

## Accessibility for all

### What the United Nations Convention on the Rights of Persons with Disabilities says

Cynthia Waddell

Executive Director of the International Center for Disability Resources on the Internet



The United Nations Convention on the Rights of Persons with Disabilities entered into force in May 2008. Its purpose is to ensure that the estimated 650 million people with disabilities worldwide can enjoy the same rights and opportunities as everyone else, and lead their lives as full citizens who can make valuable contributions to society. It is wide ranging and covers civil, political, economic, social and cultural rights.

A regional seminar on the Convention took place at the Houses of Parliament in London, United Kingdom, on 27–28 April 2009 and was organized by the Inter-Parliamentary Union. The aim was to inform European parliamentarians about the Convention and how they can encourage their governments to ratify and implement

this important treaty. I was invited to speak as an ITU consultant on the accessibility provisions of the Convention and its impact on information and communication technologies (ICT).

*The purpose of the Convention is to ensure that the estimated 650 million people with disabilities worldwide can enjoy the same rights and opportunities as everyone else, and lead their lives as full citizens who can make valuable contributions to society.*

#### Taking part

As a participant in the seminar and someone with significant hearing loss, I was especially grateful that the organizers provided captioning to make it easier to follow my fellow speakers. I was asked to share something about my disability because hearing loss can often seem invisible. Even though doctors said I would never learn to speak because of my hearing loss, I thank my parents, who encouraged me and never felt sorry for me at a time when it was common for our neighbours to label me

“deaf and dumb” when I was growing up. I was fortunate to have been born into a family that could provide me with hearing aids. And, for 15 years, every day after school I would attend speech and lip-reading lessons. I think those neighbours would be surprised today to learn that I went on to earn a doctorate in law with distinction as a Public Interest Scholar. My lifetime goal in my work as a disability rights advocate, has been to understand how best to bring about systemic change to improve the quality of life for persons with disabilities. One of the keys to achieving this is the promotion of accessibility for all.

### The principle of accessibility

Article 3 of the Convention enshrines “accessibility” as one of the treaty’s eight general principles. In the preamble of the Convention, we learn that accessibility is closely tied to the evolving definition of disability. This is because accessibility enables us to address the attitudinal and environmental barriers

that hinder full and effective participation in society on an equal basis with others.

### Universal design

Accessibility is a means of empowerment and inclusion for people with disabilities. It is also closely tied to Article 4 on the general obligation of parties to the Convention to promote universal design of goods, services, equipment and facilities. Universal design is defined as meaning that products, environments, programmes and services must be usable by everyone, to the greatest extent possible, without the need for adaptation or specialization. It does not exclude the provision of assistive devices where needed.

The obligation under Article 4 also includes promoting the availability and use of products and services that follow the principle of universal design, as well as the development of standards and guidelines that promote universal design.





A blind person uses a screenless laptop computer to access the Internet

### ► Accessibility and ICT

The Convention also addresses the accessible design of mainstream ICT. Advances in mainstream technologies, along with the growing convergence of audio, text and video functionalities, enables mainstream ICT to become accessible as never before. One example of a mainstream product of this kind is the *Kindle 2*, an electronic book offered in the United States and developed by the online retailer, Amazon.com Inc. Texts are downloaded from the Amazon website, and it can hold over 1500 titles despite being no bigger than a typical book and weighing less than 300 grammes. Unlike its predecessor, *Kindle 1*, the device has a text-to-speech feature that uses a synthetic voice to read a book out loud.

For the first time in the history of mainstream technology, an electronic book provides easy access to reading materials for people who cannot read print because of blindness, dyslexia, illiteracy and other disabilities. However, a controversy has arisen in the United States, because the Author's Guild has said that electronic books do not include audio rights. When visiting the Amazon website I found a *Kindle 2* electronic book for sale where the text-to-speech feature was marked "not enabled." A pop-up box explained that this was at the request of the

book's publisher. Hopefully, the controversy will be resolved quickly so that everyone, including people with disabilities, will be able to benefit from this new feature.

There are significant provisions throughout the Convention that will have an impact on national policies and strategies for ICT and the future of the web. In fact, 14 out of the first 32 non-procedural articles explicitly mention countries' obligations regarding ICT. We may well see more controversies like the *Kindle 2* in the future since ICT are so important because of their ability to enable people with disabilities to fully participate in society.

Meanwhile, an increasing number of countries have begun to adopt standards on ICT accessibility and to incorporate them into their procurement structures. In this way, businesses and industry are rewarded in the marketplace for their investment in the accessibility effort — and at the same time, consumers with disabilities can enjoy equal access to ICT.

### Accessible Internet

Since the invention of the World Wide Web, access to information via the Internet has increased the independence of people with disabilities and has removed barriers that previously could not be readily

overcome. At a time when over-the-counter government services are being replaced by interactive websites, it is crucial that websites should be designed so that everyone, including people with disabilities, can use them and navigate through the online world.

The international industry standards for web accessibility are the World Wide Web Consortium's Web Content Accessibility Guidelines 1.0 and the recent 2.0 version. Accessibility for websites means that where there is video and audio content, real-time captioning is provided so that people with hearing loss can understand what is being said. Designing for accessibility also means that the content of online forms, images, graphics, tables, charts or photos can be accessed by assistive computer technology. For example, people who are blind can use software that reads web pages out loud. In addition, people

with dexterity problems, who cannot use a mouse, can use assistive devices to input commands onto a keyboard. Even people who have difficulty with keyboards can use speech recognition software to write correspondence, pay bills, or work online.

### Including everyone

Accessibility is integral to many of the rights that are defined in the Convention, from matters of work and employment, to participation in political and cultural activities. It should, therefore, be clearly understood that the Convention specifically recognizes the importance of accessibility to the physical, social, economic and cultural environments, including health, education and ICT. This is essential so that our community can fully enjoy all human rights and fundamental freedoms.

### About the author



*Cynthia Waddell is a senior accessibility consultant with ITU and an internationally recognized expert on the issue. She served as the built environment and accessible technology expert for the United Nations Ad Hoc Committee during the drafting of the Convention on Rights of Persons with Disabilities. She is Co-Editor and Co-Author of the ITU/G3ict "Toolkit for Policy- Makers on e-Accessibility and Service Needs for Persons with Disabilities." She wrote the ITU-T action plan for the implementation of Resolution 70 of the World Telecommunication Standardization Assembly held in October 2008 in Johannesburg.*

*Ms Waddell has served as a US Department of Justice mediator for complaints under the Americans with Disabilities Act. A frequent writer and speaker, her books and papers have been translated and cited by organizations including the National Council on Disability, an independent advisor to the President of the United States, in their report "The Accessible Future", published in 2001. Most notably, she wrote the first accessible web design standard in the United States that led to recognition as a best practice in 1995 by the federal government and contributed to the eventual passage of legislation for Electronic and Information Technology Accessibility Standards (Section 508).*