Second Edition

Disability and ICT Accessibility Framework Indicators:

A Framework for Monitoring the Implementation of ICT Accessibility Laws and Policies in Africa

December, **2023**

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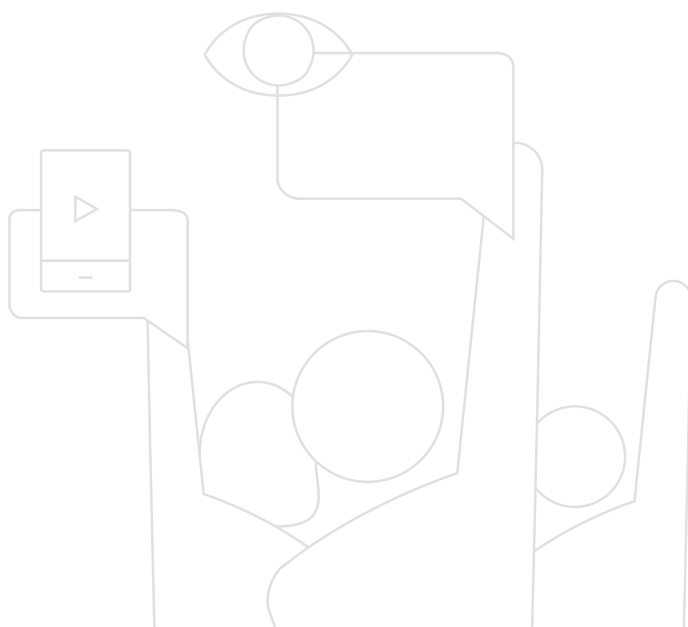
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Introduction

This framework is a result of extensive consultations, reviews, and feedback from various organizations and individuals. It is based on the first indicators developed in 2019 and the consequent report, Access Denied: How Telecom Operators in Africa are Failing Persons with Disabilities. Both the researchers and reviewers provided valuable feedback on how the indicators could be improved to ease the data collection, interpretation, and analysis.

This revised framework provides extensive guidelines and side notes for researchers and organizations interested in monitoring and assessing individual country's performance (and compliance with) in the implementation of the different ICT and Disability Rights obligations as enshrined in international and regional human rights standards such as the Convention on the Rights of Persons with Disabilities, Sustainable Development Goals 9c and International Telecommunication Union's (ITU) Model ICT Accessibility Policy Report 2014 alongside other their national laws and regional legal and policy human rights instruments and frameworks such as the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Persons with Disabilities in Africa that affect ICT accessibility for persons with disabilities.

The framework covers five broad indicators, including (a) legal and regulatory framework (b) accessibility framework for public access, (c) mobile communication accessibility (d) television and video programming accessibility, and (e) web accessibility. The framework can be used to assess the performance of both government and private entities, especially those that offer ICT related public services.

The five indicators were informed by and crafted around key provisions within national laws and policies and international human rights instruments on ICT and Disability. Other international ICT Accessibility standards, such as The Web and Mobile Content Accessibility Guidelines developed by the World Wide Web Consortium, informed the indicators.

It is anticipated that this framework will be a useful tool for monitoring and measuring public and private stakeholders' compliance and implementation of inclusion obligations and inform research, advocacy, and capacity building on ICT for persons with disabilities in the region.

In addition, the assessment informs planning for different interventions at country and regional levels since it reveals areas that need further interventions. It can also be used to highlight good practices that can help inspire other countries that may still be far in the journey or still struggling with certain aspects of the process of improving their disability digital rights.

The tool is recommended for Disability Persons Organisations, Policy Makers, Mobile Network Operators (MNOs), researchers, and academia, among others.

Assessment Methodology

Researchers are encouraged to use a combination of qualitative and quantitative data collection methods in the analysis and interpretation of data. These could include textual analysis – legal and policy analysis, literature/documentary reviews (both text, audio, and visuals), questionnaires, key informant interviews, and observation.

Most of the framework indicators have been structured with three options – 'Yes,' 'No,' and 'To some extent.' For each option the researcher chooses, he/she should provide a narrative to illustrate the choice, which should be based on evidence.

Both the questionnaire and key informant interviews will be comprised of a set of questions seeking specific answers from the participants to provide more details and or context to the findings of the literature review.

The goal of this category of indicators is to provide a framework for assessing the extent to which existing and proposed ICT policies, legislation, and regulations promote accessibility.

1. ICT Accessibility Legal, Policy, and Regulatory Framework.

The goal of this category of indicators is to provide a framework for assessing the extent to which existing and proposed ICT policies, legislation, and regulations promote accessibility.

1.1 Has the state under review signed or ratified the relevant International and regional human rights instruments that provide for ICT accessibility rights for persons with disabilities, including the Convention on the Rights of Persons with Disabilities (CRPD)? *(Researcher to review records on the status of the ratifications – particularly United Nations and African Commission records)*

   a. Yes
   b. No
   c. To some Extent

Please explain your response and list all the international frameworks and status as of the review date.

No	International/Regional Human Rights Instrument	Specific provisions on ICT and disabilities	Signed	Ratified	Deposited
1	UN Convention on the Rights of Persons with Disabilities				
2	Optional Protocol to the Convention on the Rights of Persons with Disabilities				
3	African Charter on Human and Peoples' Rights				
4	Protocol to the African Charter on Human and Peoples' Rights on the Rights of Persons with Disabilities in Africa				
	Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa				
	African Charter on the Rights and Welfare of the Child				
	ILO Vocational Rehabilitation and Employment (Disabled Persons) Convention (No. 159), 1983				
5	2030 Agenda for Sustainable Development				

1.2 Does the Constitution of the country under review provide for the rights of persons with disabilities, including that of access to ICT? *(Researchers to review Constitutional provisions)*

a. Yes
b. No
c. To some Extent

Please explain your response and list the relevant provisions in the Constitution.

No	Article/Section of Constitution,	Detailed Provision
	e.g., Article 34,	*e.g., Provides for the rights of persons with disabilities and protects them from any form of discrimination*
1		

1.3 Has the state under review enacted a stand-alone person with disabilities law and/or policy that guarantees ICT accessibility for persons with disabilities? *(Researcher to review laws and policies pertaining to persons with disabilities)*

a. Yes
b. No
c. To some Extent

Please explain your response and list the relevant national law and/or policy and the sections/provision on ICT accessibility.

No	Title of the Disability Law/Policy	Detailed Provisions
	e.g., Persons with Disabilities Act…..	*e.g., Section 34…. provides for the rights of persons with disability from any form of discrimination*
	e.g., Persons with Disabilities Policy……	*e.g., Policy recommendation 1.1 provides that the government commits to…*
1		

1.4 Has the country under review enacted (or drafted) other laws and policies whose provisions impact ICT accessibility for persons with disabilities? (Researchers to do a legal and policy analysis of other laws with the purpose of identifying relevant sections)

a. Yes
b. No
c. To some extent

Please explain your response and list all the relevant laws and policies and the sections and/or provisions on ICT accessibility.

No	*Title of the emergency service law/Policy*	*Detailed Provision*
1	*e.g., Access to Information Act, 2015*	*Section 90, …. provides for the rights of persons with disabilities from any form of discrimination*
2	*e.g., National ICT Policy, 2016*	*Section 12,… provides that…..*

1.5 Do the emergency services laws and policies of the country under review that are designed to respond to certain emergencies, such as pandemics, climate change, and war, among others, provide for ICT accessibility for persons with disabilities? *(Researcher to review and analyse relevant emergency services laws/policies to identify relevant sections)*

a. Yes
b. No
c. To some extent

Please explain your answer and list all the relevant emergency service laws, including the specific provisions on ICT accessibility for persons with disabilities.

No	*Title of the emergency service law/Policy*	*Detailed Provision*
1	*e.g., Public Health Act, section 34*	*Provides for the rights of persons with disabilities from any form of discrimination*
2	*National Disaster Policy, section 54*	

1.6 Does the ICT Standards/ Quality of Service (QoS) laws/policies of the country under review provide for the specific needs of persons with disabilities, including establishing standards to measure the quality of service provided to them, as well as accessible services such as relay services, captioning, and audio description? *(Researcher to review and analyse the relevant regulations to identify the strengths and gaps related to their implementation)*

a. Yes
b. No
c. To some extent

Please explain your answer and list all the ICT standards/quality-of-service regulations, including the specific provisions on ICT accessibility for persons with disabilities

No	*Title of the ICT Standards/quality-of-service regulation*	*Detailed Provision*
1	*Section 34 of the QoS Guidelines from the Communications regulator*	*Provides for the rights of persons with disabilities from any form of discrimination*
2		

1.7 Do the different disability laws and policies provide for public participation in policymaking, policy reviews, and rulemaking processes, including for persons with disabilities and disability organisations, and other relevant stakeholders? *(Researcher should review relevant laws/policies to identify if they contain provisions on amendments.*

a. Yes
b. No
c. To some extent

Please explain your response with detailed examples.

1.8 Do the country's laws and policies provide for establishing the Universal Services Access Fund (USAF) to facilitate access to universal services for developing relevant information and communications technology infrastructure and systems that cater to rural and other marginalised communities such as persons with disabilities, the elderly, and women?

    a. Yes
    b. No
    c. To some extent

Please explain your response with detailed examples.

2. ICT Accessibility Framework on Public Access.

Indicators under this section provide guidance on how to make public access communications services and facilities accessible to persons with disabilities or how to check if this has been achieved. The rationale for this approach is based on the CRPD, which in its preamble, states that mainstreaming disability issues in all frameworks is "an integral part of relevant strategies of sustainable development."

For purposes of this indicator, providers of public access communication services include:

- Operators and service providers that provide public access as a universal service obligation or other licence condition;
- Providers of public access communication services that receive funding from the Universal Service and Access Fund (USAF) or other public funding body to provide public access communications services; and
- Licensed Internet cafés and cyber labs (in exceptional cases, in countries where licensing is still required).

Operators providing public access communications services have a duty to avoid discriminating, even inadvertently, against persons with disabilities due to a lack of accessibility of their facilities, products, and services.

2.1 Do providers have access to USAF to support their investment in ICT infrastructure to serve marginalised communities, including persons with disability, rural communities, the elderly, and women?

a. Yes
b. No
c. To some extent

Please explain your response with relevant examples and illustrations

2.2 Does the provider ensure that appropriate signage, including the use of universal icons as appropriate, is provided near installed payphones, payphone kiosks, or community Internet access points, communicating that they are accessible? *(Researchers to do a field visit to the different locations and document his/her observations)*

No	Provider of public access communication	A. Yes B. No C. To some extent	Explanation with relevant illustrations
1			
2			

2.3 Has the provider trained its staff on accessible ICT features for people with different kinds of disabilities, including physical setup and use with assistive technologies? *(Researchers to conduct interviews with staff and senior managers, and where possible, do observations of how staff interact with clients with disabilities)*

No	Provider of public access communication	A. Yes B. No C. To some extent	Explanation with relevant illustrations
1			
2			

2.4 Are the emergency communications services provided in public access facilities accessible for persons with disabilities? *(Researchers to do a field visit to the different locations and document their observations as well as interview clients living with disabilities to document their user experiences)*

    a. Yes
    b. No
    c. To some extent

No	*Provider of public access communication*	*A. Yes* *B. No* *C. To some extent*	*Explanation with relevant illustrations*
1			
2			

2.4 Can persons with disabilities use their everyday communication means (email, telephone calls, SMS) to access emergency services? *(Researcher to interview clients with disabilities to document their experiences)*

    a. Yes
    b. No
    c. To some extent.

2.5 Do the providers of emergency services create awareness in accessible publication formats about how persons with disabilities can use their emergency services? *(Researchers to interview senior managers of providers, review providers' website and social media content, textual analysis of relevant literature on the same, and interview clients living with disabilities to document their experiences)*

a. Yes
b. No
c. To some extent.

No	Provider of public access communication	A. Yes B. No C. To some extent	Explanation with relevant illustrations
1			
2			

2.6 Do the providers have physically accessible premises, equipment, and software for persons with disabilities? *(Researchers to do field visits to the different locations and document their observations)*

a. Yes
b. No
c. To some extent

No	Provider of public access communication Accessible Provisions	A. Yes B. No C. To some extent	Explanation with relevant illustrations
1	Stand-alone public access equipment are accessible to people with various types of disability particularly blindness and visual impairments, and those who are deaf or hard-of-hearing.		
2	Public access phones (whether stand-alone or in a public space), have accessibility features namely: hearing aid compatibility, volume control, tactile keys for phones with keypads, gesture-based screen readers for touchscreen devices, use of relay services such as video relay, text relay, and speech-to-speech relay when remote interaction with an operator is required, etc.		
3	Public access computers and other devices that have screen access use universal icons, are equipped with screen reading software for blind users, screen magnification software for low vision users, an audio jack or audio device, and are in a private area if the information accessed is confidential.		

3 Mobile Communication Accessibility.

The indicators under this section are designed to assess if a country has adopted and effectively implemented mobile communications accessibility, including supporting the adoption of a mobile communications industry code of conduct and regulations, either of which can be used depending on the institutional framework of a given country. For purposes of this section, the "Mobile industry" includes network operators, service providers, mobile device distributors, and retailers.

3.1 Do mobile communication service providers and retailers sell accessible handsets and other mobile devices embedded with accessibility features for persons with different kinds of disabilities? *(Researcher to conduct a physical visit to the outlet, interview with salespersons, review products in online shops/e-commerce platforms, and review procurement policies)*

No	Mobile Communication Provider	A. Yes B. No C. To some extent	Explanation with relevant illustrations
1	MTN		
2	Airtel		

3.2 Are the sales outlets of mobile communication operators and retailers accessible for persons with disabilities? *(Researcher to conduct a physical visit to the premises to confirm if they have ramps located on the ground floor, the building has an elevator, doors are wide open, and bathrooms are accessible).*

No	Mobile Communication Provider	A. Yes B. No C. To some extent	Explanation with relevant illustrations
1	MTN		
2	Airtel		

3.3 Are the sales staff and those working at call centres of mobile communication service providers trained to serve customers with disabilities – including sensitivity training covering information about the culture, language, and societal norms of persons with disabilities as well as accessibility principles and awareness of accessible features and product support information? *(Researcher to visit sales outlets and call centers and interview the staff)*

No	Mobile Communication Provider	A. Yes B. No C. To some extent	Explanation with relevant illustrations
1	MTN		
2	Airtel		

3.4 Do the mobile communication service providers promote the development and availability of accessible applications ('apps') for persons with disabilities and accessible 'app stores? *(Researcher to interview senior management and inspect accessible phones to confirm availability of applications)*

No	Mobile Communication Provider	A. Yes B. No C. To some extent	Explanation with relevant illustrations
1	MTN		
2	Airtel		

3.5 Do mobile communication service operators have in place special offers or discounted rates for persons with disabilities such as text-only plans for the Deaf and hard-of-hearing? *(Researcher to review publicly available data on rate cards and interview selected persons living with disabilities on their experiences)*

No	Mobile Communication Provider	A. Yes B. No C. To some extent	Explanation with relevant illustrations
1	MTN		
2	Airtel		

3.6 Do mobile communications service providers ensure that emergency mobile communications are accessible for persons with disabilities, including the provision of real-time text and video-relay and making persons with disabilities and organisations of persons with disabilities aware of these accessible emergency mobile communications. (Researcher to interview senior managers at the provider, persons with disabilities, and DPO to learn their experience)

4 Television/Video Programming Accessibility.

This indicator seeks to measure whether countries have implemented frameworks and other mechanisms that promote television/video programming accessibility for persons with disabilities.

4.1 Do TV and Video licensed providers provide accessible services such as audio description, audio subtitles, closed captions, and signing across all programmes as required by law to ensure access by persons with disabilities? *(Researcher to review programming schedules, to establish those with accessible services, and interview senior managers and persons with disabilities on their experiences)*

No	Licensed TV/ Video Provider	A. Yes B. No C. To some extent	Please explain with relevant illustrations - citing the relevant legal or license requirement and the compliance level of the providers.
1	KBC		
2	SABC		

4.2 Do licensed TV and video service providers ensure that electronic programming guides (EPGs) indicate, using internationally recognised access service icons such as "CC" for closed captions and "AD" for audio description, video programmes that offer accessible services? *(Researcher to review programming schedules, to establish those with accessible services, and interview senior managers and persons with disabilities on their experiences)*

No	Licensed TV/ Video Provider	A. Yes B. No C. To some extent	Please explain with relevant illustrations - citing the relevant legal or license requirement and the compliance level of the providers.
1	KBC		
2	SABC		

4.3 Do licensed TV and video service providers require content creators to deliver programmes with accessible services? *(Researcher to interview senior management teams and content creators)*

No	Licensed TV/ Video Provider	A. Yes B. No C. To some extent	Please explain with relevant illustrations - citing the relevant legal or license requirement and the compliance level of the providers.
1	KBC		
2	SABC		

4.4 Do licensed TV and video service providers ensure that emergency information and public safety announcements are transmitted using accessible formats? *(Researcher to interview senior managers and producers, review archival data, and interview persons with disabilities)*

No	Licensed TV/ Video Provider	A. Yes B. No C. To some extent	Please explain with relevant illustrations - citing the relevant legal or license requirement and the compliance level of the providers.
1	KBC		
2	SABC		

4.5 Have licensed TV and Video service providers adopted technical standards for interoperable television/video programming services to enable users to receive, decode and display accessible services? *(Researcher to review programming schedules, to establish those with accessible services, and interview senior managers and persons with disabilities on their experiences)*

No	Licensed TV/ Video Provider	A. Yes B. No C. To some extent	Please explain with relevant illustrations - citing the relevant legal or license requirement and the compliance level of the providers.
1	KBC		
2	SABC		

4.6 Have licensed TV and Video service providers trained their customer service staff on how to serve customers with disabilities, including providing guidance on how they can find information about accessible services on EPGs as well as how to use and customise available, accessible services, and by designating a single point of contact for information and complaints about accessible services? *(Researcher to interview senior managers and customer service staff as well as persons with disabilities on their experiences)*

No	Licensed TV/ Video Provider	A. Yes B. No C. To some extent	Please explain with relevant illustrations - citing the relevant legal or license requirement and the compliance level of the providers.
1	KBC		
2	SABC		

5 Web Accessibility

Accessibility issues related to the internet and web content and services affect a wide range of persons with disabilities, including people with auditory, cognitive, dexterity, hearing, speech, and visual impairments. However, an accessible Web also benefits people without disabilities, for example, older people with changing abilities; people using a slow/expensive Internet connection; people with "temporary disabilities" such as a broken arm or poor eyesight, and people using mobile phones and other devices with small screens.

This indicator is therefore intended to measure and monitor whether countries have put in place frameworks and mechanisms that ensure that persons with disabilities have equitable access to web-based information and services, including online government information and services.

5.1 Has the government developed web accessibility guidelines for use by both government and private entities?

a. Yes
b. No
c. To some Extent

Please explain your response with relevant examples and illustrations.

5.2 Do the government Ministries, Departments, and Agencies (MDAs)[1] with online presence conduct a systematic assessment of their websites and website infrastructure and of their staff's skills and knowledge in readiness to apply international web accessibility standards such as WCAG 2.0 (ISO/IEC 40500:2012)[2] *(Researcher to interview senior staff in charge and conduct document review related to the process - if any exists).*

a. Yes
b. No
c. To some Extent

Please explain your response listing the different MDAs and the type of systematic assessment that was conducted (if any).

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[1]   Researchers could be advised to focus on the legislature, judiciary, presidency and ministries offering critical services e.g. civil registration, health, education, social services, information, election bodies, NHRIs and e-government portals.
[2]   Information technology — W3C Web Content Accessibility Guidelines (WCAG) 2.0 https://www.iso.org/standard/58625.html

5.3 Do key government MDAs'[3] online platforms, including websites, comply with international web accessibility standards/guidelines? *(Researcher to use the web accessibility standards WCAG 2.0 (ISO/IEC 40500:2012) and any of its subsequent revisions when making the assessment.)*[4]

a. Yes
b. No
c. To some Extent

Please explain your response, listing all relevant government websites that comply (and the state of their compliance) to the standards WCAG 2.0.

5.4 Are the electronic documents available on key public sector websites accessible to persons with disabilities? *(Researcher to assess the accessibility of select documents based on the WCAG 2.0 standards)*

a. Yes
b. No
c. To some Extent

Please explain your response with relevant examples from your findings.

5.5 Do government MDAs regularly update their procurement policies to ensure all website development service contracts require compliance with accessibility requirements? *(Researcher to review ICT-related procurement policies)*

a. Yes
b. No
c. To some Extent

Please explain your response with relevant examples from your findings.

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3 see 1
4 W3C "Web Content Accessibility Guidelines" available at https://www.w3.org/WAI/standards-guidelines/wcag/

5.6 Do government MDAs provide accessibility training to their web developers to ensure the accessibility standards as outlined in the WCAG 2.0 (ISO/IEC 40500:2012) standards? *(Researcher to interview senior government officials from relevant MDAs and selected web developers)*

a. Yes
b. No
c. To some Extent

Please explain your response with relevant examples from your findings.

5.7 Are web users, especially persons with disabilities, provided guidance on accessibility testing tools and procedures?[5] *(Researcher to interview senior government officials from relevant MDAs and selected persons with disabilities as well as DPOs)*

a. Yes
b. No
c. To some Extent

Please explain your response with relevant examples from your findings.

5.8 Are there routine monitoring and publishing of reports on progress achieved in government MDAs' website accessibility? *(Researcher to interview senior government officials from relevant MDAs and review relevant documents – if available).*

a. Yes
b. No
c. To some Extent

Please explain your response with relevant examples from your findings.

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4   Web accessibility evaluation tools are software programs or online services that help you determine if web content meets accessibility guidelines https://www.w3.org/WAI/ER/tools/

5.9 Are persons with disabilities involved in user acceptance testing of new/updated MDA websites? *(Researcher to review relevant documentation on persons with disability involvement, interview persons with disabilities and officials from relevant government MDAs)*
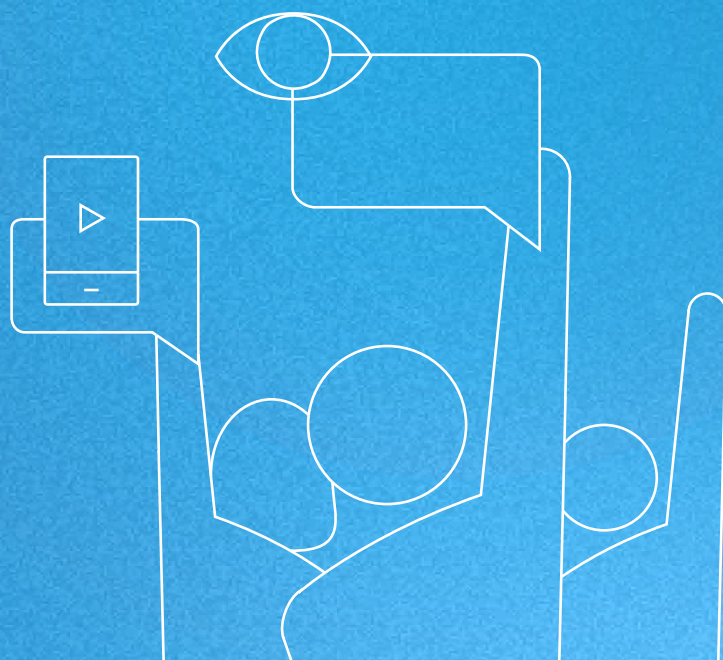
a. Yes
b. No
c. To some Extent

Please explain your response with relevant examples from your findings.

5.10 Does the government provide guidelines to educational institutions and professional societies to incorporate web accessibility courses into computer and information technology curricula? *(Researcher to conduct interviews with relevant senior government officials as well as respondents from selected educational institutions and professional societies, as well as do a confirmatory review of the relevant texts)*

a. Yes
b. No
c. To some Extent

Please explain your response with relevant examples from your findings.