Economic Community of West African States

Information and Communication Technology ("ICT")

Accessibility Policy 2018

(DRAFT)

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ECOWAS ICT Accessibility Policy (DRAFT)

1. DEFINITIONS

"Assistive Technology"[1] or AT" is any information and communications technology, products, devices, equipment and related services used to maintain, increase, or improve the functional capabilities of individuals with special needs or disabilities. Assistive technologies represent a separate hardware or software added to equipment or services to enable persons with more severe disabilities to overcome the barriers they face to access information and communication. Are **used to enable or compensate users** with functional, motor, sensory or an intellectual **limitations**

"Accessible Publishing" means making information available in an accessible format, which may include, but is not limited to, alternate formats such as Braille, audiotape, oral presentation or electronically for individuals with reading impairments;

"Auxiliary Aids and Services" means aids and services that assist persons with disabilities to understand communications and include, but are not limited to:

(a) Qualified sign language interpreter services; note takers; computer aided transcription services; written materials or exchange of written notes; telephone amplifiers; assistive listening devices and systems; telephones compatible with hearing aids and cochlear implants; closed caption decoders; open and closed captioning; voice, text and video-based telecommunications products and systems, including videophones and captioned telephones, or equally effective telecommunications devices; videotext displays; accessible electronic and information technology; or other effective methods of making aurally delivered information available to individuals who are deaf or hard of hearing;

(b) Qualified readers; taped texts; audio recordings; Braille materials and displays; screen reader software; magnification software; optical readers; secondary auditory programs (SAP); large print materials; accessible electronic and information technology; or other effective methods of making visually delivered materials available to individuals who are blind or have low vision;

(c) Acquisition or modification of equipment or devices; and

(d) Other similar services and actions

"Accessible Communication" includes any means and formats of communication, whether delivered aurally, visually or tactilely, including languages, display of text,

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[1] As referred in the presentations of the BDT Focal point on Digital Accessibility

Braille, tactile communication, large print, accessible multimedia as well as written, audio, plain-language, human-reader and augmentative and alternative modes, means and formats of communication, including accessible information and communication technology.[2]

"Braille" is a series of raised dots that can be read with the fingers by people who are blind or whose eyesight is not sufficient for reading printed material.

"Broadcasting" refers to programming provided via broadcast, cable, satellite, Internet, and programming provided on a stand-alone disc, tape or in any other removable media format

"e -Accessibility"   is used interchangeably with **"ICT accessibility"** and is a measure of the extent to which a product or service can be used by a person with a disability as effectively as can be used by a person without that disability for purposes of accessing or using ICT related products or services.

"Effective Communication" means any communication presented in a manner, or for which auxiliary aids are afforded, so that the information provided is equally accessible to individuals with disabilities, including those with visual, hearing, cognitive, learning, speech or motor disabilities. The person with disabilities shall be consulted whenever possible to determine what type of auxiliary aid is needed to ensure effective communication.

"Information and Communication Technology" (ICT) refers to equipment and services related to broadcasting, computing and telecommunications, all of which process, store and transmit information through computer and communications systems.

"Persons with disabilities" (PwD) means individuals who have long-term physical, mental, intellectual or sensory impairments, which, in interaction with various barriers, may hinder their full and effective participation in society on an equal basis with others.[3]

"Public access" or **"public access communications services**" refers to electronic communications services provided to the public, including PwD, on a stand-alone basis through public payphones or on a shared basis through devices placed in public spaces such as cyberlabs, internet cafés, telecentres, multipurpose community centres, kiosks, public community internet access points and phone shops.

"Universal Design" means the design of products, environments, programmes and services to be usable by all people, to the greatest extent possible, without the need for

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[2] As defined in Article 2, Convention on the Rights of Persons with Disabilities

[3] As defined in Article 1, Convention on the Rights of Persons with Disabilities

adaptation or specialized design. "Universal design" shall not exclude assistive devices for particular groups of PwD where this is needed.[4]

2. INTRODUCTION

Approximately fifteen percent (15%) of the world's population lives with a disability.[5] This represents about one **(**1) billion people globally, and over thirty (35) million people in the West African States. Information and Communication Technologies (ICTs), such as mobile phones, public phones or the Internet, along with broadcasting services expand access to information, knowledge, and key public services, thereby promoting digital inclusion. ICT's and broadcasting services have potential to address barriers that PwD face. Throughout the world, persons living with disabilities are already benefiting from the advantages of ICT-enabled applications in many ways to enable them to communicate effectively and share and receive information - this facilitates their meaningful participation in society. Thus, ECOWAS, in keeping with it´s Vision 2020, aimed at setting a clear direction and goal to significantly raise the standard of living of people through conscious and inclusive programmes, need to develop and implement policies, strategies and programmes for realizing universal access to ICT services, particularly by PwD (PWD). These policies will be in line with ECOWAS fundamental principles of inter-state cooperation, harmonization of policies and integration programmes and accountability economic and social justice and popular participation in development.

A person's ability to use technology may be impaired due to various physical, sensory, emotional or cognitive disabilities. e-Accessibility or ICT Accessibility recognizes this and seeks to make ICT products and services available to all users, taking into account their differing capabilities.

3. LEGAL AND POLICY FRAMEWORK

3.1 International

At an international level, a number of policy and legislative instruments contain key provisions that support the stated goal of this ECOWAS ICT Accessibility Policy which is making ICT accessible for PwD.

This policy is consistent with the following international Instruments for promotion of human rights and these are;

    (a) United Nations Universal Declaration of Human Rights (1948)
    (b) International Convention on Economic, Social and Cultural Rights (1966)

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[4] As defined in Article 2, Convention on the Rights of Persons with Disabilities

[5] World Report on Disability 2011 (World Health Organisation)

(c) United Nations Convention on Civil and Political Rights (1966)
(d) Convention on Elimination of all Forms of Discrimination against Women (1979)
(e) African Charter on Human and People's Rights (1981)
(f) United Nations Standard Rules on Equalization of Opportunities for PWD (1993)
(g) Continental Plan of Action for PWD in Africa (2002)
(h) Convention on the Rights of Persons with Disabilities (2006)
(i) Windhoek Declaration (2008)

All 15 ECOWAS State Members have ratified the UN Convention on the Rights of Persons with Disabilities ("UNCRPD", "the Convention"). The Convention recognizes accessibility as a condition for PwD to fully enjoy all human rights and fundamental freedoms[6] and requires signatories to adopt appropriate measures for access by PwD on an equal basis with others to information and communication technology, emergency services and internet services.

3.2 Regional

The ECOWAS supports the right to equality before the law. This includes the full and equal enjoyment of all rights and freedoms. It seeks to promote the achievement of equality through policy, legislative, and other measures that are designed to protect or advance persons or categories of persons, disadvantaged by unfair discrimination. In that light, it fully supports the removal of barriers to access to essential communication services such as mobile services, public access and access to the internet and the web. Mainstreaming ICT accessibility is a necessary condition for PwD to fully enjoy their fundamental rights and freedoms and participate in society on an equal basis with others.

In pursuit of the objectives stated in Article 3 of the ECOWAS Treaty, solemnly affirm and declare their adherence to the following principles:

- equality and inter-dependence of Member States;
- solidarity and collective self-reliance;
- inter-State cooperation, harmonisation of policies and integration of programmes;
- non-aggression between Member States;
- maintenance of regional peace, stability and security through the promotion and strengthening of good neighbourliness;
- peaceful settlement of disputes among Member States, active Co-operation between neighbouring countries and promotion of a peaceful environment as a prerequisite for economic development;
- recognition promotion and protection of human and peoples' rights in accordance with the provisions of the African Charter on Human and Peoples' Rights; accountability, economic and social justice and popular participation in development;
- recognition and observance of the rules and principles of the Community;

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[6] Convention on the Rights of Persons with Disabilities, Preamble, Section (v)

promotion and consolidation of a democratic system of governance in each Member State as envisaged by the Declaration of Political Principles adopted in Abuja on 6 July, 1991;
● equitable and just distribution of the costs and benefits of economic co-operation and integration.

4. GOALS, OBJECTIVES AND PRINCIPLES

4.1 Goal

The goal of this policy is to ensure access to ICT content, applications and services by PWD so that they are enabled to participate fully and effectively in society. To this effect, the policy seeks to facilitate ECOWAS Member States to develop and implement harmonized policies, strategies, laws and programmes.

4.2 Objectives

This ECOWAS policy seeks to mainstream ICT accessibility and in so doing, improve the general usability of ICT products and services for all people in the region. In order to achieve the goal of this ECOWAS policy the following objectives are defined:

(1) Enhance access to ICT enabled services across web, public access, broadcasting and mobile
(2) Promote evidence-based interventions in terms of policy, regulation and programs across web, public access and mobile
(3) Promote accessible ICTs through responsible and inclusive public procurement
(4) Advance sub-regional, regional and inter-regional cooperation
(5) Mainstream ICT accessibility in the educational system
(6) Ensure effective coordination and implementation of ICT accessibility in the ECOWAS region

4.3 Principles
Recognizing the importance of accessibility to the physical, social, economic and cultural environment, to health and education and to information and communication, in enabling PwD to fully enjoy all human rights and fundamental freedoms, the following principles, must be adhered to and underpin this ECOWAS Policy:

(a) **Non-discrimination** – all people should be treated fairly without prejudice.
(b) **Sustainability** - all interventions (i.e. policy, legal or investment), and the implementation thereof should be able to be maintained over a long enough period to achieve the desired outcomes.
(c) **Awareness** – everyone should know about ICT accessibility, its benefits and products, the services that promote it, and one's individual role in the process.

(d) **Accessibility** – all products and services should be able to be used by a person with a disability as effectively as can be used by a person without that disability.

(e) **Affordability** – accessible products, services and resources should be available at a price that is within the means of PwD, and if not alternative funding mechanisms should be available.

(f) **Availability** – a person should be able to access networks and services universally regardless of their geographic location, social status or physical ability.

(g) **Universal Design** - products, environments, programmes and services should be usable by all people, to the greatest extent possible, without the need for adaptation or specialized design.

(h) **Accountability** - stakeholders should accept responsibility for their roles and agree to work together with integrity and in a transparent manner to achieve the desired outcomes.

5. CHALLENGES FACED BY PERSONS WITH DISABILITIES

Some of the challenges that are faced by PwD in the region which prevent them from participating actively and on an equal basis in society include that in order to use ICT's they may require:

(a) **access to end-user equipment,** such as mobile handsets, televisions, tablets and computers, that offer features to enable PwD to use ICTs effectively. This policy recognizes that there are often challenges with respect to the availability and affordability of end user equipment which, when obtainable, may be at an additional cost to the end user. Even where there is no additional cost, and accessibility features are embedded in mobile handsets, for example, awareness, training and education of both users and service providers are often required in order to break the accessibility barrier.

(b) **access to assistive technologies** that should be free or available at a low cost through subsidies or grants. A broad range of assistive technologies should be available in West Africa and should be affordable. PWD and those who assist them need to be trained on the use of technologies and features made available in the mainstream devices.

(c) **access to services and interfaces** to ensure that content available on television, the Internet or in other electronic formats is accessible by all users - for example, through the use of captions for users who are deaf or hard of hearing and audio description for users who are blind or visually impaired. There also need to be awareness campaigns on the design and availability of accessible content.

(d) Support from providers of ICT services through access to customer services which understand and address the specific needs of PwD.

(e) Affordable ICT services which can be achieved through general measures to lower the cost of communications, and additionally through the offering of specialized products and discounted tariff plans that are structured in a way that recognise the ways that PwD use services – for example, text-only mobile communications packages for deaf or hearing impaired users.

6. STRATEGIES

To implement harmonized ICT accessibility policies and programmes for PWDs, Member States undertake to adopt and implement the following strategies:

(1) Identify key steps that can be taken quickly to promote ICT accessibility, such as ensuring accessible devices (such as public and mobile phones) are commercially available.

(2) Raise awareness-raising among key stakeholders by promoting ICT accessibility through public outreach programmes, working with the industry to develop universally designed products and gathering and publishing reports on developments with respect to ICT accessibility.

(3) Support collaborative efforts through the promotion of Public Private Partnerships, encouraging the use of universal service fund subsidies and promoting other partnerships to stimulate research and development in the industry for example voice recognition and text-to-speech interfaces in local languages – to ensure local relevance and uptake.

(4) Promote the conducting of baseline research, the setting of clear targets, and periodic monitoring and evaluation by ensuring that there is clear delegation of responsibility, including identifying who is responsible for what aspects of the promotion of e-accessibility.

(5) Encourage training, capacity building and educational programmes on disability awareness for ICT operators, service providers, retailers, government officials and disabled persons organizations.

(6) Promote the linkage between ICT accessibility and education to encourage the uptake of ICTs by children with disabilities, and to encourage the use of accessible ICTs in the education system.

(7) Establish an ICT Accessibility Advisory Committee to oversee the effective implementation of this policy and to ensure the mainstreaming of disability across the ECOWAS

These strategic interventions should be reflected in ECOWAS Member States' national policies and will be supported by license conditions, regulations, codes and/or self-regulatory and voluntary initiatives as may be applicable and enforceable in a given country.

7. POLICY IMPLEMENTATION PRIORITY AREAS

This policy addresses the following priority areas for implementation in the next 5 years:

(1) Mainstreaming **e-accessibility in ICT Policy and Law amendments** through inclusive language, definitions and provisions in policies, laws and regulations; and through including PwD as beneficiaries of the Universal Service and Access Fund or any other funding mechanisms or programmes relating to the ICT sector and extending the goals of universal service/access to include accessibility in addition to affordability and availability of ICT services. See section 7.1 of this Policy.

(2) Increasing Participation and Representation by PWDs through promoting advocacy, debate and discourse, setting up necessary institutions, through inclusive regulation-making and public consultation processes, including through the creation of an ICT Accessibility Advisory Committee, and encouraging voluntary codes of conduct and charters. See section 7.2 of this Policy.

(3) Putting in place measures and taking steps to promote ICT product and service accessibility, including mobile and public access services and facilities. Specialized telecommunications services and assistive technologies are available for PwD; however, for most PWDs within the region, these technologies are often not easily accessible nor affordable. In addition, critical services must be in place including emergency services, and relay services to enable persons with speech, hearing and mobility disabilities to communicate with the rest of society. See section 7.3 (Mobile Accessibility) and section 7.7 (Public Access) of this Policy.

(4) Putting in place measures and taking steps to promote web accessibility. Web accessibility means that people with disabilities can perceive, understand, navigate, and interact with the Web, and that they can contribute to the Web. Web accessibility also benefits others, including persons with age-related disabilities. Public and private sector websites often do not include features for those with disabilities making universal access to broadband unattainable.

Standards must be put in place to promote accessibility by PWD to online content. See section 7.4 of this Policy.

(5) Putting in place measures and taking steps to promote broadcasting accessibility, whether broadcasting is delivered on an analogue or digital platform. Broadcasting accessibility covers television, radio and electronic programming guides and is key as television is mentioned explicitly in article 30(1) (b) of the UNCRPD. It is addresses access by the deaf or hard of hearing; blind or low vision users; those with cognitive disabilities; and persons with physical disabilities to broadcasting services. See section 7.5 of this Policy.

(6) Putting in place measures and taking steps to support accessible procurement policies for both public and private sector organizations to give priority or preference to accessible or universal design technologies. See section 7.6 of this Policy.

7.1 Mainstream e-accessibility in ICT policy and law amendments

Many countries in the region are in the process of amending their telecommunications, broadcasting or ICT policy and/or legislation to address issues such as convergence and the introduction of broadband. This ECOWAS ICT Accessibility policy shall be used as a basis to inform Member State new ICT policies and laws and to ensure that, in that process of reviewing their legal and policy instruments, key amendments to promote accessibility are incorporated into new laws. Alternatively, where laws and policies are not already under review, Member States may initiate amendment processes to their existing laws specifically to promote e-accessibility and harmonize its definitions throughout all the legislations regarding ICTs' as well as human rights and inclusion.

In developing legislation, regulations or implementing "soft law" strategies, the involvement of organizations of PwD is crucial.

The ECOWAS and its Member States will use effective communications and will also introduce the use of accessible publication formats in all of its processes; it will, importantly, increase awareness of the methods and benefits of accessible publishing. Accessible publishing will enable PWD relating to sight to access official ECOWAS documentation, and in each country will enable them to access all government documents. This will enable equal access to information and thus facilitate equal participation by PWD in society.

7.2 Promoting effective participation and increasing representation by PWDs

ECOWAS Member States shall be responsible for effective implementation of the relevant aspects of the policy through their relevant Ministries' mandates. It is the duty of government to ensure the full realization of the rights of PWDs.

The ECOWAS notes that the exclusion of PWDs in the design and implementation of programmes and strategies, renders many programmes ineffective in addressing PWDs' issues. In addition to including PWD in the relevant planning and decision making sessions, the ECOWAS and its Member States will at all times encourage effective participation by PWD through supporting consultative sessions, including through the ICT Accessibility Advisory Committee, through the use of accessible publication formats and effective communication.

To that end, ECOWAS Member States shall ensure enactment of national laws and policies for PWDs with a consultative role from Disabled Persons Organizations, PwD, the Private Sector, Community Based Organizations, Faith-based organizations, Civil Society Organizations and Development Partners, amongst others.

7.3 ICT product and service accessibility (Mobile Accessibility)

7.3.1   Context

Mobile telephony is central to economic and social participation, and plays a significant role in the broadband revolution in the West African region. Thus it can promote social inclusion, and enable accessibility to the physical, social, economic and cultural environment, to health and education and to information and communication, in enabling PwD to fully enjoy all human rights and fundamental freedoms.

The penetration of internet users in the ECOWAS have been growing at rates superior of the 30% in the last 17 years.[7] Most of the penetration is the result of the increase in the use of mobile services. Hence the relevance of accessible policies for ICT products and services.

The scope of the mobile accessibility policy priority area includes:

   (a) Mobile services (voice, data, broadband), including emergency and directory services
   (b) Mobile industry customer support services including call centres, customer support centres, web sites, and points of sale.
   (c) End-user devices (including basic phones, feature phones, smartphones, tablets, and assistive applications and services).

7.3.2   Principles

The following principles, must be adhered to and underpin mobile accessibility policy initiatives in the region:

   (a) Non-discrimination;
   (b) Equality of opportunity;
   (c) Accessibility; Affordability; and Awareness;

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[7] Growth between 2000 and 2017 according with ITU

(d) Universal design ;
(e) Sustainability.

7.3.3   Objectives and Measures

ECOWAS Member States will put in place measures to provide an enabling framework to support the development of a culture and practice of ICT accessibility; in particular mobile communications accessibility. Access to mobile services, whether basic voice and SMS, or more advanced broadband services delivered over a smartphone, is central to people's active participation in society. This will be achieved through each Member State:

(a) Conducting baseline research on PWD's access to ICTs in their countries
(b) Identifying and mitigating the identified leading barriers to a fully accessible mobile ecosystem in their countries;
(c) Putting in place measures to ensure that PwD have access, on an equal basis with others, to mobile networks, devices, services, applications, and content provided to the public in urban, suburban and rural areas;
(d) Promoting accessible ICTs and universal design, development, production and distribution of accessible mobile devices and services at an early stage of development, so that they become available with accessibility features at a low cost;
(e) Promoting affordability of accessible mobile devices and services through requirements for non-discrimination, subsidies and incentives, where possible; and through encouraging the design of tariff plans that meet the needs of PwD
(f) Promoting the availability and awareness of accessible devices by ensuring that mobile operators include accessible handsets in their offers and train their staff to demonstrate accessible features to consumers.
(g) Promoting the development of assistive technologies that can be used with mobile devices
(h) Identifying relevant standards applicable in their countries, periodically.
(i) Promote awareness on the availability of assistive functionalities in mainstream smartphones and tablets

7.3.4   Implementation

Recognizing that the mobile industry has in depth knowledge of its own products, services and strategies, in particular the commercial availability of handsets and other mobile devices with embedded accessibility features, Member States will encourage the mobile industry to take measures to promote mobile accessibility, and will encourage the mobile industry to develop a self or co-regulatory Code of Conduct on Mobile Communications Accessibility for PwD in line with the objectives and measures identified in 7.3.3 above. Where no such code is developed, the National Regulatory Authority will make regulations to give effect to this policy.

The self or co-regulatory Code of Conduct on Mobile Communications Accessibility for PwD, or regulations, should deal with the actions to be taken by the mobile industry to facilitate the entry of accessible devices into the market through their procurement processes, and raise awareness and educate consumers through their points of sale and distribution channels.

The implementation should include the reinforcement of the stakeholders´capacities through training, the development of a communication plan on mobile accessibility by the National Regulatory Authority and development of a network of trainers on accessibility within the ministries of ICT and digital economies.

Member States should be encouraged to designate a focal point on accessibility issues and enhance cooperation through the celebration of a number of meetings at a national, regional and international level.

7.4 Web Accessibility

7.4.1   Context

Web accessibility is critical for all members of society, including PwD. Accessibility issues related to the internet and web content and services concern a wide range of PwD, including people with auditory, cognitive, dexterity, hearing, mobility and visual impairments. The ECOWAS has amongst its objectives, to increase universal service and access and this means making internet accessible, enabling PwD to participate equally on the Web.

Accessing and making use of the web can be achieved for PwD through the application of accessible web standards applied from the stage of the development of websites and continuing as web pages are maintained and enhanced.

The objective of this policy is to enable PwD to navigate and interact with the web. This is an important imperative of national universal service and access policies which seek to increase usage and uptake of ICTs, broadband in particular, and to ensure digital inclusion of all population groups.

The scope of the web accessibility policy priority area includes:

   (a) Public sector websites
   (b) Public sector electronic documents made available to the public by public
        sector websites

For avoidance of doubt, this policy is applicable to all web pages containing online government information and services. Conformance is sought on all ECOWAS websites, ECOWAS Member State's government websites owned and/or operated by government, local government, or on behalf of government by non-governmental entities under any

domain. This includes external (public-facing or private) and internal (closed community) sites. That is, conformance is required for all internet, intranet and extranet sites.

7.4.2 Principles

Web accessibility in the ECOWAS is underpinned by the general principles of this policy and furthermore by the four principles of web accessibility for PwD[8]:

(a) **Perceivable –** Information and user interface components must be presented to users in ways they can perceive. This means that users must be able to perceive the information being presented (it can't be invisible to all of their senses);

(b) **Operable –** User interface components and navigation must be operable. This means that users must be able to operate the interface (the interface cannot require interaction that a user cannot perform);

(c) **Understandable –** Information and the operation of user interface must be understandable. This means that users must be able to understand the information as well as the operation of the user interface (the content or operation cannot be beyond their understanding); and

(d) **Robust –** Content must be robust enough that it can be interpreted reliably by a wide variety of user agents, including assistive technologies. This means that users must be able to access the content as technologies advance (as technologies and user agents evolve, the content should remain accessible).

7.4.3 Objectives/measures

Recognising the importance of broadband as a means for citizens to participate in the information society, the intent of this policy is to provide effective communication via the web for PwD. ECOWAS Member States will ensure this through:

(a) Conducting baseline research on PWD's use of the internet in their countries;

(b) Putting in place mandatory measures to ensure that PwD have access, on an equal basis with others, to public sector web sites services, applications, and contents;

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[8]ISO/IEC 40500:2012, Information technology – W3C Web Content Accessibility Guidelines (WCAG) 2.0 level AA

    (c) Encouraging private entities that offer web sites services, applications, and content to the public to take into account all aspects of accessibility for PwD, on a voluntary basis;

    (d) Defining an institutional and administrative framework to ensure effective coordination with international standard development organizations to promote web accessibility standards among all relevant stakeholders;

    (e) Providing guidance and incentives for education institutions and professional societies to develop courses for computer science students and information technology professionals about web accessibility;

    (f) Promote awareness among stakeholders on the web accessibility requirements.

The ECOWAS and Member States will ensure that electronic documents available on public sector websites are accessible to ensure that PwD can access on an equal basis with others all public information available in electronic documents or any fill-in form required to complete administrative processes. For the purpose of this policy, "electronic document" refers to downloadable files which may be consulted, printed or filled off-line or on-line by users.

All agencies managing websites for the ECOWAS and for ECOWAS Member States should ensure that all personnel creating documents is aware, trained and proficient in creating accessible documents and using accessibility checkers embedded in mainstream office productivity software including word processors, spreadsheet, presentation and other commonly used document creation tools.

7.4.4   Implementation

The ECOWAS recognises the Web Accessibility standards developed through ISO/IEC 40500:2012, and WCAG 2.0. The WCAG 2.0 sets out guidelines that further clarify the purpose of each of these four principles. Each guideline has a number of success criteria, which provide a means for checking conformance to each guideline. ECOWAS Member States will consider the application of WCAG 2.0 or WCAG 2.1 level AA conformance requirements, and any amendments thereto, in their jurisdictions.

Member States shall seek to enroll the support of industry and professional associations to issue voluntary codes of conduct reflecting conformance objectives and timelines for public sector web sites as an initial focus immediately, and private sector websites as a focus in 3 years.

The ECOWAS will adopt a symbol or symbols for use on websites in the region, to highlight their e-accessibility. To the extent possible, this symbol or symbols will be aligned with global standards and initiatives in this regard so that any person landing on a website created or hosted in West Africa will immediately know if the website is

accessible, and if so, to what extent. This will promote awareness of web accessibility and well as support the enforcement of this policy.

The ECOWAS will support capacity building and training programs for civil society organizations involved in promoting accessibility and the rights of PwD and involve those organizations to the greatest possible extent in all aspects of the implementation of this policy including regular consultative activities and annual reviews of progress accomplished.

In order to achieve the effective implementation of this policy, Member States, through their ICT Ministries, Ministries responsible for Information Technology, and/or Ministries responsible for e-government, are responsible for:
   (a) Leading by example and maintaining minimum technical requirements for web accessibility on all government websites,
   (b) Consolidating transition plans of all public sector websites in order to guide the implementation of this policy across all agencies;
   (c) Evaluating and promoting across all agencies technical solutions and web templates that are most effective to ensure the accessibility of websites, toward achieving greater efficiency;
   (d) Monitoring and publishing the progress made by public sector web sites as measured by accessibility tests; and
   (e) Promoting the training and employment of PwD for web accessibility related projects and activities
   (f) Promoting awareness of web accessibility
   (g) Develop penalties for failure to comply with the accessibility standard

7.5 Broadcasting Accessibility

7.5.1   Context

Broadcasting includes television / video programming and radio and the devices and equipment that support the provision of these services. Television is mentioned explicitly in article 30(1) (b) of the UNCRPD which states that "parties recognize the right of Persons with Disabilities to take part on an equal basis with others in cultural life, and shall take all appropriate measures to ensure that Persons with Disabilities: a) enjoy access to cultural materials in accessible formats; and b) enjoy access to television programmes, films, theatre and other cultural activities, in accessible formats."   The implication of Article 30 is that metrics for television accessibility need to cover not only *awareness* of access service provision, but also *use* and *benefit*. Finally, article 9(2)(b) stipulates that States Parties to the Convention must "ensure that private entities that offer facilities and services which are open to or provided to the public take into account all aspects of accessibility for Persons with Disabilities" – this covers private sector

broadcasters and producers of audio-visual content, as well as streaming video content platforms.

Particularly important disabilities relevant for broadcasting include: deaf or hard of hearing; blind or low vision; cognitive disabilities; and physical disabilities.

The scope of the broadcasting accessibility policy priority area includes:

    (a) Television, regardless of platform, i.e. analogue, digital, internet, etc.
    (b) Radio, regardless of platform i.e. analogue, digital, internet, etc.
    (c) Electronic Programming Guides and Programme Information
    (d) Video programing for online plaatforms

The focus of this part of the policy includes not only the content itself, but also the information and devices needed by people to enjoy audio-visual content. Where television and radio are provided over equipment such as a Personal Computer or handheld device (e.g. smartphone) running a software application or accessing a website, this part of the policy should be read with the sections on web accessibility.

7.5.2 Principles

The following principles must be adhered to and underpin the accessible provision of broadcasting / video programing services in terms of this policy
    (a) Non-discrimination;
    (b) Sustainability;
    (c) Accessibility;
    (d) Availability
    (e) Awareness, and
    (f) Affordability.

7.5.3 Objectives and Measures

The objective of this policy is to provide an enabling framework to support the development of a culture and practice of broadcasting / video programing accessibility through:

    (a) Each Member States identifying and mitigating the identified leading barriers to a fully accessible broadcasting ecosystem and through identifying policies, standards and funding mechanisms;

    (b) Each Member States putting in place measures to ensure that PwD have access, on an equal basis with others, to broadcasting services, devices, systems,

applications, and content provided to the public irrespective of the distribution, delivery mechanism, platform or technology on which it is provided;

Member States shall put in place measures and strategies to ensure that there is awareness of this policy. Awareness must be raised within the public, broadcasting service provides, Electronic Programming Guide and program listing providers, platform providers and disability groups all of whom must work together to publicize the information and facilities available on television, radio and EPGs to assist disabled people.

Where applicable, public information on e-Accessibility of broadcasting services should using the following symbols to denote accessibility - subtitling (S), signing (SL) and audio description (AD). These abbreviations should be explained in public communications and should be explained in an appropriate part of the EPG.

Broadcasters in the region should, to the extent technically possible, deliver Closed Captioning/ Subtitling, Sign language, and Audio Description which are services that will benefit PWD and enable them to have access to broadcasting services. The use of open standardised systems is encouraged. Furthermore, the use of local languages is promoted. Government and Broadcasters should monitor the effectiveness of the service through contact with organizations representing people with disabilities.

For viewers who are blind or have low vision, television programmes should be made accessible through the provision of audio description/dubbing in an official language of the country. The language of the AD should be the same as the program audio. For countries that use subtitling rather than dubbing when offering television programmes in foreign languages, viewers who are blind or have low vision, as well as individuals with cognitive impairments or those who have a low reading speed can benefit from audio subtitles.

Given that signing is different from one country or region to another, in the same way that oral languages and dialects differ. In bi- or multilingual countries, open signing represents a challenge. Any open sign language requirements, must be subject to public consultation to devise a mechanism to provide signing in a manner that meets the needs of the public.

Providers of broadcasting equipment must ensure that viewers who are deaf or hard-of-hearing who use hearing aids, will able to hear the programme aided by the use of *wireless connections* between the television receiver and the hearing aid itself, or, wired connections between the TV receiver and an assistive listening device that a consumer chooses.

Broadcasters, Operators, Service Providers and Distributors who provide remote controls must ensure that all such equipment and software that is procured and made available to the public is compliant with applicable universal design standards.

Electronic Programming Guide and other TV control providers must incorporate such features in their EPGs and other TV controls as are appropriate to enable, so far as practicable, people with disabilities affecting their sight or hearing to use the EPGs and other TV controls for the same purposes as people without such disabilities.

EPGs are also to provide information about assistance in relation to programmes (e.g. how to navigate radio and television listings, and how to operate television access services such as subtitling, signing and audio description), as well as facilities for making use of that assistance.

7.5.4   Implementation

ECOWAS Member States shall ensure that public broadcasters have adequate funding to provide a high quality service to meet the needs of PwD.

Funding and education, offered via state funding mechanisms or programs, may be necessary to provide assistance to facilitate access by PWD to broadcasting services. ICT Accessibility requirement should be included in license agreements.

Requirements for accessible emergency communications should be defined.

7.6 Public Procurement

7.6.1   Context

Recognizing that Articles 4 (a) – (d) of the Convention on the Rights of Persons with Disabilities under "General obligations" require that signatories adopt appropriate legislative, administrative and other measures to ensure these rights are met and to refrain from any act or practice that is inconsistent with the Convention. Public authorities and institutions are in particular required to act in conformity with the Convention. The procurement of ICTs for use by the public that are not usable and accessible by PwD may be deemed to be in contravention of the Convention.

Addressing the ICT accessibility needs of PwD can be achieved more cost effectively by considering them in the earliest stage of the procurement and development process. This is in line with Article 9(h) of the Convention which requires countries to "promote the design, development, production and distribution of accessible information and communications technologies and systems at an early stage, so that these technologies and systems become accessible at minimum cost". Practically, this is done through the use of functional performance statements in the procurement process.

Functional Performance Statements describe the functional performance of ICTs required to enable users with disabilities to locate, identify, and operate ICT functions, and to access the information provided, regardless of physical, cognitive or sensory abilities. Generally, this means providing alternative modes of communications and interaction for PwD which make the product or service accessible such as providing audio and tactile interfaces for users without vision. Functional performance statements set the foundation for accessible ICT procurement.

ECOWAS Member States will furthermore ensure that they pass legislation mandating that government agencies employ a representative quota of PwD. Having accessible ICTs helps make the workplace accessible which is a major benefit for government agencies and employees alike.

7.6.2   Principles

Recognizing the importance of accessibility to the physical, social, economic and cultural environment, to health and education and to information and communication in enabling PwD to fully enjoy all human rights and fundamental freedoms, the following principles must be adhered to and underpin this policy:

(a) Non-discrimination;
(b) Accessibility;
(c) Transparency;
(d) Sustainability;
(e) Affordability; and
(f) Value for money.

7.6.3   Objectives and Measures

In order to fulfill their obligation to purchase accessible ICT products and services, agencies responsible for public procurement in ECOWAS Member States shall implement the following steps:

(a) Include in all calls for tender the user accessibility requirements which are defined by Functional Performance Statements
(b) Refer to international accessibility technical standards where available for the specific features of various categories of ICT products (e.g. alternatives to voice-based services, visual output for auditory information and operation of mechanical parts), generally for off-the-shelf products
(c) Apply systematic processes to check the level of accessibility conformance of the products and services purchased

The approaches may differ depending upon the nature and complexity of the product or service purchased including off the shelf products, custom built products, integrated systems, system development, content development or services.

ECOWAS often refers to global standards to help to achieve economies of scale, lower costs and ensure interoperability. This policy requires public procurement agencies to adopt a set of generally accepted functional performance standards, preferably by referencing global standards[9].

7.6.4   Implementation

Member States shall review their procurement policies such that they promote ICT accessibility, and in so doing will

(a) Identify roles and responsibilities;
(b) Define and incorporate accessibility as an attribute in the procurement of ICTs, including as a criterion in the Call for Tender or Request for Proposals;
(c) Promote the identification and use of appropriate standards;
(d) Provide guidance on how to verify that accessibility requirements are specified in the procurement process – from the original call for tender to contract management; and
(e) Capacity building programmes.

In order to facilitate and monitor the implementation of the Convention, it is provided that Member States shall report in [two] years' on:
(a) Legislative and other measures taken to ensure access by PwD, on an equal basis with others, to the physical environment, to transportation and to information and communications;
(b) Technical standards and guidelines for accessibility put in place to achieve the goal above, as well as provisions on the auditing of their fulfillment and sanctions for noncompliance and what resources are applied to encourage accessibility actions;
(c) The use of public procurement provisions and other measures that establish compulsory accessibility requirements;
(d) The identification and elimination of obstacles and barriers to accessibility from within both the public and the private sector, and
(e) National accessibility plans established with clear targets and deadlines.

7.7 Public Access

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[9] Should an international standard be developed for public procurement of accessible ICTs, e.g. an ISO international standard, public procurement agencies could apply such a standard.

7.7.1   Context

The ECOWAS supports the development of rules that apply to all public access to electronic communications. Public access is critical in providing services to the general public and specifically to persons who do not have individual access to electronic communication services due to lack of affordability or availability of ICT services, Given the link between disability and poverty in West Africa, it is likely that many PWD rely on public access to ICTs – and yet said access poses a barrier to them. This may be due to physical inaccessibility of a telecentre, or the placement of a public payphone in a manner that is not accessible for users in a wheelchair, lack of access to assistive technologies, or rates and charges that are not affordable, amongst others.   Service providers providing public telephones and public community internet access points should therefore be encouraged to ensure that phones and computers and the facilities that house them are accessible and available on an equal basis to PwD, and that they are responsive to their needs.

The scope of the public access priority areas extends to fixed and wireless public access:
   (a) Funded privately ad provided by service providers and operators or unlicensed third parties
   (b) Funded publically or through private public partnerships
   (c) Provided on a stand-alone basis (i.e. public payphones)
   (d) Provided in shared spaces such as kiosks, phone shops, telecentres, multi-purpose community centres and similar ICT facilities

7.7.2   Principles

The key principle of this policy priority area is non-discrimination. Providers of public access communications services have a duty to avoid discriminating, even inadvertently, against PwD due to a lack of accessibility of their facilities, products and services. This can be achieved by applying universal design principles to their organization, by running accessible outreach programmes and advertisements about available services and equipment options for PwD and by ensuring that accessibility is systematically factored in their public access locations, services and product offerings from inception.

7.7.3   Objectives and Measures

The ECOWAS seeks to provide an enabling framework to support the development of a culture and practice of ICT accessibility, in particular accessible public access, through:

(a) Putting in place measures to ensure that PwD have access, on an equal basis with others, to public ICT devices, services, applications and content in urban, suburban, and rural areas;

(b) Promoting the procurement of accessible ICT devices and assistive technologies at an early stage of design and implementation of public access centres, so that they can be used by everyone and so that no additional costs are incurred to change the facilities after they have been opened. This will assist to promote the provision of low cost services.

(c) Promoting affordability of public access services through smart partnerships, subsidies and incentives, where possible; and

(d) Identifying and mitigating the barriers to a fully accessible ICT ecosystem.

All buildings providing public access communication services, including public phone services, community Internet access kiosks and other publicly available ICT services and devices should be accessible. Where feasible, access ramps must be built to enable access to existing buildings hosting such services and elevators should be in place where facilities are not located on ground level:

Public access phones whether stand-alone or in a public space, must be accessible. Accessible public access communication service devices shall include:

(a) Hearing aid compatibility;

(b) Volume control;

(c) Tactile keys for phones with keypads

(d) Gesture-based screen readers for touchscreen devices;

(e) Wheelchair accessibility[10]; and

(f) Allow use of relay services such as video relay, text relay and speech-to-speech relay when remote interaction with an operator is required.

Public access computers and other devices that have screen access should:

(a) Make use of universal icons;

(b) Have screen reading software for blind users, where applicable;

(c) Have an audio jack or audio device located in a private area if the information accessed needs to be confidential, such as in financial and voting transactions;

(d) Have software that allows for visually impaired users to be able to increase font size and icon sizes;

(e) Have voice synthesizing functionality to convert text to voice where such technology is available in the national or local language;

(f) Allow for the use of alternative accessible input/output devices such as joysticks, switches or eye tracking using an integrated or attached camera

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[10] Providers of public access should put in place a reasonable percentage of public phone counters that must be lowered for accessibility to people using wheelchairs. A reasonable starting point is [30% achieved within a period of 2 years].

    (g) Be accessible by wheelchair[11]; and

    (h) Have Braille readers and Braille printers attached to them, where possible.

7.7.4 Implementation

All public access facilities funded in whole or in part by government must be accessible.

ECOWAS Member States will take steps to ensure the accessibility of public access services and facilities as set out in this policy including by reviewing license conditions, and regulations governing the rollout of public access, reviewing the use of Universal Service and Access Funds, and reviewing public procurement policies, in the case that such facilities and services are put in place by public entities or government departments.

ECOWAS Member States should identify the needs of the PwD and create a database of existing Public Access points in order to map the needed adjustments.

Through it public access policy ECOWAS Member States should ensure that any new public access point is both physically and digitally accessible.

8. MONITORING AND EVALUATION

Participatory monitoring and evaluation that involves all stakeholders, in particular those representing PwD, will be carried out to identify the efficiency and effectiveness of the interventions for PWD's. It shall entail developing and establishing the following mechanisms;

    (a) Developing verifiable monitoring indicators for every activity;
    (b) Establishing evaluation structures
    (c) Producing and disseminating reports on regular basis;
    (d) Reviewing the policy every five (5) years

9. FINANCING OF ICT ACCESSIBILITY

ICT Accessibility should be funded through public and private sources.

ECOWAS Member States should encourage the private sector participants in the ICT sector such as operators and device manufacturers to mainstream ICT accessibility in the delivery of their products and service; and to furthermore fund the development of

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[11]

innovative solutions to promote ICT Accessibility.

In addition, ECOWAS supports the use of Universal Service and Access Funds, whose aim is to increase universal service and access and improve social inclusion, for funding accessibility ICT products, services and devices, including assistive technologies.