

## **EUROPEAN BLIND UNION RESPONSE TO THE WHITE PAPER ON MODERNISING ICT STANDARDISATION IN THE EU**

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### **1 ABOUT THE EUROPEAN BLIND UNION**

The European Blind Union (EBU) is a non-governmental and non profit-making European organisation. It is one of the six regional bodies of the World Blind Union, and it is the only organisation representing the interests of blind or partially sighted people in Europe. EBU aims to protect and promote the interests of blind or partially sighted people in Europe. EBU currently has 45 member countries, each represented by a national delegation.

### **2 INTRODUCTION**

The development of the information society, based on information and communication technologies (ICTs), has gone well beyond all forecast expectations in both its economic value and the breadth and velocity with which it has been introduced. As society evolves towards an “information society”, our dependence in everyday life on technology-based products and services increases.

Faced with changes of this nature, which have an impact on all spheres of peoples' lives, we must address a fundamental question: how are products, services and systems to be designed in such a way as to enable them to be more efficient and used by the greatest possible number of people in the greatest possible number of circumstances? In other words, are ICTs, and therefore the information society we are building, a new cause of exclusion or, on the other hand, an opportunity for normalisation?

If we want persons with visual impairment to enjoy equal opportunities in terms of participating in modern day society, all ICT goods, products and services must be accessible. By “all goods, services and products” we refer to such things as computers, telephones, television sets, call centres, self-service terminals (including automated teller machines) and ticket machines. Furthermore, web accessibility has become particularly important because of the exponential growth in online information and interactive services: online banking, shopping, training, government and public services and communicating with distant relatives or friends which, thanks to developments in social networking (Web 2.0), give rise to new and multiple ways to interact with other people.

ICTs are, first and foremost, an opportunity; unique tools for inclusion and normalisation. The potential they offer reaches all spheres of life, whether it be social, educational or work-related, with the corresponding improvements in life quality. Through ICTs, persons with disabilities have within reach new means of communication, can lead a more autonomous life and enjoy new types of leisure activities, training and citizen participation.

Nevertheless, low levels of e-accessibility continue to prevent many persons with visual impairments from enjoying the advantages the information society offers. Accessibility has become one of the key challenges society faces, functioning as a clear indicator of social progress and development. That is why it is vital to carry out studies to monitor the level of use of ICTs by persons with disabilities, enabling us to identify the problems and risks regarding exclusion for each type of disability caused by new breakthroughs. If the goal is to ensure such

research pinpoints effectively the digital gap and leads to improvements for citizens, it must be designed to include the engagement of the different stakeholders in the information society: public authorities, technological solutions providers, service provider enterprises and organisations of person with disabilities.

The findings of studies<sup>1</sup> carried out in Spain, the European Union and North America on demographic change and the impact of new technologies and the information society show that the accessibility challenge continues to grow apace. Approximately 15% of the population in Europe has some type of disability, and up to 1 in 5 Europeans of working age has some type of impairment requiring accessible solutions. Overall, three out of every five people stand to benefit from e-accessibility, as it improves general usability

At a time when the financial aspect of electronic devices (telephones, computers, and so on) is becoming less important due to falling prices, for persons with disabilities it is becoming a key issue due to the high cost of assistive products, which in many cases require the use of high-end standard devices as they are the only ones which come equipped with the technical features needed to make the necessary adaptations.

As the World Health Organisation *International Classification of Functioning, Disability and Health* (ICF, WHO 2001) points out, impairments in a body function or structure such as sight may limit activities and cause difficulties, for example, in accessing information and communication, thus considerably hindering social participation. In order to avoid this and to enable persons with disabilities to exercise their rights actively, participate in society and take their own decisions, it is vital that the full range of ICT goods, products and services are accessible. This, however, is not always the case.

Access to information and communication is an essential prerequisite for all types of participation in society. For persons with disabilities to be in a position to exercise their rights actively, participate in society and take their own decisions, it is vital that the full range of ICT goods, products and services are accessible. This, however, is not always the case.

To bring about an inclusive information society in which persons with disabilities in general, and in particular persons with visual impairment, are able to take part equally and as citizens with full rights, it is necessary to:

- **Improve digital accessibility (e-Accessibility) and the usability of ICT tools and services;**
- **Facilitate the spread of and access to assistive products allowing persons with disabilities to participate in digital environments, products and services (mobile telephony, DTV, on-line services, etc.);**
- **Boost innovation in and deployment of electronic accessibility through standardisation.**

In a wider context, ICTs fall within the scope of application of the proposed equal treatment directive, which refers to access to goods and services that are available to the public and their supply. Member states should also comply with the obligations regarding access to ICT goods and services set out in the United Nations Convention on the Rights of Persons with Disabilities, particularly those in Articles 2, 9, 21 and 30.

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<sup>1</sup> *Inter alia*, Report on Disability and eAccessibility, Fundación Orange, 2007; *Separating, measuring and studying the impact of Information and Communication Technologies in the fields of eHealth and eInclusion*, AETIC, 2007; *Report on ICTs and Disability*, Fundación Vodafone, 2005.

Respecting the principle of universal design will make everyday activities simpler through the development of products, services and environments which most people will find easier to use with no additional effort. This, combined with developments in products and services standardisation and normalisation which make it easier for the user to adapt as new versions or products evolve and appear, should be an essential principle for achieving full mainstreaming for all in the information society.

In short, to ensure that ICTs are, above all, an opportunity and a unique tool for inclusion and normalisation, commitment and concerted action are required by stakeholders: public authorities, technological solutions providers, digital service providers and the disability movement which the EBU is part of. Such concerted action must aim towards the goal of securing full citizenship for person with disabilities in the information society.

### 3 RESPONSE TO THE QUESTIONNAIRE

#### ***A) The Commission suggests that these attributes be integrated in the future ICT standardisation policy.***

EBU agrees with the Commission proposal for the attributes to be integrated in future ICT standardisation policy as:

1 – **Openness** allows for quick and easy adaptation to changes that occur rapidly in the field of ICT, without the need to modify what has already been established and put in place.

2 – Through **consensus** reached by all parties involved, it is possible to reach a compromise in standardisation which everyone respects and which can be built on positively in order to move forward.

3 – **Balance** and **transparency** highlight the fact that all parties have studied the pros and cons when establishing standards in ICTs, thus reaching conclusions that are achievable by and satisfactory to all stakeholders, although also improvable, without the need to hide anything as the rules are the same for everyone and have been drawn up by all parties involved.

Standards should therefore reflect the following attributes:

- **Maintenance, neutrality and stability:** standards should be designed to be long-lasting although they require periodic updating and improvement. By doing this, starting from scratch in creating new standards is avoided and optimal use is made of resources and/or applied knowledge.
- **Availability:** it would be pointless to establish standards in ICTs if service and goods providers had no access to them, and senseless to create something which is not to be applied.
- **Relevance:** standardisation per se is relevant, meaning that if a sector such as the ICT sector raises the need for standardisation it is because it is beneficial and necessary. Otherwise, such instruments would be employed merely to disguise something different.
- **Quality:** this attribute is undoubtedly fully included at present, not only in developing ICT standardisation, the question at hand, but also in all processes concerning production, distribution and so on.

#### ***B) The Commission suggests updating the public procurement provisions of Council Decision 87/95/EEC so that public authorities can more easily acquire ICT services, applications and products that fulfil their specific requirements and in particular an adequate level of interoperability.***

EBU supports the Commission's proposal generally. We would strongly support the referencing of standards in public procurement and would hope that this way of working would be adopted outside of public procurement. Public authorities should be able to use what means they need in order to find ICT services that meet their requirements, including the adequate level of interoperability, which is essential. However it should be noted that even if these ICT services fulfil the specification, not meeting standards will invariably mean difficulties in accessibility further throughout the process. Standards and guidelines are a way for companies to test if their product is accessible. When procuring it is important to find out if the flexibility within the system, or allowed key core system changes will enable the procurer to meet the required standard before the roll out of the system.

Although there is legislation in some EU countries, the lack of associated standards to this legislation is a difficulty. Procurers have to meet accessibility requirements and having designated standards they should meet would be beneficial to them and of course to their disabled employees. In the US Section 508 is similar legislation to the UK's Disability Equality Duty, however the Section 508 standard is firmly embedded within this legislation.

***C) The Commission suggests clarifying that when they are defined within the context of ICT strategies, architectures and interoperability frameworks, the implementation of standardised interfaces can be made a requirement in public procurement procedures, provided the principles of openness, fairness, objectivity and non-discrimination and the public procurement directives are applied.***

As the concept of interoperability applied in technologies used to access products and services becomes increasingly important, it must be remembered that only standard interfaces which are designed according to the principles of universal design will enable us to move forward in this respect. EBU feels it is vital to take this into account at all times, not only in public procurement procedures. EBU recalls that **interoperability** means that **people who are blind, severely partially sighted or otherwise print impaired should be able to download content from a computer to a special assistive device such as a computer equipped with a braille display or any other personal device, and also have the ability to read that content.** Some formats that are offered may not be compatible with the special assistive device, so this should be taken into consideration when providing content.

It is worth recalling in this respect that in some cases the software used by persons with disabilities to access the most flexible and adaptable information is specific screenreading software. This type of access is often called "**assistive technology**", and the term refers to additional equipment or support that enables persons with some type of disability to use conventional consumer products and services.

We would like to raise a concern with the Commission's general statement. It is not clear what is meant by 'standardised interfaces'. In our understanding this could be a fixed interface without any customisations allowed which might assume that 'one size fits all'. Although developing an interface which adheres to standards goes a long way to making an accessible and usable interface, there may be occasions when flexibility of the interface may be required, depending on the development environment.

For example if the interface does not support operating system preferences such as large fonts and colour changes, then these might only be able to be available as options within the interface. So although there is a 'standard interface' there are also personal preferences that can be set up by the user. These are especially important for users who do not use 'assistive technology' but have some requirements for adjustments to an interface.

***D) The Commission suggests regularly consulting standardisation and research stakeholders, in particular European Technology Platforms, to ensure that relevant European research initiatives contribute most effectively to ICT standardisation activities***

EBU fully agrees with this proposal. Consulting stakeholders regularly, including organisations representing persons with disabilities, on the scope of standardisation and research is one of the most efficient means of eradicating the current shortfalls by following recommendations from experts.

Detailed studies<sup>2</sup> carried out by experts in ICT and assistive technologies for the blind has identified engineering, artificial intelligence, computing, telecommunications, microtechnology and nanoelectronics as priority areas for research in terms of their application in the following fields:

- **Means of facilitating access to information contained on digital supports, computers and telematic networks:** software to access information, access to free software environments (Linux and Linux-based software, hardware designed to display tactile information, etc.);
- **Access to printed information, software for converting and processing information, character recognition software, text enlargement devices, etc.;**
- **Braille printers and control software: innovative Braille and tactile printing solutions, braille conversion software, printer drivers, etc.;**
- **Educational and recreational software: games, teaching and learning software in fields such as mathematics, physics, music, etc.;**
- **PDA's and mobile telephony: systems enabling PDA accessibility, software to extend accessibility environments in mobile telephony, new software to complement existing applications, etc.;**
- **Access to domotics and household appliances: systems and software facilitating access to household appliances, developing accessible domotic systems, etc.;**
- **Public transport: accessible information systems at public transport stops and stations, technologies enabling vehicles to provide accessible information about stops, etc.;**
- **Audiovisual media: any development linked to digital television as well as to DVD accessibility.**

In short, it is about encouraging scientific and technical developments and innovations which efficiently favour access to goods and/or services and contribute to visually impaired people's integration, in the best way possible, in society; promoting improvements in their education and training, mobility, work and household tasks and enhancing their ability to relate and communicate.

Consulting stakeholders, including organisations representing persons with disabilities, also ensures that the standardisation activities are relevant, appropriate and meet the needs of individuals at the current time. This is absolutely essential

***E) The Commission suggests that standardisers adapt their procedures where necessary to ensure that contributions from research organisations, consortia and projects facilitate the timely production of ICT standards.***

The Commission's proposal would appear to be logical, provided standardisers take into account all stakeholders, who will largely be the ones pushing for standardisation to be performed. It goes without saying that organisations of persons with disabilities, representing 15% of the population, must always be engaged and consulted.

***F) The Commission suggests that Member States consider a similar approach to any ICT R&D initiatives at national level.***

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<sup>2</sup> Studies by CIDAT, the ONCE Centre for Research, Development and Application of Technologies for the Blind, some of which were carried out in collaboration with universities and companies.



Considering that globalisation is now a reality, it would not be difficult to implement the Commission's proposal, although liaison between industry representatives and those in charge of national R&D policies must be enhanced.

Furthermore, Member states should begin to implement, from the very outset and once in force, the United Nations Convention on the Rights of Persons with Disabilities, and in particular its provisions on technologies and information (Articles 2, 9, 21 and 30).

***G) The Commission suggests that ICT standards developing organisations should, subject to competition law and respecting the owner's intellectual and industrial property rights:***

- ***implement clear, transparent and balanced IPR policies which do not discriminate and allow competition among different business models;***
- ***ensure the effectiveness of procedures for IPR disclosures;***
- ***consider a declaration of the most restrictive licensing terms, possibly including the (maximum) royalty rates before adoption of a standard as a potential route to providing more predictability and transparency.***

The development of ICTs and the widespread development of the internet have completely transformed the way in which information, knowledge and content is disseminated. Content can now be accessed instantly through one click on a mouse, and in the same way it can be sent all around the world instantly.

Until very recently, the prevalence of printed material made it extremely difficult for blind and severely partially sighted people to access published works. However, new technologies now enable us to envisage a world in which blind and severely partially sighted people enjoy access to a wide range of documents at the same time as sighted people and at reasonable cost. ICTs are making a fully-inclusive information society possible.

Strangely, new technologies may also mean higher levels of exclusion if content is created or protected in ways which put up more barriers to accessibility, or simply when content is not made available in accessible formats because third parties would have to invest too much time or money.

EBU acknowledges that it is vital to ensure high levels of protection for rights holders in order to facilitate intellectual creativity. Nevertheless, EBU also believes that everyone, without exception, should have the right to access the fruits of such creative processes. IPR has meant that blind and partially sighted people specifically have been excluded from accessing content in the past on various devices and various formats. EBU firmly believes that the **legislative framework in the field of copyright must not discriminate against blind and severely partially sighted people merely because they are unable to read printed material or because they use assistive technologies.**

People who are blind, severely partially sighted or otherwise print impaired read material in electronic formats in general, and on-line content in particular, by modifying the way it is displayed. Nonetheless, it is important to highlight that **modifying the format in no way means modifying the content.** The format may be altered by modifying the text attributes (size, shape, colour, etc.), transforming it using text to speech or presenting it in braille.

Therefore, and while IPRs are necessary to recompense authors for their work and encourage them to continue producing content, it must also be recognised that there should be certain limitations to IPRs in order to ensure that citizens may access information and knowledge. Such limitations are covered in IPR legislation under "**public interest exceptions**" providing for time limits and limits in scope and exercise of rights. These limits vary from country to country.

EBU wishes, therefore, to stress that exceptions for persons with disabilities are unique as their purpose is to **ensure access to content**.

***H) The Commission suggests enabling the referencing of specific fora and consortia standards in relevant EU legislation and policies subject to a positive evaluation of the standard and the forum or consortium processes with regard to the attributes list as described in Chapter 2.1.***

EBU welcomes this proposal as a supervisory measure which offers guarantees. It is essential that standards and guidelines developed within the fora and consortia mentioned can be referenced. Especially as guidelines from the W3C for example are internationally recognised and used.

***I) The Commission suggests promoting better cooperation between fora and consortia and European Standardisation Organisations on the basis of a process which would lead to standards issued by the ESOs.***

EBU welcomes this proposal provided the process is effective. The nature of the cooperation could go further with participation in certain fora and consortia by European Standardisation Organisations, if they are not already represented. This could foster understanding of process between organisations and ensure collaboration is effective.

***J) The Commission suggests the establishment of a permanent, multistakeholder, ICT standardisation policy platform (with a wider membership than the Member State SOGITS Committee previously established by Council Decision 87/95/EEC) to advise the Commission on all matters related to the European ICT standardisation policy and its effective implementation.***

As mentioned above, persons with disabilities, through their representatives, should form part of the standardisation policy platform proposed by the Commission with the aim of ensuring their opinions are taken into consideration, above all as they represent 15% of the population.

It is essential that the membership of this ICT standardisation policy platform does include representation from each disability area, via the appropriate disability organisations. This is to ensure accessibility is embedded within all future ICT standardisation and harmonisation work.

***K) The Commission suggests inviting the European Standardisation Organisations and other ICT standard developing organisations to review the function and composition of the current ICTSB to make it more efficient.***

EBU warmly welcomes any measures aimed at making the entire standardisation process, from the first steps until the end of the process and including regular reviews, more efficient and effective, and encourages such measures. Continuous review and evaluation of efficiency of this process is essential.

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We are happy for our contribution to be made public. For further information or clarification, and to arrange future discussions, please contact in the first instance:

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