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Improving Media Access for the Population with Disabled Hearing in Romania and Hungary

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The policy problem under discussion can be defined in the following terms:

1. The access of *deaf* to the information transmitted by the television programs requires specifically designed technical facilities and procedures in order to “translate” this information to them. These facilities and procedures might vary from case to case, ranging from captioning or subtitling to the use of an interpreter of the sign language. The population with disabled hearing has no access to the largest part of television transmitted information due to the *complete lack* (the case of Romania) *or insufficiency* (the case of Hungary) *of specific arrangements, legal standards and policies aimed at enabling their access.*

2. To this one should add, in case of an important part of hearing impaired population, very serious *communicational* difficulties. For many deaf, sign language is the only accessible mean of communication, but, as our survey also denotes, most hearing people are not familiar with this visual language. The communicational difficulties encountered by deaf are comparatively greater in Romania, a country where sign language did not enjoy legal recognition until recent times, and even today is completely missing from the educational system. As a consequence, most deaf people are able to communicate only at a very low level. This forms a serious impediment in their access to information, in developing their relationships and their full integration into the life of the community.

3. Persons with disability generally have additional difficulties compared with the rest of population in accessing information provided by television and Internet, due to their *economic and social marginality, lower educational level and lack of specific knowledge of informational techniques.* Many people with physical or sensorial handicap find it psychologically difficult to enter a public Internet club. To the physically disabled the existence of obstacles such as stairs (and the lack of special devices) might also prevent entering public places where information is transmitted or made available (TV studios, Internet or TV clubs, information centers, public libraries).

4. Current legislation in the two countries does not provide any guaranteed broadcasting space for the *representation of the interests and problems of disadvantaged groups within the media.* There are no requirements to television stations and Internet service providers in order to make their programs accessible to deaf or other categories of disabled persons. There is a lack of consideration and an almost complete silence in the media concerning the specific needs of disabled and their status within the society.

Exclusion from access to information of a particular social group with specific needs - the disabled - is both a cause and an effect of the economic, social and political marginality of that group. Disabled find themselves at the edge of society not just as the result of their exclusion from access to information, but also in relation to other essential aspects of their life: education, employment, social safety and access to culture. The lack of access to important sources of information is only aggravating their situation. There is a huge discrepancy and a very accentuated disadvantage of disabled youth concerning access to higher levels of study.

Excluding a specific group of people (who are already in a disadvantageous situation due to their disability) from access to certain essential informational resources and from equal chances to

adequately promote their interests in the public space via the media is breaking the principle of equity. The lack of special concerns and consideration for the particular needs of people with disabilities is likely to amplify their perception of being regarded as second class citizens, who are less valuable and deserve less attention from the rest of society.

There are several possible options open for improving access of deaf and other categories of disabled to the visual media. However, due to the specificity of the problem under discussion, these options should be seen as complementary, rather than as mutually exclusive. Usually, policy makers think in terms of alternatives. But in the situation where a marginal social segment is striving to get a more open door to the informational resources of the society one cannot speak of policy alternatives in a similar understanding as they appear in other fields of public life.

In order to develop not just the possibility of accessing, but also a real access of disabled to information it is essential to ensure the existence of adequate special technical facilities, legal and policy standards. In the same time, however, there is a strong need to improve the public image on disability, and to ameliorate the social-cultural conditions in which persons with disabilities live. The most important aim in this regard is to begin breaking the vicious circle where poor educational level and weak ties with the larger social environment result in modest informational needs of most disabled, thus conserving their low social status and marginality

a. Broadening the social dialogue

At the beginning of last year representatives of the main Romanian TV stations and of the Romanian National Association of Deaf, together with experts of the National Audio-visual Council started a dialogue in order to find mutually acceptable solutions for deaf access to visual media programs. The continuation of this dialogue would be essential not just for reaching an agreement on special deaf TV broadcasts, but also for establishing long-term links, in order to prepare the ground for legislative changes and for setting up institutionalized forms of cooperation.

The continuation of the negotiation process will enable partners to get to know each other better and familiarize with the ways of thinking, values and outlooks of the other side. Given the huge gap which still exist between disabled and the rest of society, confidence building should be regarded as an absolutely necessary prerequisite of setting a favorable social background for positive action and long term solutions in this field.

In the same time, it would also be essential to broaden the social dialogue, by involving other key stakeholders: NGO-s, business leaders, health workers, media representatives and policy-makers. For this purpose, conferences, roundtable discussions and seminars with intense media coverage focused on disability information access issues should be organized. The problem should be put in the context of the ongoing debate on the transformation of public service institutions. The essential requirement derivable from general human rights standards is *to make public institutions accessible* for individuals of various economic, social and cultural characteristics, including the disabled. This is also an essential part of adopting EU legal standards and practices. That is why it would be

important to involve policy-makers, disability organizations and human rights activists from the EU Member states.

b. Legislative change and institutional reform concerning access of disabled to visual media and information

The forthcoming discussion of the Government Ordinance in the two chambers of the Romanian Parliament might provide an opportunity, a policy window for improvement. As the document in its present form makes no reference to informational access issues related to the media with regard to disability, the inclusion of a separate chapter to regulate this field and to establish certain standards of accessibility would be recommendable.

Another possibility for legislative improvement might emerge with the discussions in the Parliament concerning the modification and completion of the Law project on equal chances, after the law sanctioning any form of discrimination has been adopted. This proposed legislation is included among the priorities of the current Government for the period 2001-2004, in view of the necessity to fully incorporate the Community acquis.

c. Promoting change. Bringing the issue up into the political agenda

In order to promote legislative changes improving media accessibility we propose to set up a **public policy consultative and advocacy center** specialized in disability issues. Disability and human rights organizations, media leaders, political party and government agency legal experts will be invited to participate in the activity of these groups. The aim would be to draw up proposals for legislative and institutional reform and to advise legislators and decision-makers.

The proposed organization should also assume the task to advocate for positive policy changes in ensuring greater degrees of informational access for disabled. The major aims of the association in this respect would be:

- ✍ to promote access of disabled to the television transmitted information by information campaigns, coalition building, initiating new legislation, proposing institutional reforms, training of qualified staff and organizing fund raising activities in order to finance the production of special accessible TV programs
- ✍ to assist television stations in ensuring the adequate presence and correct representation of disability issues and of disabled in their programs

d. Budgetary allocations and additional funding

To work in practice, the new legal standards concerning disability access should be accompanied by a specific allocation from the state budget aimed to cover the additional costs incurred by the implementation of those standards. The costs of sign language translation services, subtitling and captioning of television programs will be covered out of this budgetary allocation.

The inclusion of a special budgetary sub-category to finance the implementation of minimal accessibility standards should not put an “undue burden” to the budget. In fact, it is possible - and indeed desirable - to devise solutions with large-scale applicability in order to achieve the

maximum of results with a minimum of investment. In any case, the increase of symbolic capital to be gained by the political elite, the improvement of its internal and external credibility which would represent a serious asset in the process of European integration will be incomparably more important than the financial costs involved.

At first, the budgetary allocations can be rather modest. What is far more important, is the political message. To the disabled, the adoption of compulsory and budgetary guaranteed accessibility standards will reinforce the image of a caring society, determined to ensure equal opportunities and equal dignity to all its citizens. To the public within the country, it will show the image of a caring and civilized society. To the European Community it will transmit the image of a responsible government taking seriously its commitments and thinking profoundly about human rights and values.

It is necessary to stress, however, that the accessibility standards to be included in the proposed legislation should be considered as the minimal requirements only. Television broadcasters should be encouraged and supported by all means to implement as high standards of accessibility as possible. Larger television companies with large budgets are especially in a favorable situation as even a very small percent of their budget allocated to the achievement of a greater accessibility can make the difference in this field. In addition, in order to ensure funding for special disability TV programs, nationwide *foundations* dedicated to this aim should be established in both Romania and Hungary. Their membership should include disability and human rights activists, policy makers, media experts, businessmen and others committed to work for viable solutions, together with the representatives of disabled. These foundations should extend their activities to all regions and should have local offices in the main cities in order to penetrate as much as possible the economic, social and public life of the two countries.

e. Broadcast translation service

As a precondition for effective special accessible broadcasts, there is a need for the establishment of a **sign language broadcast translation service**. The utility of such a service can be justified by the fact that, at least in the first stage, it would be too costly and too difficult from organizational point of view for TV stations to create their own translation services, which can not be used fully under present circumstances. On the other hand, a nationwide broadcasting translation service presents the advantage that it could use a unitary set of criteria agreed with a wider circle of disability specialists and media experts in the selection of the information to be translated and offered for re-broadcasting to TV companies.

f. Institutionalization of sign language interpreters' education and employment

In long term, the implementation of accessibility standards in accordance with the current practice of European Union countries will depend on the availability of qualified experts (interpreters of sign language). For this, there is a need **to improve the status and the conditions of professional training and advancement for sign language interpreters**. In Hungary, there is already an established institutional system for the training of sign language interpreters, who are recognized as representatives of a distinct profession. In Romania, such measures still need to be codified and institutionalized. Beyond these differences, however, the

organization of sign language translation in conformity with EU standards as a *public service*, which can be freely accessed anytime by all those in need is a task still ahead for both countries. Due to the utmost importance of sign language translation in ensuring information and media accessibility for hearing impaired, the establishment of a recognized sign language training educational system and the institutionalization of interpreting as a public service utility should be primarily assumed, in our view, at least in an initial period, by the state. Needless to say, NGO-s, from the concerned countries or abroad also can and should play a large part, both organizationally and financially.

g. Creating a positive public image and enhancing public awareness

As I already argued, beyond the legal and institutional framework, the access of disabled to information is to a large extent dependent on the social-cultural conditions in which persons with disabilities live. The most important aim in this regard would be to break the vicious circle where poor educational level and weak ties with the larger social environment result in modest informational needs of disabled and the perpetuation of old social stereotypes, which is only conserving their marginality.

Any long-term solutions in improving disability access to information must have the active support of the population. That is why our efforts should focus, beyond promoting the necessary changes within the political class, on **creating a positive image and a more favorable general social climate** for the proposed legislative and institutional reform.

Given the current situation, there is indeed a lot to be done in this field. As our survey on attitudes of the population show, most hearing people do not know and are not preoccupied to learn how to relate correctly to a deaf person and what should be done to communicate effectively. Deaf are generally treated without regard to the specificity of their situation, their ethnic, cultural and linguistic differentiation and the resulting communicational difficulties encountered.

There is a low level of legal and human rights mass culture at a more general level, but in special a law awareness of the rights of disadvantaged groups, including the rights of disabled. The correct understanding of the concept "different, but equal - different *and* equal", which is of vital importance for ensuring the rights of disabled in the everyday life is particularly far away from the grasp of most ordinary citizens.

In order to improve this situation it is necessary to intensify continuous education and campaigning among the general population. This might include distributing age and educational level-specific informational leaflets, public lectures, debates and meetings with the participation of both hearing and deaf people, publicising in the media events in the life of the deaf community. By doing so, we wish to make hearing people more aware about the situation of deaf, the peculiarities of deaf culture and the way hearing people could contribute in practice to ensuring the human rights of deaf, using the correct means of communication.

h. Involving representatives of the media

Driven either by a perception of "public interest" or of a "commercial interest" or by both, public and private television stations are generally rather reluctant to adequately represent in their programs the interests and legitimate needs of minority and disadvantaged groups. When these groups nevertheless appear on the screen, their representation tends to be marked by stereotypes and even hostile treatment (e.g. in the case of the Roma and other ethnic minority population). In case of the disabled, silence, rather than misrepresentation is the dominant trend. The same assertion is to large extent valid for the written media. There is no mentioning or very scarce mentioning of disability and of disabled. They simply do not fit in the idealized (and highly ideological) dominant self-image of the society. The lack of awareness and stereotypical way of thinking about disability, which is characteristic to the larger society can be traced also among media workers.

In considering options for stimulating positive media involvement in promoting informational access for disabled it is necessary to take into account the complexity and even paradoxical nature of the social environment in which media organizations have to act and define their mission. While media is to a large extent reflecting and reinforcing the dominant values and attitudes existing within the society, it also has a very important potential role in shaping these values and attitudes. For various reasons, the current dominant trend, however, is to stick to the role of opportunistic servant of a set of presumed audience expectations, which are often thought about in a simplistic, stereotypical manner, and then cultivated. The essential step would be therefore to encourage media leaders in taking up a creative-innovative attitude and outlook in order to fulfill a much more effective function as catalysts of transformation.

One of the possible modality of doing this is organizing *roundtable discussions* with editors in chief of written and visual media journalists on the presence and way of representing disabilities issues in the media. The contents of the discussions should be widely publicized both in written and broadcast form in order to obtain the greatest possible social impact.

Another way of improving both the general professional standards of journalists and their general outlook on disability is to organize training courses on journalistic freedom, independence and pluralism. Such training should focus on issues pertaining to reflecting social diversity and the representation of the marginalized categories of population in the media.

i. Improving the relationship of disability organizations with the media

In order to reach higher accessibility standards and, in the same time, a more equitable presence and representation of disability concerns in the media there is a strong need to improve cooperation of disability organizations with broadcasters and editors. NGO-s active in the field should advise media leaders in order to provide the kind of services and programs which are as close as possible to the real needs of disabled. These organizations can also have essential role in recommending competent specialists as professional staff members of special disability programs or of the written media.

j. Cooperation of NGO-s with the business sector

One of the characteristics of the situation in the two countries, but particularly in Romania is a weak level of business sector involvement in addressing social and human rights related problems. There are only very few examples of successful cooperation between civil and profit oriented organizations in spite of the fact that there are many possibilities to find shared fields of interest. The main cause of this phenomenon probably lays in the insufficient development of a Western type business culture, which integrates charitable activity in the set of basic expectations essential for the public image of any private company. The mentality inherited from the communist regime, which expects almost everything from the central political authority and ignores the opportunities offered by the private sector is also playing a part. As a result, on the side of civil organizations there is a low level of preoccupation and a lack of past experience in approaching the business world with concrete proposals for joint projects.

In order to change this mentality, civil organizations active in promoting disability informational access and for-profit organizations should come together and discuss the possibilities of cooperation both on the basis of shared values and mutual interest. For instance it might be possible to agree on accessible TV set donations for hearing impaired, loan programs for deaf to upgrade their existing TV sets, contribution of video-audio set distributors to setting up information centers and of broadcasting translation and retransmission services. Such initiatives should be widely reflected in the written and broadcasting media both in order to provide publicity to the involved private companies (thus ensuring their cooperation) and, more importantly, to offer a greater media exposure for disability issues thus raising public awareness.

k. Information and community centers

The task to ensure significant change in the cultural-informational context in which disabled live requires therefore urgent affirmative action at local community level. After considering several options, we reached the conclusion that the easiest and most cost-effective measure in this regard would be the setting up of **special information centers** designed for the needs of persons with sensorial or physical disability. In these centers disabled will have the opportunity to:

- ✍ acquire basic computer and Internet knowledge
- ✍ access information from the Internet
- ✍ view TV broadcasts which otherwise would be inaccessible to them
- ✍ consult the special web pages designed for their needs and contribute to it
- ✍ find a friendly community

Within the framework of the information center the deaf and physically disabled young people will be offered training in computer and Internet skills, including web page creation. These training courses will be translated into the sign language. Interpreters will also be members of the permanent staff of the center in order to provide assistance whenever needed.

In order to make easier for deaf the selection and accessing of the information essential to them a *special web page* will be created, to be designed in such a way as to be accessible to deaf people.

In the same time, a separate web page “for keeping in touch” and accessing essential information will be created for the needs of physically disabled people.

The information centers will also offer the possibility for organizing *round table discussions and exchange visits for specialists in the training of sign language interpreters*. The purpose of these meetings would be to prepare the ground for the institutionalization of a training system in this field and the recognition of sign language interpreter as a profession. These efforts are in line with the EU standards and the Romanian legal requirements, which set as a deadline 31 December 2002 for all public institutions in order to employ translators of the sign language who shall be in direct contact with their deaf or hard of hearing clients.

In the same time, within the centers will function *groups of linguistic self-development* in order to provide help, motivate and stimulate young deaf wishing to improve their sign language communicational abilities, as well as their oral expression, writing and reading skills

Finally, the centers will also set up *television program monitoring services* which will capture and copy to videotapes the broadcasts which are of a special interest to deaf or other categories of disabled. After being translated by an interpreter of the sign language, these broadcasts than can be accessed by disabled in *the video club* set up within the center. The video presentations will be followed by discussions, which beyond the informational benefit to participant will also have an important educational and community building effect.

Similarly, to other categories of disabled, all the important problems of deaf are, by their very nature, at the core of local community life. Any long-term solution should involve, in this respect, the joint efforts of all the important social factors: public authorities and institutions, educators, parents, providers of social services. To be effective, this co-operation should be based on the acceptance of fundamental democratic values and practices: respect for each other's dignity, acknowledgement of cultural, ethnic and linguistic diversity as a value, recognition of the right and provision of practical opportunities for preserving, expressing and developing various identities.