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Focus Group on Audiovisual
Media Accessibility
Technical Report

**Part 14: Draft recommended requirements for
the application of the United Nations
Convention on the Rights of Persons with
Disabilities (UNCRPD) for media services for all**



FOREWORD

The procedures for establishment of focus groups are defined in Recommendation ITU-T A.7. The ITU-T Focus Group on Audiovisual Media Accessibility (FG AVA) was proposed by ITU-T Study Group 16 for creation in-between TSAG meetings and it was established on 22 May 2011. The Focus Group was successfully concluded in October 2013.

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Summary

This FG AVA Technical Report outlines the recommended requirements foreseen for media services, in relation to the application of the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD).

1 Introduction

The United Nations Convention on the Rights of Persons with Disabilities (UNCRPD)¹ is an international human rights instrument of the United Nations, intended to protect the rights and dignity of persons with disabilities. States who are Parties to the Convention are required to promote, protect, and ensure the full enjoyment of human rights by persons with disabilities and ensure that they enjoy full equality under the law.

The text was adopted by the United Nations General Assembly on 13 December 2006, and opened for signature on 30 March 2007. Following ratification by the 20th party, it came into force on 3 May 2008.

2 Article 30.1.b

Article 30.1.b. of the Convention stipulates that "States/Parties recognize the rights of persons with disabilities to take part on an equal basis with others in cultural life, and **shall take appropriate measures to ensure that persons with disabilities enjoy access to television programmes, films, theatre, and other cultural activities in accessible formats**". One can interpret the phrase 'other cultural activities' to **include radio and Internet-delivered media**, especially since article 9.2.b of the Convention states that States Parties should "Promote access for persons with disabilities to new information and communications technologies and systems, including the Internet;".

There are currently three major access tools for television programmes:

- a) subtitles for the hard of hearing (aka closed captions);
- b) audio descriptions (aka video descriptions); and
- c) signing.

Other access tools useful for both radio and television include:

- d) speech rate control; and
- e) clean audio.

The major access tool for radio programmes uniquely is:

- f) Translation to text of the spoken word.

In addition, successful access services require:

- g) adequately designed consumer equipment;
- h) accessible programme guides.

3 Interpreting Article 30.1

A literal interpretation of Article 30.1 would be **that all significant television programmes, whether delivered by broadcast, open Internet, or Internet protocol television (IPTV) should be provided with (at least) subtitles for the hard of hearing, audio descriptions, and signing, and all significant radio programmes however delivered should be accompanied by text data.** In addition, adequate consumer equipment should be within reach of all users.

¹ See <http://www.un.org/disabilities/convention/conventionfull.shtml> for the full text of the UNCRPD.

4 Availability of technology and equipment

Technical systems for subtitles for the hard of hearing which can be switched in and out of sight are available for both analogue and digital television.

However, the number of different technical solutions for subtitling in the digital environment (extensible markup language (XML)) continues to increase and the different groups who have developed the systems are dis-inclined to cooperate toward a single solution.

Technical systems for audio descriptions that can be switched in and out of hearing are available with some digital television broadcast systems such as digital video broadcasting (DVB).

No technical system is yet available for signing that can be switched in and out of the picture-the only current possible solution for signing is to permanently superimpose the signer over the image.

There is an ITU Recommendation for text transmission with radio broadcasts (see Recommendation ITU-R BS. 1894-0 (2011), "Digital radio broadcast service, captioned radio".)

5 Barriers to the implementation of UNCRPD

It is clearly impractical for a switch to be thrown throughout the Parties to the Convention to achieve complete availability of access services for all radio, TV, IPTV and Internet-delivered programmes and universal availability of consumer equipment.

The barriers include:

1. Lack of technology in some cases.
2. Lack of financial means to do so by content providers.
3. Lack of availability of easy to use consumer equipment.
4. Lack of skilled professionals for services such as captioning.
5. Lack of awareness of the availability of services by the disabled community.

6 Current status of implementation of the UNCRPD

A study conducted by the organization G3iCT of the implementation of the UNCRPD among States who are parties to the Convention showed that, after five years, the implementation is weak, in spite of its legal status. The G3iCT estimates that accessible telecom and media services are only achieved by 38% of signatories. Within this group, the proportion of content for which access services is available varies considerably.

7 An implementation plan

It is reasonable to expect States/Parties to develop and publish a plan for removing the barriers over a practical period of time. A target and target time-table is essential if the Convention is essential to be complied with.

A practical interpretation of the Convention may be that signatories should:

1. Gradually make available access services of subtitles for the hard of hearing and audio descriptions for all significant television and radio programmes, over a period of the next ten years.
2. Gradually make available access services of signing, audio rate control, and clean audio and auxiliary text for radio, over a period of the next fifteen years.