GLOBAL INFORMATION SOCIETY WATCH 2009

Focus on access to online information and knowledge
– advancing human rights and democracy

Global Information Society Watch 2009

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2009

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Dedicated to A.K. Mahan - an activist who valued intellectual rigour and concrete outcomes.

CROATIA

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Introduction

The European Council granted the status of "candidate country" to Croatia in 2004, and accession negotiations were opened in 2005. In order to become a European Union (EU) member state, Croatia has to accept the acquis of the Union.[1] The acquis in the social field includes standards in the area of anti-discrimination, amongst others.

The EU promotes the active inclusion of persons with disabilities in society, in line with the EU human rights approach to disability issues. Inclusion is one of the pillars of the i2010 initiative on the information society.

In 2008 the European Commission adopted the Communication *Towards an accessible information society*. The background document to the Communication explains: "We are living in a society where many aspects of our daily life are increasingly dependent on technology-based products, ranging from e-mails and the internet to digital television, automatic teller machines and ever more sophisticated inventions."[2]

Information and communications technologies (ICTs) pervade every aspect of modern life, yet people with disabilities still face huge barriers in accessing ICT-related goods and services. And they may find themselves even more marginalised as these technologies become an integral part of daily life.

Policy environment

In January 2009 the Croatian government adopted a Strategy for the Development of e-Government for the period of 2009-2012. It aims to lay down the foundations for the building of a modern, transparent, efficient and streamlined public service for citizens. The new strategy is in line with the provisions of the Croatian Public Administration Reform Strategy, in particular those relating to the use of ICTs as a key tool. The purpose of the Strategy for the Development of e-Government is to put public services online in order to make them more accessible to end-users.[3]

In 2005, the Croatian parliament adopted the Declaration on the Rights of Disabled Persons,[4] founded on the highest principles of the country's constitution. This Declaration affirmed the right of all citizens to participate equally in all segments of society and enjoy their legal and constitutional rights without difficulty.

In June 2007, a National Strategy on Equal Opportunities for Persons With Disabilities[5] was adopted. Among the identified goals related to the development of an enabling environment for disabled persons under the terms of universal design,[6] the strategy specifically mentions the commitment to "ensure access to information and communication to all disabled persons and ensure the implementation of modern technologies [in this regard]."

The Educational Sector Development Plan 2005-2015[7] aims at improving the education system in Croatia. The plan emphasises that ICTs "will be used to provide for lifelong learning," and that "special educational programmes will be offered to target groups such as... persons with special educational needs."

However, not all public websites are fully accessible to persons with disabilities. At public universities, educational content available online is often developed without consideration for the needs of students with disabilities.

Legislative environment

A key issue when it comes to legislation is access to knowledge for persons with disabilities. Copyright legislation regulates the conversion of books into accessible formats for the visually challenged and others with reading disabilities, recognising the need to maintain a balance between the rights of authors and the larger public interest. Persons who use assistive technology commonly manipulate digital publications (i.e., moving an e-book to a portable device with refreshable Braille display, or copying it to a hand-held device for reading "on the go"). However, such common and legitimate usage may be prevented by digital rights management (DRM).

DRM is a generic term that refers to access control technologies that can be used by hardware manufacturers, publishers, copyright holders and individuals to try to impose limitations on the usage of digital content and devices.[8] Article 86 of the Croatian Copyright Law, adopted in 2003, addresses the use of copyright works by disabled persons: "The use of copyright works for the benefit of people with a disability shall be permitted, where the work is reproduced in a manner directly related to the disability of such people to the extent required by the specific disability, and where such

1   The acquis communautaire is the total body of EU law.

2   European Commission (2008) Commission Communication *Towards an accessible information society*, Background note. ec.europa.eu/information_society/activities/einclusion/docs/access/comm_2008/background.doc

3   www.epractice.eu/en/document/288431, January 2009

4   Official Gazette No. 47/05

5   www.infolex.hr/htm/45521.htm

6   "Universal design is a relatively new paradigm that emerged from 'barrier-free' or 'accessible design' and 'assistive technology'. Universal design strives to be a broad-spectrum solution that produces buildings, products and environments that are usable and effective for everyone, not just people with disabilities." en.wikipedia.org/wiki/Universal_design

7   public.mzos.hr/Default.aspx?sec=3144

8   en.wikipedia.org/wiki/Digital_rights_management

reproduction is expressly of a non-commercial nature."[9] However, uncertainties remain. For example, the implications of Article 86 for the application of DRM and the production of e-books for persons with disabilities in DAISY format[10] are not clear, and more elaborate legislation is needed.

At the same time, while the Croatian Freedom of Information Act (FOIA) was adopted in 2003, and an e-government strategy is in place, Croatia does not have any specific regulations related to web accessibility and database accessibility for persons with disabilities. There is also no legislation which dictates that all public procurement purchases of ICT goods and services must be made with consideration to their accessibility for persons with disabilities.

The need for an accessible internet

Web technologies are an essential means to deliver and access information and services in today's society. Information access is even more important for people with disabilities because most have mobility impairments and are more dependent on the use of ICTs. Web accessibility has become particularly important because of the explosive growth in online information and interactive services provided on the web: online banking and shopping, dealing with government and public services, communication with distant relatives, etc. If web accessibility is not achieved, many people are at risk of being partially or totally excluded from the information society.[11]

Efforts to make websites accessible for users with disabilities result in a better user experience for all. Simple changes that make sites easier to use bring huge improvements for everyone, and economic gains for businesses. More accessible web pages tend to have more hits in search engines, enhanced usability, lower maintenance costs and reduced server load. This is mainly due to the simpler structure of an accessible web page.[12]

A recent assessment of the accessibility of a selection of 29 public and 11 commercial websites in Croatia[13] revealed common accessibility problems such as inaccessible .pdf documents,[14] poor structure and difficult site navigation, a lack of alternative text for images, sound and video files, and anti-spam protection using CAPTCHA[15] with-

out an audio version. The assessment combined manual checking of representative pages on websites with the use of several automatic accessibility evaluation tools. Among public websites tested, the most important information on the Cadastre website,[16] which lists land values and ownership, was completely inaccessible, while the website for the Ministry of Justice has many accessibility problems. Among the commercial websites tested, almost inaccessible were the websites for the daily newspaper *Večernji*,[17] and one of the leading banks, Zagrebačka Banka.[18] In the case of the Cadastre, visually impaired persons could not access land and real estate registries, while the net banking services for Zagrebačka Banka were inaccessible.

People with disabilities often use some kind of assistive technology to interact with the web. Croatia does have legislation in the fields of health and social assistance to support the use of assistive technology by disabled end-users. According to the regulations, visually impaired persons with health insurance will be lent a screen reader, technology for Braille display or electronic note-taker, amongst other technologies, during education or work-related training. Upon completion of the education or training, the assistive technology will be returned to the Croatian Institute for Health Insurance and the persons will be expected to finance their own assistive technology solution.

However, prices of assistive technology such as screen readers[19] are high. For instance, a commercial screen reader (commonly used by visually impaired persons) for the Microsoft Windows platform if purchased in Croatia costs over EUR 1,000, screen readers for mobile phones about EUR 150, and a Braille display[20] or electronic note-taker over EUR 4,000.[21] In comparison, the average monthly net salary in Croatia in December 2008 was HRK 5,410 or approximately EUR 750.

In 2001, the Croatian Association of the Blind addressed the issue by initiating the development of a free and open source software project called Talking Linux for the Blind. The main features of the software relate to speech synthesis in the Croatian language and interface design. However, due to the limited functionality and lack of funds for improved functionalities, Talking Linux was not adopted by many end-

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9   Copyright and Related Rights Act, Official Gazette No. 167/2003

10 DAISY, which stands for "Digital Accessible Information SYstem", is a standard for digital talking books. A DAISY book can be read using refreshable Braille display or screen-reading software, printed as a Braille book on paper, or converted to a talking book using synthesised voice, amongst other things. For more information see: www.daisy.org/about_us

11 European Commission (2008) Commission Communication *Towards an accessible information society*, Background note. ec.europa.eu/information_society/activities/einclusion/docs/access/comm_2008/background.doc

12 Ibid.

13 Rudić, C. (2009) An analysis of accessibility of the public websites and public information and communication services. www.pristupacnost.net/public_html/?page=pages,variable,resursi

14 When documents are scanned and converted to .pdf files they are not accessible using assistive technology because the content is not tagged and is therefore not searchable or readable.

15 CAPTCHA (Completely Automated Public Turing test to tell Computers and Humans Apart) is a type of challenge-response test used in computing to ensure that the response is not generated by a computer.

16 www.katastar.hr

17 www.vecernji.hr

18 www.zaba.hr/ebank/gradjani

19 "Software used by individuals who are blind or who have dyslexia interprets what is displayed on a screen and directs it either to speech synthesis for audio output, or to refreshable Braille for tactile output. Some screen readers use the document tree (i.e., the parsed document code) as their input. Older screen readers make use of the rendered version of a document, so that document order or structure may be lost (e.g., when tables are used for layout) and their output may be confusing." www.w3.org/WAI/EO/Drafts/PWD-Use-Web/#screenreader

20 "A refreshable Braille display or Braille terminal is an electro-mechanical device for displaying Braille characters, usually by means of raising dots through holes in a flat surface. Blind computer users, who cannot use a normal computer monitor, use it to read text output." en.wikipedia.org/wiki/Refreshable_Braille_display

21 Perčinić, M. (2009) A study of existing information-communication solutions and improvements of accessibility for blind persons. www.pristupacnost.net/public_html/?page=pages,variable,resursi

users.[22] Still, the development, adoption and use of free and open source solutions remains an important consideration.

All citizens need ongoing access to learning to enable them to work. Technology is playing an increasing role in mediating this learning. Works made available in accessible formats are distributed by the Croatian Library for the Blind. However, current market practices do not support visually impaired persons accessing copyrighted works, and, as mentioned, related legislation such as Article 86 is insufficient. Only one leading publishing house in Croatia, Školska Knjiga, has granted rights for the library to convert their publications to accessible formats.[23]

There have been other efforts to make literary works accessible, but these have been costly initiatives and remained fragmented. At the same time, as already mentioned, persons who use assistive technology commonly manipulate digital publications to increase accessibility and, while doing so, stumble upon digital rights management obstacles.

New trends

Two years after a short workshop on inclusive e-government conducted by ZaMirNET, many stakeholders are even more eager to implement activities in the domain of e-accessibility. This includes the Croatian Employment Service, the Centre for Education of the Blind (Vinko Bek), the Croatian Association of the Blind, the Association of the Blind of Istria County-Pula, the Croatian Academic and Research Network (CARNet), the National and University Library in Zagreb, APIS IT, the Faculty of Organisation and Informatics in Varaždin, as well as several Croatian IT companies, who all want to collaborate to improve the status of e-accessibility in Croatia.

For instance, CARNet, a government agency with the mandate to provide internet infrastructure for the Croatian educational community and to stimulate the use of ICTs in education, organises an annual CARNet User Conference (CUC). Within the framework of CUC, CARNet is organising a web festival. Part of the festival is a web page contest whose goal is to stimulate the development of the Croatian web space by promoting various tools, services and topics. For 2009 the contest topic is web accessibility and usability.

The state-run information systems and technologies support agency, APIS IT, has recently established contact with the Web Accessibility Initiative of the World Wide Web Consortium, and is working to improve accessibility features on www.mojauprava.hr, the central portal of the Croatian government.

Finally, the National and University Library in Zagreb took part in a project that aims to improve e-accessibility at the library.

These examples illustrate the change in the societal climate, which is now more receptive to new initiatives in the area of e-inclusion.

Action steps

- *Raising awareness and understanding of web accessibility among developers and policy-makers:* It is important to improve the awareness and understanding of web accessibility among both developers and policy makers. Poor e-accessibility is often due to limited awareness and competence, and benefits from e-accessibility are often underestimated or simply not considered. The publishers of commercial websites providing services of general interest should also be encouraged by the authorities to make their sites accessible. Reporting on web accessibility implementation is crucial to assess progress. At the same time, a "one-stop-shop" model to find web accessibility-related information was raised at the EU level.[24] In Croatia an example would be the website www.pristupacnost.net, maintained by the Association of the Blind of Istria County-Pula and ZaMirNET.

- *Advocacy for an accessible digital format for each newly published book in Croatia, especially for school and university literature:* Any newly published book has to be submitted to the National and University Library in digital form to obtain an International Standard Book Number (ISBN). However, these books are usually not digitalised in an accessible form (i.e., DAISY format) due to the lack of an agreed standard and a policy gap. Since all printed books today are first prepared in a digital format, it is a total waste of money and time to digitalise a book once printed, and convert it into DAISY format when this could be done *before* printing. This has to be addressed. ∎

22 Butorac, D. (2002) Project IPSIS – *Web Portal and Linux for the Blind*, Springer, Berlin/Heidelberg. www.springerlink.com/content/2g3p9kg6nq2ax01n/

23 Although this should be allowed by Article 86, the application of the Article is unclear, and stakeholders are uncertain of its direct implications.

24 European Commission (2008) *Staff working paper on e-accessibility: Status and challenges of e-accessibility in Europe.* ec.europa.eu/information_society/activities/einclusion/policy/accessibility/com_2008/index_en.htm

GLOBAL INFORMATION SOCIETY WATCH (GISWatch) 2009 is the third in a series of yearly reports critically covering the state of the information society *from the perspectives of civil society organisations across the world.*

GISWatch has three interrelated goals:

- **Surveying** the state of the field of information and communications technology (ICT) policy at the local and global levels

- **Encouraging** critical debate

- **Strengthening** networking and advocacy for a just, inclusive information society.

Each year the report focuses on a particular theme. **GISWatch 2009** focuses on *access to online information and knowledge – advancing human rights and democracy.* It includes several thematic reports dealing with key issues in the field, as well as an institutional overview and a reflection on indicators that track access to information and knowledge. There is also an innovative section on visual mapping of global rights and political crises.

In addition, 48 country reports analyse the status of access to online information and knowledge in countries as diverse as the Democratic Republic of Congo, Mexico, Switzerland and Kazakhstan, while six regional overviews offer a bird's eye perspective on regional trends.

GISWatch is a joint initiative of the Association for Progressive Communications (APC) and the Humanist Institute for Cooperation with Developing Countries (Hivos).