	2021	2022	2023
Planned increase according to action plan	0.00%	0.14%	0.38%	0.86%
Actual increase according to annual reports	-	0.17%	0.34%	0.98%

In the 2023 reporting period, within overall programming of the Sky Sport Austria channel, a total 5,130 minutes (0.98%) of accessible broadcasts in the category of sport were subtitled.

In its 2022 annual report, Sky Österreich Fernsehen GmbH announced that it had been unable to achieve its target, because of the postponement of the football matches in 2023 for which subtitles had been scheduled. The two matches, with a total length of 180 minutes, are therefore to be considered in calculations of figures for accessible broadcasting for 2023.

Figures from the 2023 annual report show that Sky Österreich Fernsehen GmbH exceeded the action plan targets by 0.08% (630 minutes).

2.5.2 Blue Movie

Table 08: Planned increase for the Blue Movie channel according to action plan (in %)

Blue Movie	Base year 2020	2021	2022	2023
Planned increase according to action plan	0.50%	0.70%	0.85%	1.05%
Actual increase according to annual reports	-	1.57%	2.00%	3.77%

In the 2023 reporting period, within overall programming for the Blue Movie channel, a total of 11,223 minutes (3.77%) of accessible broadcasts in the entertainment category were subtitled.

The figure stated in the annual report thus exceeds the target in the action plan.

2.6 wedify GmbH

Table 09: Planned increase for the A1 Xplore TV channel according to action plan (in %)

A1 Xplore TV	Base year 2020	2021	2022	2023
Planned increase according to action plan	0.00%	0.02%	10.00%	20.00%
Actual increase according to annual reports	-	0.03%	12.28%	16.01%

Reporting requirements pursuant to Art. 30b Par. 3 AMD-G

wedify GmbH submitted a report by the due date for its A1 Xplore TV channel, also announcing that a correction to the 2022 annual report had become necessary. According to the corrected figure, however, the action plan for 2022 has still been exceeded. In contrast, the action plan target for 2023 was not achieved. This was justified by a statement to the effect that the company does not produce its own content but buys it in: as suppliers did not provide appropriate content, the 20% target could not be achieved. To achieve this 20% target next year, wedify GmbH plans to conduct more in-depth negotiations with its content suppliers, with the aim of purchasing more films with subtitles. Another step will be to replace older films offered on its video platform by versions with subtitles and/or audio descriptions.

In the 2023 reporting period, within overall programming, 144,720 minutes (16.01%) of accessible broadcasts in the category of entertainment were subtitled.

Accordingly, the figure stated in the annual report falls short of the target in the action plan.

2.7 T-Mobile Austria GmbH

Table 10: Planned increase for the Magenta On Demand channel according to action plan (in %)

Magenta on Demand	Base year 2020	2021	2022	2023
Planned increase according to action plan	38.77%	39.11%	40.22%	41.58%
Actual increase according to annual reports	-	39.11%	39.64%	40.32%

Reporting requirements pursuant to Art. 30b Par. 3 AMD-G

T-Mobile Austria GmbH submitted a report by the due date for its Magenta On Demand channel.

In its 2022 annual report, T-Mobile Austria GmbH announced that had been unable to achieve its target as planned. By way of justification, the company cited delays to technical implementation work on the one hand and, on the other, an increase in the total video minutes provided, which is reflected in the percentage figures.

In 2023, T-Mobile Austria GmbH achieved 40.32%, a figure below the target in the action plan. This was explained as resulting from a delay in the product launch for EST (Electronic Sell Through), now planned for 2024.

If the proportion of accessible content is considered in minutes rather than as a percentage figure, an uptick from 321,803 to 328,109 minutes is observed for 2022 to 2023. As a result of the significant volume of all available content, however, this is a smaller percentage than envisaged by the action plan.

2.8 Red Bull Media House GmbH

Red Bull Media House GmbH submitted a report for both channels by the due date.

In its 2023 annual report, Red Bull Media House GmbH explained that the subtitled programme "P.M. Wissen" and the accessible episodes of the "Bares für Rares" show had resulted in an increase in the categories of education, and of arts and culture, for its ServusTV and ServusTV Deutschland channels. ServusTV Deutschland ceased broadcasting on 31 December 2023.

2.8.1 ServusTV

Table 11: Planned increase for the ServusTV channel according to action plan (in %)

ServusTV	Base year 2020	2021	2022	2023
Planned increase according to action plan	0.00%	0.10%	2.50%	5.40%
Actual increase according to annual reports	-	0.10%	4.14%	5.89%

From a total of 22,000 minutes (5.89%) of accessible programmes within overall programming offered by the ServusTV service, 4,670 minutes (15.56%) were subtitled in the category of news and current affairs, 8,000 minutes (12.31%) in education, and 780 minutes (20.26%) in arts and culture. The percentages specified in brackets for the categories each relate to the specified category. The figures stated here from the annual report therefore exceed the targets in the action plan. Education is the only exception: while the target of 12.31% was not achieved in this category, this is masked in the overall total by larger increases in the categories of news and current affairs, entertainment, and arts and culture.

2.8.2 ServusTV Deutschland

Table 12: Planned increase for the ServusTV Deutschland channel according to action plan (in %)

ServusTV Deutschland	Base year 2020	2021	2022	2023
Planned increase according to action plan	0.00%	0.04%	1.90%	4.70%
Actual increase according to annual reports	-	0.04%	2.80%	4.85%

Within the next word the overall programming of the ServusTV Deutschland service, from a total of 19,232 minutes of accessible programmes. In the category of education, this was 17,492 minutes (12.22%), while 1,740 minutes (44.5%) were subtitled in the category of arts and culture. The percentages specified in brackets for the categories each relate to the specified category. The figures in these categories therefore exceed the action plan targets. In contrast, no accessible content was broadcast in the news and current affairs category in 2023 – recent changes to channel programming was cited as the underlying reason. As a corresponding increase was achieved in the categories of arts and culture, and education, the action plan was in fact exceeded in terms of its total broadcasting time target.

2.9 Sa Fira Blue GmbH (ViktoriaSarina)

Table 13: Planned increase for the ViktoriaSarina YouTube channel according to action plan

ViktoriaSarina	Base year 2020	2021	2022	2023	2024
Planned increase according to action plan	0.00%	0.00%	4.00%	8.00%	12.00%
Actual increase according to annual reports	-	0.00%	4.3%	*	-

* No details given for broadcast minutes

Reporting requirements pursuant to Art. 30b Par. 3 AMD-G

Sa Fira Blue GmbH submitted a report for 2023.

In 2023, the ViktoriaSarina channel posted 181 videos, of which 70 were shorts. Six of the shorts (8.57%) and nine of the long-format videos (8.11%) use simple language. As no details of broadcast minutes were given, however, the figures cannot be compared with action plan targets.

2.10 MediaShop GmbH

Table 14: Planned increase for the Mediashop Meine Einkaufswelt channel according to action plan (in %)

Mediashop	Base year 2020	2021	2022	2023
Planned increase according to action plan	0.00%	0.01%	0.21%	1.07%
Actual increase according to annual reports	-	0.01%	0.52%	1.12%

Reporting requirements pursuant to Art. 30b Par. 3 AMD-G

MediaShop GmbH fulfilled its reporting duties pursuant to Art. 30b Par. 3 AMD-G by the given due date, noting that it had implemented a number of measures during the reporting period.

Trailers now feature hardcoded subtitles and text overlays are now a regular part of channel programming. A trailer on the topic of accessibility with sign language interpretation is broadcast several times a day and audio descriptions are used in infomercials⁵ to provide details of phone numbers, for example.

Simple language is also utilised although not included in the annual report, as the specific use of simple language and other language cannot be assessed on a clear enough basis.

In the category of entertainment, out of 5,875 minutes (1.12%) of accessible programming in overall channel programming of the Media Shop Einkaufswelt service, 2,872 minutes (0.55%) were subtitled, while 487 minutes (0.09%) were provided with sign language and 2,515 minutes (0.48%) with an audio description.

Accordingly, the figure for minutes stated in the annual report exceeds the action plan target.

5 The word 'infomercial', a portmanteau of 'information' and 'commercial', describes a television ad that is longer than usual and which offers more information in a (potentially) more entertaining format.

2.11 Melodie Express GmbH

Table 15: Planned increase for the Melodie Express channel according to action plan (in %)

Melodie TV	Base year 2020	2021	2022	2023	2024
Planned increase according to action plan	0.00%	0.10%	0.19%	0.29%	0.38%
Actual increase according to annual reports	-	0.10%	0.21%	-	-

Reporting requirements pursuant to Art. 30b Par. 3 AMD-G

Melodie Express GmbH did not submit a report pursuant to Art. 30 Par. 3 AM this D-G for 2023.

2.12 Austrian Broadcasting Corporation (ORF)

As noted above in section 2, the ORF is subject to the provisions of Art. 5 Par. 2 ORF-G.

Unlike other media service providers, the ORF is required to create an action plan on a yearly basis. This action plan must be published so as to be easily and immediately available and accessible at all times, and the regulatory authority must be notified of publication. In 2024, an action plan with 2023 as a reference year was subsequently published, which charts the planned increases for the years 2024 to 2026.

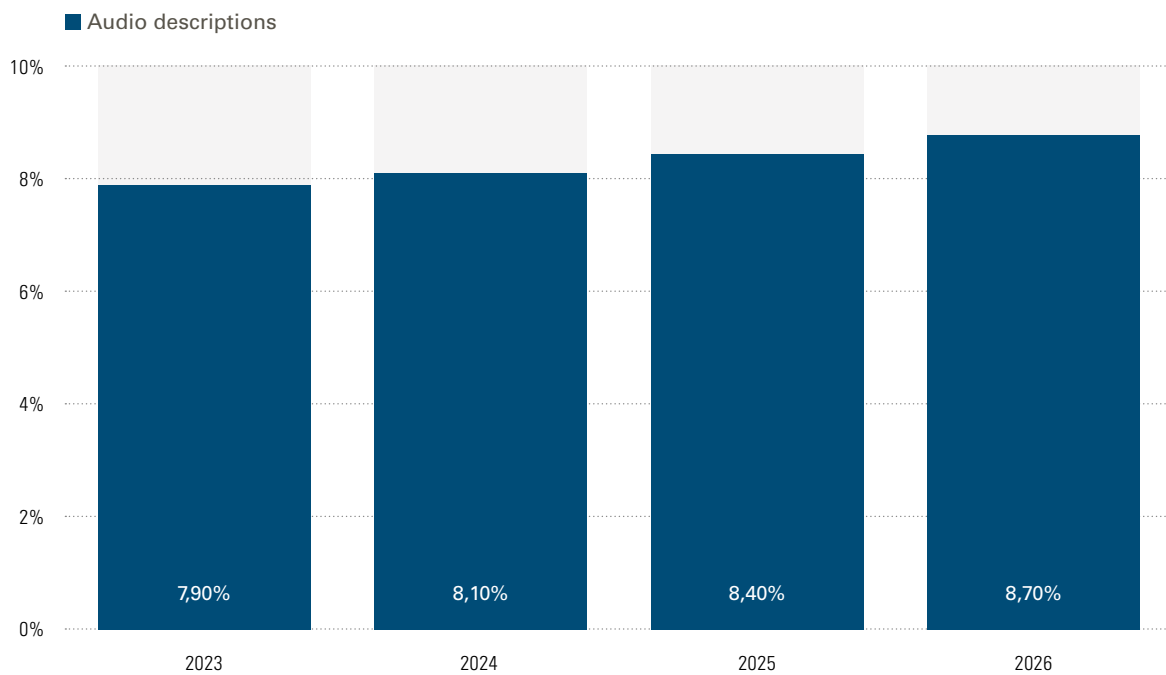
In this action plan, the ORF highlights a number of developments, mostly in the news and current affairs category. These new developments include the following:

- Since January 2024, all "Bundesland heute" and "Südtirol heute" regional programmes have been available online with subtitles shortly after being broadcast.
- Since December 2023, the news in simple language on ORF III has been increased to five minutes daily.
- The children's news show "ZIB Zack Mini" has been made available online with sign language since 2024.
- Since 2023, signing has also been provided for the "Bewusst gesund" und "G'sund in Österreich" programmes.

In its action plan, the ORF also mentions the points of focus that are required by law.

The respective proportions have been increased in relation to children's and current affairs broadcasts, and evening primetime (6:30 pm to 10:00 pm): news and current affairs 65.3% (2021: 51%), children's shows 91% (2021: 54.4%) and evening primetime 59% (2021: 46.9%).

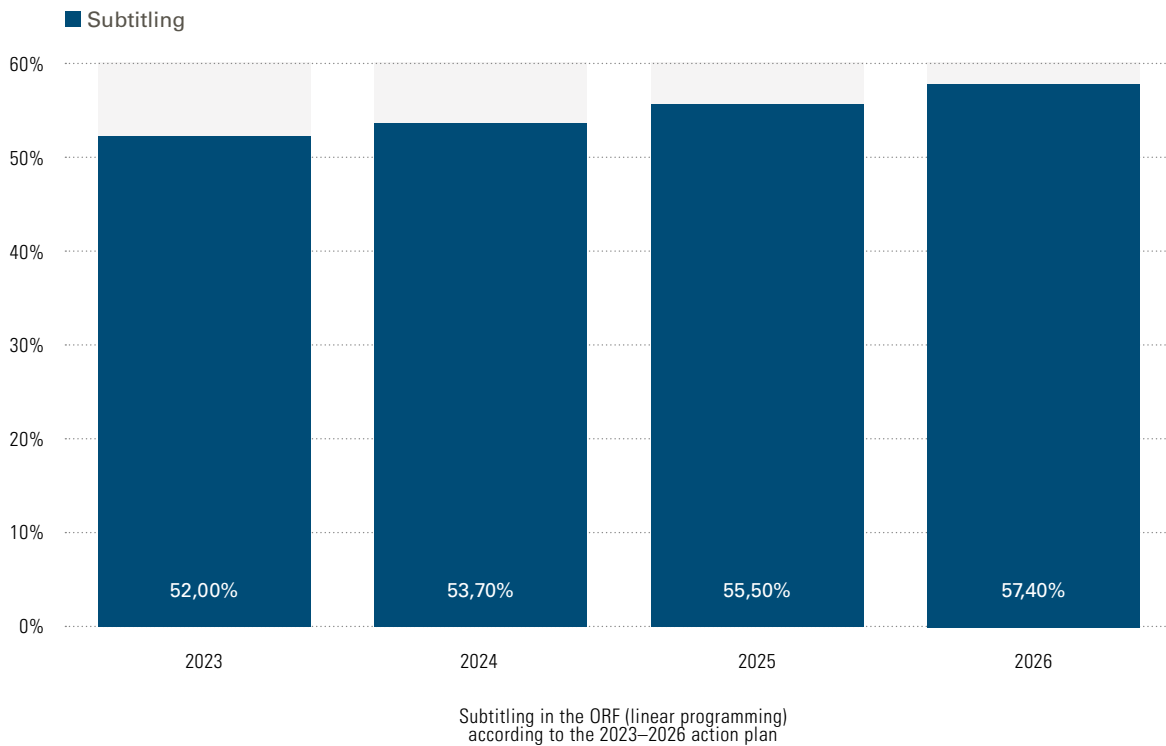
Figure 01: Planned increase in audio descriptions across all ORF channels, according to action plan (in %)



Audio descriptions in the ORF (linear programming)
according to the 2023–2026 action plan

In 2024, the focus will be on audio descriptions of sporting events, such as the Olympic Games and the Paralympics. The ORF aims to offer 3,000 hours of audio descriptions over the next few years, with 2,766 hours achieved by 2023.

Figure 02: Planned increase in subtitling across all ORF channels, according to action plan (in %)



In 2023, no less than 52% was subtitled instead of the planned 48.30%. For 2024, the aim is to subtitle 53.7% of total programming, with about 90% of content being subtitled on ORF 1 and ORF 2.

According to the ORF, the independent online Flimmit platform ceased broadcasting on 30 November 2023 and therefore no longer appears in the action plan. The ORF ON streaming platform, which is intended to replace the TVthek, features a separate overview page that lists accessible programmes. Steps have also been taken to ensure that broadcasts which are offered 'online first' are made accessible as soon as possible.

The action plan for 2023–2026 has been published (in German) at <https://der.orf.at/unternehmen/humanitarian/barrierefreiheit/aktionsplan-barrierefreiheit104.html>.

Reporting requirements pursuant to Art. 30b Par. 3 AMD-G

The ORF submitted reports for all channels with reporting requirements by the due date.

The annual report also included a data correction.

For 2020, the starting value for programming with sign language had been given as 596 hours, although the actual figure was 550 hours. Although this had led to the increase being incorrectly depicted, the corrected figures are now given in the tables below.

Table 16: Accessible share of TV programming for the ORF in 2023 (percentages)

Percentage shares of accessible content in the ORF (linear programming)	Subtitling	Audio description	Sign language	Simple language	Total accessible percentage share
News and current affairs	65.3%	0.2%	7.2%	0.15%	65.3%
Entertainment	88.6%	15.9%	0.06%	0.0%	88.6%
Education	83.1%	2.6%	7.6%	0.0%	83.1%
Arts and culture	55.1%	2.5%	0.57%	0.0%	55.1%
Sport	8.5%	7.2%	0.0%	0.0%	8.5%
Channels overall	52%	7.9%	1.7%	0.03%	52%

Table 17: Percentage shares of accessible content in the ORF-TVthek in 2023 (in %)

Percentage shares of accessible content in the ORF-TVthek	Subtitling	Audio description	Sign language	Simple language	Total accessible percentage share
News and current affairs	63.2%	0.3%	10.7%	0.2%	63.2%
Entertainment	80.0%	18.1%	0.10%	0.0%	80.0%
Education	84.3%	2.7%	12.6%	0.0%	84.3%
Arts and culture	56.7%	3.2%	0.73%	0.0%	56.7%
Sport	12.1%	11.3%	0.0%	0.0%	12.1%
Channels overall	51.3%	9.3%	3.8%	0.1%	51.3%

Table 18: Accessible share for FLIMMIT in 2023 (percentages)

Percentage shares of accessible content in the ORF (FLIMMIT)	Subtitling	Audio description	Sign language	Simple language	Total accessible percentage share
News and current affairs	0.0%	0.0%	0.0%	0.0%	0.0%
Entertainment	8.1%	1.1%	0.0%	0.0%	8.1%
Education	8.1%	0.8%	0.0%	0.0%	13.6%
Arts and culture	0.0%	0.0%	0.0%	0.0%	0.0%
Sport	0.0%	0.0%	0.0%	0.0%	0.0%
Channels overall	9.3%	1.0%	0.0%	0.0%	9.3%

3. Reports on 2022–2024 action plans

3.1 Sascha Huber GmbH

Table 19: Planned increase for the Sascha Huber YouTube channel according to action plan (in %)

Sascha Huber	Base year 2021	2022	2023	2024
Planned increase according to action plan	1.00%	2.00%	3.00%	4.00%
Actual increase according to annual reports	-	4.00%	5.00%	-

Reporting requirements pursuant to Art. 30b Par. 3 AMD-G

Sascha Huber GmbH submitted a report.

In the 2023 reporting period, 30 minutes (5%) of accessible broadcasts in overall channel programming by Sascha Huber were subtitled in the sport category. Accordingly, the figure for minutes stated in the annual report exceeds the action plan target.

3.2 schau Media Wien GesmbH

schau Media Wien GesmbH operates the KurierTV channel.

In relation to technical implementation, schau Media Wien GesmbH states that subtitles are in use.

Within the action plan period of 2022–2025, accessible programmes are to be offered in the categories of news and current affairs and entertainment.

The action plan has been published at <https://kurier.tv/amp/info/kurier-tv-barrierefreiheit/402135966>.

Table 20: Planned increase for the Kurier TV channel according to action plan (in %)

Kurier TV	Base year 2021	2022	2023	2024
Planned increase according to action plan	0.43%	0.91%	1.14%	1.26%
Actual increase according to annual reports	-	0.59%	0.1%	-

Reporting requirements pursuant to Art. 30b Par. 3 AMD-G

schau Media Wien GesmbH submitted a report by the due date.

In the category of news and current affairs, 380 minutes (0.07%) of programming were subtitled, and 120 minutes (0.02%) in entertainment. Thus, the action plan targets in terms of minutes were met, even though this fact is not reflected in the percentage values because of varying overall broadcasting times.

4. Statement about further improvements to accessibility

For most media service providers, 2023 was the last year in their action plan and also forms the baseline year for the new 2024 to 2026 action plans. No new media services were launched for which action plans would have needed to be submitted in the 2023 reporting year.

Alongside the ORF, which is required to produce an annual action plan as well as an annual report, another 16 annual reports were submitted for 2023. These 16 annual reports are attributable to twelve separate providers, although ten annual reports had not been submitted by the due date; one provider did not submit an annual report.

Figures from the annual reports show that the action plan targets were exceeded in eleven cases. Targets were met exactly in one other case. One annual report did not include any broadcast minutes or percentage figures, which means values cannot be compared between the report and the action plan. Two providers were unable to achieve their action plan target and provided reasons in each case.

One fact worth noting is that the targets for the action plans completed in 2023 were not just met but exceeded in two thirds of cases. The majority of trends for the last three years are therefore positive.

In relation to the various categories of content – news and current affairs, entertainment, education, arts and culture, and sport – the 2023 annual reports show that, as in previous years, the accessible share continues to rise but does so by highly varying degrees. In this context, it should be noted that some media services do not offer content in every category. In five cases, channels were described as entertainment-only services, with two channels providing only sports content.

This explains the especially frequent increases seen in the category of entertainment. Twelve channels state that they have taken steps to improve accessibility in this category. For sport, in contrast, increases are being observed only in the channels offering sports-only content. It should also be remembered here that, in relation to live content, the AMD-G permits technically justifiable exemptions from the duty to increase the share of accessible programming. These exemptions are justified by the increased effort that is necessary to make live content accessible. As sporting events are typically broadcast live, the low proportion of accessible content in this category is also explained by such exemptions.

When analysing the accessibility measures chosen by the media service providers, a strong preference for subtitling is seen. Ten providers with 13 channels mentioned this option in their 2023 annual report. One of these providers includes additional content with sign language in their channel, while another offers content with sign language and audio descriptions. Simple language is mentioned in the annual report by one provider with one channel.

This strong preference for subtitling can be explained by the comparatively low costs and low effort that this option involves, when compared with other options. Subtitling not only makes content accessible to people with hearing impairment but is also helpful for people with only basic German language skills. While this does address a second target group, the first is only partially served: sign language is rarely offered, which therefore excludes many people with hearing impairment.

Audio descriptions and simple language are each provided in only one channel. Measures to serve people with vision impairment and people with learning difficulties, who need content in simple language, are therefore rarely implemented.

From the annual reports submitted, it is clear that opportunities for gaining access to news and current affairs have actually worsened rather than improved for people with impairments. Apart from the ORF, there are only two channels that mention the category of news and current affairs in their annual reports. This means that people in need of accessible content are given very few opportunities to inform themselves and participate in public discourse.

The ORF must comply with more specific rules, which have already been mentioned in the “2. Legal basis” section. One of these is that greater priority must be given to accessible programming during elections, and for news and current affairs programmes. A further priority must also be given to regional broadcasts, press conferences and broadcasts reporting on elections or election results.

This provision aims to ensure that people with impairments are provided with a range of suitable services for their use. Many people remain without adequate opportunities to inform themselves from a range of sources, however. Given that 2024 is often dubbed a ‘super election year’, this reduction in accessible news and current affairs programming compared with the 2022 annual reports is of particular concern.

4.1 Subtitling

Subtitling provides a written version of spoken-word elements such as dialogue and (on-/off-camera) commentary, as well as music and sound effects. Subtitles therefore provide details of content that would otherwise be heard. Depending on the method used, subtitles can either be hardcoded directly into the video and therefore permanently visible or can be activated as required. While digital subtitling offers a wide range of options, this technique is not yet widespread in Austria.

It is noteworthy that measures for subtitling were a key point of focus for all media service providers. Subtitles are available in various formats in the services provided, including teletext subtitles, subtitles hardcoded into video material or live (real-time) subtitles.

In 2013, a common set of subtitling guidelines was published for the German market, which addresses teletext and DVB subtitling at the preproduction stage. These guidelines are recommended by the Austrian Association of the Deaf (ÖGLB) and the Austrian Council of Associations for Hearing Loss (ÖSB).⁶ In January 2015, public television broadcasters in Austria, Germany and Switzerland agreed on a set of uniform standards for subtitling.⁷ These encompass a series of basic principles for the presentation of subtitles in German-speaking countries, relating to aspects such as format, font size, colours and overlays.

4.2 Sign language⁸

Sign language is an officially recognised language based on a visual-manual modality that is used by people with hearing impairments to communicate with one another. The language employs a combination of gestures, facial expressions and bodily posture. Many distinct sign languages exist as well as many dialects. For children who grow up signing, sign language is their native language.⁹

4.2.1 Sign language interpreters

Sign language interpreters, if used at all, are typically brought in to interpret for news programmes and press conferences.

6 Untertitelrichtlinien.de, “Common subtitling guidelines for German-speaking countries” (in German) <http://www.untertitelrichtlinien.de/index.html> (accessed on 21 April 2022)

7 P. Chojnacki et al.: “Subtitling standards at ARD, ORF, SRF, ZDF” (in German) http://www.untertitelrichtlinien.de/pdf/Untertitel-Standards_ARD_ORF_SRF_ZDF_Version_1.3.pdf (accessed on 21 April 2022)

8 Österreichischer Gehörlosenbund: „Herzlich willkommen“ <https://www.oeglbg.at/> (eingesehen am 21.04.2022)

9 ÖGSDV: “Deafness and sign language” (in German) <https://www.oegsdv.at/web/gehoerlosigkeit-gebaerdensprache/> (accessed on 2 May 2022)

The following points should be considered for their use:

- Camera positions should give a full view of the sign language interpreter, so that both hands are easily visible and are not cut off during the broadcast because of the camera angle.
- Ideally, a single camera will be used to cover the sign language interpreter and speaker so that they will stand next to one another. A bright background is also useful to make the interpreter's movements more easily visible.
- As an alternative, the interpreter can be shown in a box overlay, which should take up at least 25% of the screen area.
- Interpretation should also be simultaneous. If delayed, information is often lost.¹⁰

An increased use of sign language interpreters would be very welcome since this would achieve a greater degree of inclusion.

4.2.2 Signing avatars

The Austrian Association of the Deaf has published a guideline for signing avatars on its website at www.oeglb.at/leitfaden-fuer-gebaerdensprach-avatare.

Briefly summarised, it can be said that, while the association does not reject the use of such avatars, it does take a critical view. In particular, such avatars are not a substitute for human sign language interpreters.

More information about the research project and the guideline is available from <https://avatar-bestpractice.univie.ac.at/>.

4.3 Audio description

Rather like an audiobook, audio description means audibly communicating imagery that makes visual material comprehensible for people with vision impairments.

Provided on an extra audio channel, an audio description helps people with vision impairments to follow visual content by describing visual aspects of the action that takes place and its setting, as well as the appearance of individuals, and their facial and bodily gestures.¹¹

4.3.1 Dual-channel mode

Dual-channel mode is an audio transmission technique whereby two separate audio channels are broadcast simultaneously. One of the two audio channels can be used to provide an acoustic description of the broadcast image, allowing especially people with vision impairments to use audiovisual media content.

A number of apps have also been published that give users access to an audio description. The GRETA app provides access to audio descriptions and subtitling, as was mentioned in one of the action plans.

4.3.2 Synthetic voice audio description

With this type of audio description, the visual content is not described by a human voice but by a synthetic (artificial) voice instead.

¹⁰ Presentation given on 30 June 2021 by Helene Jamer, accessible from <https://www.youtube.com/watch?v=K7di95kQTZA&t=3s> (accessed on 21 April 2022)

¹¹ Blindenverband.at: "Audio description. Still plenty needs to be done" (in German) <https://www.blindenverband.at/de/aktuelles/865/Adiodeskription> (accessed on 21 April 2022)

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