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| Report on implementation of the Programme Ensuring Media Accessibility to Persons with Sensory Disabilities  (2016 – 2018) |
| June, 2019 |
| Agency for Audio and Audiovisual Media Services |

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## Introduction

In 2018 we have celebrated the 70th anniversary of the Magna Carta: “**Universal Declaration of Human Rights**”[[1]](#footnote-1) adopted by the United Nations General Assembly on December 10, 1948. Such act initiated many global processes and principles, among which “**Convention on the Rights of Persons with Disabilities**” as an international human rights treaty of the United Nations intended to protect the rights and dignity of people with disabilities, which requires the following:

* *Respect for inherent dignity, individual autonomy including the freedom to make one’s own choices, and independence of persons with disabilities;*
* *Non-discrimination;*
* *Full and effective participation and inclusion in society;*
* *Respect for difference and acceptance of persons with disabilities as part of human diversity and humanity;*
* *Equality of opportunity;*
* *Accessibility;*
* *Equality between men and women; and*
* *Respect for the evolving capacities of children with disabilities and respect for the right of children with disabilities to preserve their identities.*

The Agency for Audio and Audiovisual Media Services is continuously dedicated to remove the obstacles preventing the persons with sensory disabilities from accessing information and using audiovisual services available for the majority of citizens in Macedonia. In the context of continuity of the effort, in the past when funding of public interest programmes was possible[[2]](#footnote-2), special importance was given to the production and broadcast of programmes contributing to better ratings by the persons with disabilities and programmes which are especially dedicated to them.

The Law on Audio and Audiovisual Media Services adopted in 2013 ensured the Agency to be otherwise competent when it comes to the issue referring to programme accessibility. To be more precise, Article 26 referring to Social Inclusion and Media Literacy stipulates that the Agency should take activities in order to encourage providers of audio and audiovisual media services to make their services accessible to persons with visual and hearing impairments.

In that regard, with the assistance of experts “**Programme ensuring media accessibility to persons with sensory disabilities**”[[3]](#footnote-3) was developed by the Agency back in 2015.

The document was prepared with foreign expert support provided via “Enhancing administrative capacities of authorities responsible for telecommunication and media for efficient regulation of new digital and multi-purpose services” Project, funded by the IPA Programme of the European Commission. The Programme contained activities and measures through which the Agency for Audio and Audiovisual Media Services promoted better programme accessibility to persons with visual and hearing disabilities offered by the providers of audiovisual media services in North Macedonia for the period of three years (2016-2018).

The content of this document can be grouped in parts as follows:

* *International and European regulatory frame for freedom of expression and accessibility to information by persons with disabilities (United Nations, Council of Europe, European Union and Republic of North Macedonia);*
* *Programme containing activities and measures encouraging providers of audiovisual media services to make their services accessible to persons with visual or hearing disabilities;*
* *Review of measures and practices in other European countries with regards to ensuring accessibility to audiovisual media services for persons with visual or hearing disabilities, with the presentation of positive experiences.*

The second part consists of activities which were realized, in original or altered form, by the Agency in the period 2016 - 2018. These activities include:

1. *Research and analysis of the needs of persons with visual or hearing disabilities and the current situation in the media regarding the programmes intended for persons with disabilities;*
2. *Improvement of the Agency communication with users having visual or hearing disabilities;*
3. *Establishing cooperation with organizations representing people with visual or hearing disabilities and with other relevant institutions and organizations;*
4. *Development of coregulation act for accessibility to audiovisual services by people with visual or hearing disabilities;*
5. *Monitoring the fulfilment of multiannual goals stipulated with the coregulation act;*
6. *Campaign for raising the awareness;*
7. *Publication of Manual for persons with disabilities for promotion of their rights and the new technical possibilities for access to audiovisual services.*

Throughout the validity period of the Programme, the regulatory body took many activities and created two publications. In addition, the practice allowed multiple goals to be fulfilled through one activity, as presented in this Report.

## Accessible administration to persons with disabilities

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| **The Procedure contributed to the realization of the following Programme activities:** |
| 1. **Improvement of the Agency communication with persons with visual and hearing disabilities;** 2. **Establishing cooperation with organizations representing people with visual or hearing disabilities and with other relevant institutions and organizations.** |

The Agency, within “Accessible Administration to Persons with Disabilities” Project, adopted “**Procedure for communication with citizens having particular type of disability**”[[4]](#footnote-4). This Procedure was adopted in July 2015, i.e. prior to the adoption of the Programme; however, it is a document that applies in continuity and shapes the employees’ accessibility in the regulatory body.

In fact, the Procedure prescribes the way of provisioning accessibility to the Agency services for persons with disabilities, way of communication, obligations of the persons responsible for communication and recording the rendered services.

The regulatory body assigned persons for continuous communication with the persons with disabilities, taking activities related to the demands of these persons to the Agency for Audio and Audiovisual Media Services, and at the same time acting in compliance with the guidelines provided in the “Code of Conduct for persons with disabilities” of the PI Institute for Social Activities – Skopje. The persons assigned for continuous communication with persons with disabilities share their experiences gained from such communication and the trainings with the other employees in the Agency for Audio and Audiovisual Media Services. The data for contact with the persons assigned for continuous communication with persons with disabilities are available on the Agency website:<http://avmu.mk/komunikacija-so-gragjani-so-poprechenost/>.

Samples of the **Code of Conduct for persons with disabilities**, containing instructions for conduct provided as assistance for the Agency employees, are placed in visible places on each floor of the Agency facility.

## Research “Accessibility to Broadcasters’ Programmes Intended for Persons with Visual and Hearing Disabilities – Offer and Needs”

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| **The Research contributed to the realization of the following Programme activities:** |
| 1. **Research and analysis of the needs of persons with visual or hearing disabilities and the current situation in the media regarding the programmes intended for persons with disabilities;** 2. **Improvement of the Agency communication with users having visual or hearing disabilities;** 3. **Establishing cooperation with organizations representing people with visual or hearing disabilities and with other relevant institutions and organizations;** 4. **Publication of Manual for persons with disabilities for promotion of their rights and the new technical possibilities for accessibility to audiovisual services.** |

The Research “**Accessibility to Broadcasters’ Programmes Intended for Persons with Visual and Hearing Disabilities – Offer and Needs**”[[5]](#footnote-5), first of its kind in North Macedonia, was realized in two phases and the results were presented on the fourth public meeting of the Agency, held on December 29, 2016.

The first phase included research of the extent and type of offer of the TV programme intended for persons with sensory disabilities (visual and hearing impairment). For such purpose, the answers provided in the Questionnaire were analysed in terms of the extent and type of offer of the TV programme intended for persons with sensory disabilities, which was sent to all TV services on August 11, 2016.

The second phase was realized via interviews with the representatives of organizations representing people with visual and hearing disabilities, where they have expressed their media needs and their opinions regarding the programmes intended for them. In the course of August, meetings and interviews were realized with Mr. Vasko Markov, President of the National Association of Deaf and Hard of Hearing of Republic of Macedonia; Mr. Zarko Selkovski, President of the National Association of the Blind of Republic of Macedonia and with Mr. Koce Dimov, President of the National Sports Federation for the Blind and Visually Impaired.

The analysis of already existing data and the additional qualitative research of the opinions and needs of the persons with visual and hearing disabilities in terms of the type of programmes offered by the providers of audiovisual media services, provided some knowledge regarding the way how these persons use audiovisual services in the everyday life, identified the problems they face with when accessing and using audiovisual services, whereby ideas were given for surpassing the barriers for accessibility and use of media services.

The key recommendations from the research indicate many further activities, such as:

* *Monitor analyses and recommendations of the Group of European Regulators Group for Audiovisual Media Services (ERGA) for accessibility for persons with disabilities;*
* *Initiate drafting of coregulation act with the broadcasters for access to audiovisual media services by persons with visual and hearing disabilities;*
* *Public Broadcasting Service should broadcast news and programme with sign language interpretation in the prime time. If that is not possible, at least the old broadcast of the news (at 17:00 hrs.) should be provided[[6]](#footnote-6);*
* *Public Broadcasting Service and commercial broadcasters – users of funds from the Budget of Republic of Macedonia for production of documentary and feature programmes pursuant to Article 92 of the Law on Audio and Audiovisual Media Services should be obliged to adjust their programmes and include sign language and subtitles – i.e. audio description[[7]](#footnote-7);*
* *Surpass barriers for accessibility to programmes by displaying the sign language interpreter on a larger part of the screen, graphic display accompanied with voice, etc.;*
* *Public electronic communication network operators to provide fixed position of TV and radio channels in Republic of North Macedonia, and*
* *Increase accessibility to children’s programmes (educational and entertaining) for children with visual and hearing disabilities.*

The text of the complete document is available on the Agency website in the special banner for media accessibility for persons with sensory disabilities[[8]](#footnote-8).

Such activity initiated and established cooperation by the Agency with the relevant organizations for persons with visual and hearing disabilities which will continue throughout the years.

## Brochure “How to Provide Information to Persons with Sensory Disabilities – Access, Services, Programmes, Materials and Alternative Formats“

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| **The Brochure contributed to realization of the following Programme activities:** |
| 1. **Research and analysis of the needs of persons with visual or hearing disabilities and the current situation in the media regarding the programmes intended for persons with disabilities;** 2. **Improvement of the Agency communication with users having visual or hearing disabilities;** 3. **Development of coregulation act for accessibility to audiovisual services for people with visual or hearing disabilities;** 4. **Campaign for raising the awareness;** 5. **Publication of Manual for persons with disabilities for promotion of their rights and the new technical possibilities for accessibility to audiovisual services.** |

Within the efforts of the broadcasters to encourage activities for making the programmes accessible to persons with visual and hearing disabilities, in 2018 the Agency prepared and printed a Brochure in Macedonian, Albanian and English language titled: “**How to Provide Information to Persons with Sensory Disabilities – Access, Services, Programmes, Materials and Alternative Formats**”[[9]](#footnote-9). The content of the Brochure can be divided into three parts:

*- General methods and means for provisioning information to persons with different types of temporary and permanent disability – motor/physical, mental and sensory impairment or enable better communication, according to the type of disability. This part is not only focused to broadcasters’ programmes, but also to all means they can use;*

*- Use of subtitles, presented in popular and simple way via graphic display and images, to open or closed textual descriptions, gestures and audio descriptions;*

*- Finally, the needs, ideas and perceptions of the blind and visually impaired, the deaf and hard of hearing in Republic of North Macedonia are summarized and presented as part of the findings of “Accessibility to Broadcasters’ Programmes Intended for Persons with Visual and Hearing Disabilities – Offer and Needs” Research.*

The Agency, at the same time with the printing of the Brochure, marked the 70th anniversary of the “Universal Declaration of Human Rights” adopted by the United Nations. In that regard, the Agency showed dedication by encouraging broadcasters to surpass the barriers preventing persons with sensory disabilities to access information and use audiovisual services accessible to the majority of citizens in the country, and invited the broadcasters to involve themselves in this process.

The UN Convention on the Rights of Persons with Disabilities obligates the signatories, including North Macedonia as well, to communicate with the persons by using communication at their own choice, including “use of sign language, Braille alphabet, augmentative and alternative communication, and all other available means, methods and formats for communication by the persons with disabilities in the official interactions”.

## Communication with providers of audiovisual media services

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| **The Communication contributed to realization of the following Programme activities:** |
| 1. **Research and analysis of the needs of persons with visual or hearing disabilities and the current situation in the media regarding the programmes intended for persons with disabilities;** 2. **Development of coregulation act for accessibility to audiovisual services by people with visual or hearing disabilities;** 3. **Campaign for raising the awareness;** 4. **Publication of Manual for persons with disabilities for promotion of their rights and the new technical possibilities for accessibility to audiovisual services.** |

On February 2, 2017, the Agency representatives took part in “The Deaf and The Media” TV show, produced and broadcasted by the public broadcasting service Macedonian Radio Television and prepared by Marija Basheska – Stojanovska, a journalist in educational programme on MRT and sign language interpreter, in order to popularize “Accessibility to Broadcasters’ Programmes Intended for Persons with Visual and Hearing Disabilities – Offer and Needs” research.

On March 1, 2017, a meeting was held with representatives of the public broadcasting service Macedonian Radio Television with regards to the results from the research. The possibilities MRT to meet some of the demands of the persons with sensory disabilities established with the research were discussed at the meeting. In the following period, MRT1 started to translate in sign language the News broadcasted at 17:00 hrs. instead the News broadcasted at 15:00 hrs. and increased the part of the screen displaying the sign language interpreter and during 2018 Elections the deaf and visually impaired persons were able to access some of the current and informative programmes by using the sign language.

Work meeting was held on December 13, 2018 with representatives from all TV services broadcasting programmes on national level. The brochure “How to Provide Information to Persons with Sensory Disabilities – Access, Services, Programmes, Materials and Alternative Formats” was presented to them at the meeting. The goal was the TV services to become aware of the needs and demands of the persons with sensory disabilities with regards to the media and media contents and discuss about increasing the extent of contents that the media would make accessible to these persons. This was an opportunity for the Agency to initiate and discuss drafting of coregulation act by the media for accessibility to audiovisual services for persons with visual and hearing disabilities, and at the same time to hear the opinions, ideas and suggestions of the broadcasters for provisioning accessible programmes.

Apart from the public service broadcasting news, the shows “The Fifth Angel” (for persons with disabilities), and “World of Silence” (for persons with visual and hearing impairment), and temporarily adjusting informative programmes, there are another two TV services broadcasting programmes accompanied with sign language interpretation. The regional TV service with headquarters in Ohrid – TVM for several years broadcasts news adjusted for persons with sensory disabilities. As of 2019, the national TV 24 Vesti interprets the news in sign language. The news at 20:00 hrs. and the informative programme “Transparent” were also adjusted with sign language interpretation. Other TV services not so often adjust programmes for the deaf and hard of hearing.

## Proactive, personal example for realization of the increased accessibility by the Agency

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| **Setting personal example contributed to the realization of the following Programme activities:** |
| 1. **Improvement of the Agency communication with users having visual or hearing disabilities;** 2. **Campaign for raising the awareness.** |

The Agency, led by the principle that personal contribution is of great importance for the entire process, increased the accessibility to contents for persons with sensory disabilities by provisioning accessibility to its own contents and publications. On the third public meeting for 2017, the Agency presented the new design of its **website**, whereby most significant is the upgrade of the website [www.avmu.mk](http://www.avmu.mk) with additional functionalities which will significantly facilitate the access by persons with total or partial visual impairment, as well as for colour blind persons. Throughout the process, there were consultations with experts and Mr. Koce Dimov, President of the National Sports Federation for the Blind and Visually Impaired.

The used software allows totally blind persons to be able to hear the website content in **Macedonian, English** and **Albanian** language by pushing particular keyboard buttons. The persons with partial visual impairment have the option to zoom and increase the readability and visibility of the published contents, and for the colour blind persons the website is adjusted with options for black/white contrast and colours that these persons can distinguish.

**Website dedicated strictly to media literacy** ([www.mediumskapismenost.mk](http://www.mediumskapismenost.mk)), administered by the Agency, was also promoted at the fourth public meeting held in December 2017, when it was also made accessible to persons with visual impairment and to colour blind persons. Implementation of such additional functionalities significantly facilitates the accessibility to information provided by the Agency and the members of the Media Literacy Network for persons with visual and earing disabilities. In fact, having in mind that accessibility, i.e. access to media for all citizens, is one of the key elements of every definition for media literacy, the Agency believes that its activities from the Programme for ensuring access to the media by persons with sensory disabilities are part of the efforts for encouraging media literacy.

In addition to the aforementioned, for several years there is a special segment on [www.avmu.mk](http://www.avmu.mk) dedicated to accessibility to media for persons with sensory disabilities. In this **banner**, functioning in **Macedonian, English** and **Albanian** language, the information on the Agency activities for ensuring accessibility to programmes by persons with sensory disabilities are systematized in one place.

All of the above mentioned are methods through which the regulatory body insists to introduce the public with the media needs of the persons with disabilities. The website also serves as a resource centre for those who want to catch the attention of the public regarding this question or make a research on this topic.

Furthermore, the Agency utilizes standard methods as well, such as providing statements, data and materials for journalist articles. Such example is the text by Angela Rajchevska dated April 18, 2019 titled “TV Screens Without Deaf-Mute Communication Interpreters” prepared within “Disability is Just a Matter of Perception” Project implemented by the Media Diversity Institute from London, in partnership with the Macedonian Media Institute and the National Council of Disability Organizations from Macedonia, funded by the European Union[[10]](#footnote-10).

## The activities continue

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| **The continuous activities will contribute to the realization of the following Programme activities:** |
| 1. **Improvement of the Agency communication with users having visual or hearing disabilities;** 2. **Campaign for raising the awareness.** |

The completion of the Programme in 2018 did not mean end of the Agency activities. On the occasion of the World Election Day, OSCE Office for Democratic Institutions and Human Rights (ODIHR) and the OSCE Mission in Skopje organized “Participation of persons with disabilities in the electoral process” Conference, which was held on February 6, 2019 in Skopje.

The Conference serves as a platform for raising the awareness for the limited participation of the persons with disabilities in the electoral process, as well as identification of measures stimulating differences and inclusion in the democratic institutions and in the decision-making process.

Agency representative, who made a special contribution within the group for “Questions related to the visibility of persons with disabilities in the electoral process” also participated on the Conference, which was a great occasion to share some of the experiences with regards to the accessibility of media programmes with the activists for the rights of persons with disabilities, representatives of organizations for persons with disabilities, president and representatives of the State Election Commission, representatives of the Ministry of Justice, Ministry of Labour and Social Policy, Ministry of Education and Science, former MP candidates from the ranks of persons with disabilities; representatives of political parties, the academic community, international organizations working in this area as well as the Inter-party Parliamentary Group for the Rights of Persons with Special Abilities.

On May 21, 2019, representatives of the regulatory body participated on the Conference “Exchange of Good Practices for Non-discrimination – Operation of Austrian Mechanisms for Equality and National Mechanisms of Equality”, organized by the Ministry of Labour and Social Policy in cooperation with the OSCE Mission in Skopje. In the process of exchanging experiences, the Agency presented its website – as an example for demystifying the issue related to the use of tools for web content accessibility. Apart from this, publications prepared so far were also presented.

In fact, such events should be used as promotion of the Agency efforts for ensuring bigger accessibility in the future; however, the format and structure and the participants should be seen as an example for organization of similar activities by the Agency in the future.

## Perspectives for ensuring accessibility

Persons with disabilities are the greatest minority in the world and therefore they must enjoy all fundamental rights, including the right to participate in politics. The ratification of the Convention on the Rights of Persons with Disabilities by Republic of North Macedonia in 2011 implies that the country must guarantee the rights to persons with disabilities and at the same time ensure efficient and full participation in the political and public life equally as the others, directly or through freely elected representatives, including the right and opportunity of the persons with disabilities to vote and be voted. Media play significant role in such guarantee via accessible educational and informative programmes.

The former approach of the Agency aimed at introducing the broadcasters with the social advantage and responsibility of the media to make their programmes accessible, thus increasing the popularity of such programmes, gave some results. Several new informative programmes of the commercial broadcasters accompanied with sign language interpretation have appeared. In addition, broadcasting commercial communication with the use of sign language interpretation was also noticed.

In the forthcoming period, the regulatory body will prepare a **policy document for programme accessibility to persons with disabilities**, considering the new obligations in this area prescribed with the latest modifications of the Directive for Audio and Audiovisual Media Services. In fact, the obligation is **not to encourage** providers of audiovisual media services to make their programmes accessible, **but to ensure** that the media will make their programmes continuously and progressively accessible. Simply put, the obligation will not be legally prescribed strictly for the public service, but for the private providers of audiovisual media services as well.

Of course, there will be consultations with the interested factors in the forthcoming activities. Apart from the national associations, other entities should be involved in our activities for ensuring accessibility as well: governmental structures, business community, experts and individuals, with or without disabilities who want to invest for this purpose, as well as citizen associations dealing with rights of persons with disabilities and accessibility in particular. In the reporting period it was obvious that multiple new citizen organizations were established for the purpose of accessibility, with which the Agency can cooperate. Such example is Inklusiva – Association for Promotion and Development of Inclusive Society, upon whose proposal the State Election Commission adopted instructions for use of Braille letter scheme by persons with visual impairment on the local elections held in 2017.

What is especially important is the development of direct communication and information exchange with the Inter-party Parliamentary Group for the Rights of Persons with Special Abilities, informal group consisting of MPs from all political parties, as well as with the National Coordinative Body for implementation of the UN Convention on the Rights of Persons with Disabilities in Republic of North Macedonia, established by the Government on April 17, 2018, as an executive mechanism which should initiate, coordinate, solve and direct the authorities with regards to the activities and principles they should take.

1. Universal Declaration of Human Rights, United Nations, December 10, 1948, available on: <http://bezomrazno.mk/wp-content/uploads/2013/10/Univerzalna-deklaracija-za-pravata-na-covekot.pdf> [↑](#footnote-ref-1)
2. In the period until the adoption of the Law on Broadcasting Activity in 2005, the regulatory body, formerly named as Broadcasting Council, was competent to allocate the funds from the broadcasting fee, intended for developing projects of public interest. [↑](#footnote-ref-2)
3. “Programme for Ensuring Media Accessibility to Persons with Sensory Disabilities” (no. 01-4086/1) adopted by the Agency Council on June 18, 2015. Available on: <https://bit.ly/2qNiYhk> [↑](#footnote-ref-3)
4. “Procedure for Communication with Citizens Having Particular Type of Disability” (no. 01-4641/1) adopted by the Agency Council on July 15, 2015. Available on: <https://bit.ly/2MU8fvy> [↑](#footnote-ref-4)
5. “Accessibility to Broadcasters’ Programmes Intended for Persons with Visual and Hearing Disabilities – Offer and Needs”, December 2016, available on:<http://avmu.mk/wp-content/uploads/2017/06/Istrazhuvanje_Pristap_do_radiodifuzerite_za_lica_so_osteten_vid_i_sluh_2016.pdf>. The Research presentation is available on: <https://bit.ly/2SF21VM>. [↑](#footnote-ref-5)
6. At the time of conducting the research, the News broadcasted at 15:00 hrs. included sign language as well; however, the persons with hearing disabilities deemed that it was inappropriate, since the time when the News were broadcasted overlapped with their working hours and other obligations. [↑](#footnote-ref-6)
7. The amendments to the Law on Audio and Audiovisual Media Services in 2018 revoked the provisions related to the obligation for production and broadcast of documentary and feature programmes. Therefore, such request cannot be implemented. If different manner of supporting of TV programme production is found, the request from the persons with sensory disabilities must be considered as well. [↑](#footnote-ref-7)
8. This part of AA&AVMS website is available on: <https://bit.ly/2qNbE5i>. [↑](#footnote-ref-8)
9. “How to Provide Information to Persons With Sensory Disabilities – Access, Services, Programmes, Materials and Alternative Formats”, December 2018, available on: <https://bit.ly/2Wo9er6> [↑](#footnote-ref-9)
10. “TV Screens Without Deaf-Mute Communication Interpreters”, April 18, 2019 година, available on: <http://aktiv.mk/resursi/storii/444-tv-ekranite-bez-tolkuvachi-za-gluvonemi> [↑](#footnote-ref-10)