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In Support of U.S. Ratification of the
Convention on the Rights of Persons with Disabilities

Good morning, Chairman Menendez, ranking member Corker, and members of the Committee. My name is Frances West. I am the worldwide director for the Human Ability and Accessibility Center at the IBM Corporation. In this role, I am responsible for advancing IBM's accessibility market leadership by driving inclusive, human-centric technology innovation and solution development. I currently serve on the Board of Directors for the World Institute on Disability and the U.S. Business Leadership Network.

As an information technology (IT) executive who has dedicated a decade of my career to advancing the equal technology access rights of people with disabilities, I am honored to appear before this Committee to discuss IBM's point of view on the United States' proposed ratification of the Convention on the Rights of Persons with Disabilities (CRPD).

Today, I will discuss the current global marketplace for accessibility, the opportunities created by the CRPD, and the potential business impact of U.S. ratification of this important human rights treaty. I will conclude with IBM's recommendation for the Committee's consideration. It is our hope that the Committee will vote favorably on the treaty and the Senate will ratify it during this Congressional session.

The Current Global Marketplace for
Accessible Information and Communications Technologies

Global demand for accessibility continues to grow, due in part to the strengthening voice of more than **one billion people with disabilities worldwide**; the organizations that advance their interests; and influential human rights treaties like the CRPD. However, other parallel, disruptive trends are also driving unprecedented marketplace demand, making accessibility a mainstream requirement for governments and businesses around the globe.

For example, today a significant percentage of the world's population — **more than 800 million people — are over the age of 60.**[i] By 2025, individuals in this age bracket are expected to comprise 20 percent of the population in most industrialized nations. And while half of people over the age of 65 have some form of age-related disability — such as diminished sight, hearing or mobility — they typically do not consider themselves disabled. As a result, they are less likely to proactively seek technology accommodations, driving the need for governments and businesses to create more adaptive, intuitive and usable technology solutions from the outset.

From a technology perspective, **mobile and smart device adoption** is transforming how, when and where we communicate. It is also enabling a new paradigm for work, allowing us to connect to clients, partners and colleagues, anytime, anywhere. Last year, mobile phone subscriptions worldwide surpassed 6.4 billion.[ii] These users — more than 1 billion of whom are mobile workers — are impacted by environmental challenges that render them "situationally disabled." For example, workers taking conference or client calls in public spaces with loud ambient noise, like that in airports and coffee shops, are situationally disabled. So too, are employees who need hands- and eyes-free access while driving to email, SMS messages, and other text-based communications.

As a result, mobile technology leaders are seeking new ways to address these situational challenges to capture or sustain market leadership. In many cases, the solution involves integration of assistive technologies originally designed to enable access for people with disabilities.

Social networking and social business are also playing a significant role in mainstreaming accessibility worldwide. Upending traditional customer segmentation and collaboration models, the social revolution has generated intense demand for preference-based content and services. It has also enabled individuals as change agents and created empowered consumers with new demands for highly personalized service experiences.

Finally, **emerging human-centric technologies** such as smart TVs, wearable devices and next-generation augmented reality — a technology that is expected to grow from about 6 million users[iii] to 2.5 billion by 2017[iv] — will continue to transform the technology landscape. Enabling widespread access to and innovation for these technologies will depend in large part, on the ongoing integration of flexible, adaptive, intuitive and accessible technology capabilities.

Based on these and other disruptive trends, it is clear that moving forward the demand for accessibility will continue to increase.

Global Government Response to Rising Demand for Accessibility

In response, governments around the world are taking steps to ensure equal access to technology for everyone, including people with disabilities. As you know, the United States government has assumed a leadership role in this area with the refresh of **Section 508** of the U.S. Rehabilitation Act and the **Americans with Disabilities Act Amendment**, as well as the passage of laws such as the **21st Century Communications and Video Accessibility Act**.

However, other governments are also taking clear and significant action. In Canada, the government of the Province of Ontario in 2005 passed the **Accessibility for Ontarians with Disabilities Act**. This domain-based law impacts public- and private sector organizations and, in part, includes requirements that all new Web content and user interfaces be accessible by January 2014.

In Europe, the **EU Mandate 376** requires the three standards bodies in that region to harmonize and facilitate the procurement of accessible information and communications technologies (ICT). The **European Accessibility Act** currently under development will also define new procurement requirements for government entities and significantly impact the private-sector mobile market in Europe.

In China, a national **Web Accessibility standard** has been established that harmonizes with key principles outlined in the World Wide Web Consortium's Web Content Accessibility Guidelines, ensuring that more people with disabilities in China can access and use the Internet.

Notably, all of these countries have ratified the CRPD and only the U.S. – the leader in disability and accessibility policy – has not.

Scope and Importance of the CRPD

As of October 2013, 158 countries worldwide have signed the CRPD. Of these, 138 countries have also chosen to ratify the Convention based on the clear understanding of its broad intent to advance the full societal inclusion of people with disabilities. The CRPD quite simply mandates that people with disabilities should have the full rights and freedoms enjoyed by all other citizens worldwide, including equal access to employment, healthcare, education, transportation and technology, to name a few.

Importantly, it also establishes the first universal framework for accessible ICT. Understanding that technology is the great equalizer for underserved populations, the CRPD authoring committee adopted this framework to provide governments and businesses worldwide with a clear roadmap towards inclusive ICT that can benefit all individuals, including people with disabilities.

IBM Point-of-View on U.S. Ratification of the CRPD

It is for these reasons, that IBM — which for 100 years has embraced accessibility as a diversity initiative and has been consistently recognized for its leadership in the employment and accommodation of people with disabilities — supports the CRPD and its underlying principles.

It is our view that the CRPD does more than any single government or business entity could do on its own, and that U.S. ratification of the CRPD will advance the marketplace for accessible ICT, ultimately benefitting the U.S. economy, businesses and individual citizens.

Indeed, by unifying ratifying countries in collective commitment to providing people with disabilities with, in part, equal access to employment, education, and technology, the CRPD accelerates a number of critical business imperatives, including:

- The adoption of globally-harmonized accessible information technology standards;
- Technology research innovation and agendas;
- Policy-driven market growth;
- Public- and private-sector procurement policies;
- A larger, accessibility-informed U.S. talent pool;
- And the development of more U.S. knowledge workers with disabilities.

Adoption of globally-harmonized accessible information technology standards:
In the IT industry, standards play a critical role in ensuring the interoperability of technology and the acceleration of innovation upon a common foundation. Through the Global Initiative for Inclusive Information and Communications Technologies (G3ict), the CRPD advocates for

accessible ICT standards harmonization among ratifying countries. This is vital to the U.S. and U.S.-based technology companies for a number of reasons:

1. The Convention itself is based on the Americans with Disabilities Act (ADA). As such, it embraces standards of inclusion outlined in the ADA and by extension, U.S. accessibility standards.
2. For U.S.-based technology companies like IBM, global accessibility standards that are harmonized with U.S. standards protect our investments in accessible technology and **help ensure return on investment over the long term.**
3. As the global IT market grows with more participation from every corner of the globe, the U.S.'s ability to influence overseas IT manufacturers is diminishing. The G3ict focus on harmonizing international standards to those developed here in the U.S., like the World Wide Web Consortium's **Web Content Accessibility Guidelines**, will enable the IT industry to achieve economies of scale and preserve the United States' ability to continue to lead change worldwide.

The implications of unharmonized technology standards are potentially enormous. Without standards harmonization, the availability of accessible ICT could be greatly diminished because the market would fragment. Essentially, the costs of solutions and services would increase due to the need for customization for each individual market; and, conversely, access to lucrative markets ripe for accessible solutions and services will decrease because of these divergent requirements.

Take for example, a piece of technology I'm sure most of us in this room have with us today: our mobile smartphone. Due to massive global adoption rates, device manufacturers and service providers are under intense marketplace pressure to continually deliver new and better products. As a result international standards development has not been able to keep pace and countries are, in some cases, setting divergent requirements for mobile accessibility.

Today mobile accessibility is like the Wild West, with every country sheriff trying to determine how to set and enforce laws in the mobile territory. In this space, the U.S. has led by setting some standards through FCC regulation but we are seeing other countries begin to establish divergent requirements. What does this mean? If we are not at the policy and standards tables to ensure that mobile and all ICT accessibility rules are globally harmonized, market barriers will be created for technology products and solutions. The trickle-down effect for all users that require accessible mobile devices is that they will not be able to use their mobile technology in foreign countries. For global citizens, for IBM's employees in 96 countries, and all persons with disabilities who rely on these devices as an essential enabler of work and life, this could be a major barrier to work and societal inclusion. The U.S. needs to lead and continue to share our expertise in order to keep open markets and our global relevance.

By promoting globally the standardized development of accessible ICT the CRPD will drive awareness of the importance of using international accessibility standards in all industries and

environments. By not having a “seat at the table” in standards development, U.S. businesses’ ability to quickly develop and innovate new solutions will be slowed and our capacity to keep up with the speed of change, especially in the mobile space, will be hampered.

The ripple effect for people with disabilities will be significant not only in terms of the increased availability of accessible ICT, but also with respect to jobs creation, and employment opportunity.

For instance, innovation in accessibility technology that benefits people with disabilities also benefits the general population that are "situationally disabled,” as mentioned previously. Aligning around harmonized standards will allow businesses, such as IBM, to address accessibility needs into their product development and be better positioned to lead a market when an assistive technology garners the attention of the mass market. [v] Thus, expanding the market opportunity will create an entrepreneurial wave of activity that creates jobs and promotes accessible ICT.

As U.S. businesses gain a greater understanding of the need for accessible, standards-based solutions and incorporate best practices into their procurement and development processes, they will over time become better equipped to support the competitive employment of existing employees with disabilities and create new opportunities for prospective employment candidates with disabilities.

Policy-driven market growth:

In the U.S. and worldwide, the actions of governments have long played a key role in driving business opportunity. It is no exaggeration to say that in many cases, **policies make markets**. The U.S.’s **Section 508 of the Rehabilitation Act** is a prime example. Prior to the enactment of this federal procurement policy, the accessibility market was small. Indeed, most technology companies would have classified it as “niche” and therefore not an investment priority.

However, Section 508 and the buying power of the Federal government has transformed the marketplace for accessibility, generating new demand for accessible ICT from government agencies and the countless companies that provide products and services to those agencies. As a result, this single U.S. policy action has played a major role in defining accessibility as a mainstream government and business requirement. U.S. ratification of the CRPD will have a similar effect across many other industries vital to the socio-economic inclusion of people with disabilities, including education, healthcare and transportation.

Public- and private-sector procurement policies:

In recent years, IBM added an accessibility statement to our procurement policy to encourage the acquisition of products, services and solutions that are usable by all of our 430,000 employees worldwide. This action prompted change among our vendors and suppliers, increasing integration of accessibility into their products and services.

The CRPD promotes the use of accessible technology. Public- and private-sector adoption of procurement requirements for accessible technology will increase the marketplace for accessibility innovations on a broad scale, increasing technology access for individuals in every country where accessibility innovators do business.

A larger, accessibility-informed U.S. talent pool:
One of the primary challenges to widespread accessible ICT adoption is the dearth of accessibility expertise across all lines of business. Post-secondary and professional education curriculums have simply not kept pace with increasing marketplace demand for accessibility. As the CRPD drives increased awareness and adoption of accessibility best practices, knowledge and skills of individuals in key job roles — including executive management, human resources and IT development — will naturally increase. Accessibility innovation, research agendas, and procurement rules in the U.S. and worldwide will advance as a result.

More knowledge workers with disabilities:
Equally as challenging as the lack of mainstream accessibility expertise is the shortage of people with disabilities with the skills necessary for IBM and companies like us to hire them. For IBM, a diverse workforce that includes people of different cultural backgrounds, heritages, ages and abilities has proven to be a significant competitive differentiator. In our experience, diversity of thoughts, perspectives and viewpoints drives innovation. Unfortunately today, too many prospective job candidates with disabilities lack the necessary science, technology, engineering, and math skills to even qualify for employment consideration at IBM. By prioritizing both equal education *and* technology access for people with disabilities, the CRPD will in turn, create a larger talent pool of knowledge workers with disabilities, enabling IBM and like companies to hire the best talent and meet requirements associated with emerging policies such as **Section 503** of the Rehabilitation Act.

Conclusion
In conclusion, IBM is confident that U.S. ratification of the CRPD will generate new opportunities for U.S. businesses. It will also create marketplace "pull" for accessible information and communications technologies and reinforce the United States' legacy leadership position as a champion for full societal inclusion of people with disabilities.

Failure to act, will produce quite the opposite effect over the long term: stifling the ambition and dreams of people with disabilities, choking marketplace opportunities, and jeopardizing the United States' ability to influence the global accessibility community. IBM wants the full backing of the U.S. government to influence the development of emerging standards and policies that drive an important market for us.

As we look towards the future of technology and its increasing emphasis on delivering personalized, intuitive, adaptive and accessible experiences for every individual, governments and businesses that prioritize accessibility and take necessary steps to create or maintain

leadership will be at a distinct advantage. I can tell you that IBM has already seen increased interest in its accessible solutions in countries that have ratified the CRPD.

Ratification of the CRPD by the U.S. would enhance our opportunities here and abroad. The business community has signaled its support for the ratification of the treaty with letters from the U.S. Chamber of Commerce, the Information Technology Industry Council and the U.S. Business Leadership Network. IBM includes its support as a member of these organizations.

Finally, for nearly a half century, the U.S. has worked to ensure that people with disabilities can enjoy the same rights and freedoms as the rest of our citizens. This administration in particular, has set aggressive goals to strengthen healthcare access, expand educational opportunities and increase employment of people with disabilities.

As with many other societal issues, the U.S. has served as a model for the rest of the world. Ratifying the CRPD is the next logical step in our journey towards full societal inclusion of Americans with disabilities. It will also preserve our leadership role in promoting the rights and employment of persons with disabilities worldwide, and create new global market opportunities for U.S. businesses.

However, I believe there is perhaps an even larger benefit to be realized by U.S. ratification of the CRPD. As the widespread creation, availability and use of accessible technology increases, we have a unique opportunity to transform not only the way we do business, but our society as a whole. Because widespread accessibility integration cannot be achieved by any one public or private entity, by necessity new cross-industry partnership models will emerge to speed innovation and decrease time to market. Through these public-private partnerships, IBM and like-minded government, business and technology leaders can affect real and significant change for people with disabilities, the aging population and others on a broad scale.

By partnering together, government, advocacy, healthcare, education, telecommunications, transportation, technology and other industry leaders can maximize value creation for even more people. The end result will be smarter, more connected, inclusive and accessible societies for all of us. That, I believe, is an outcome worth aspiring to and a goal worth pursuing together.

Mr. Chairman and members of the Committee, I hope my insights into IBM's point of view on U.S. ratification of the Convention on the Rights of Persons with Disabilities are helpful.

Thank you for the opportunity to testify before you today. I look forward to answering any questions you may have.

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[i] Ageing in the 21st Century: A Celebration and A Challenge, Chapter 1. 2012. U.N. Population Fund, http://unfpa.org/ageingreport/

[ii] Source Digit. http://sourcedigit.com/1264-global-mobile-penetration-q3-2012/

[iii] Los Angeles Times. http://articles.latimes.com/2011/oct/13/business/la-fi-augmented-reality-20111013

[iv] Juniper Research. http://www.juniperresearch.com/viewpressrelease.php?pr=334

[v] Gartner, "Market Trends: New Technologies Benefit Employees and People With Disabilities" (Published: 20 September 2013)