# Moving towards equal access to technology for persons with disabilities in the Caribbean

## Introduction

In the Caribbean, there are approximately 1.3 million persons with a disability of some kind and some 250,000 persons with a significant disability. These numbers are projected to increase dramatically in the coming decades as the population of the subregion ages and given the global increase in chronic health conditions.[1]

Persons with disabilities (PWDs) face a range of physical, social, attitudinal and institutional barriers that prevent their full and effective participation in society on an equal basis with others. As a result, they experience less favorable outcomes in health, education, employment, housing and overall wellbeing.

Information and Communications Technologies (ICTs) can break down many of the barriers that prevent persons with disabilities from participating actively in society and enjoying their rights. The internet can serve as an effective source of information and social inclusion for persons with

Key recommendations:

- **Implement USF legislation and amend active USFs' legislation with updated language reflecting technological change and modern approaches to disability.**
- **Increase number of USF projects aimed at improving PWDs' access to technology by:**
  - **Increasing representation of PWDs within USFs through employing staff with disabilities and appointing disability focal points; and**
  - **Increasing engagement with PWDs during project call, appraisal and implementation processes.**
- **Increase USF transparency and accountability through regular reporting.**
- **Make structural changes to USFs to ensure the timely disbursal and sustainability of funds.**
- **Seize on opportunities for national and regional cooperation, and capacity building.**
- **Accede to the Optional Protocol to the Convention on the Rights of Persons with Disabilities.**

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[1] The demographic transition is a worldwide trend whereby countries have an increasing number and proportion of older persons in their populations due to declines in mortality and fertility and increased longevity. ECLAC (2018), 'Inclusive social protection and demographic change: The implications of population ageing for social expenditure in the Caribbean', Studies and Perspectives Series – No. 66 (LC/TS.2017/153). Santiago, Chile.

disabilities, and it is not possible in the digital age to participate fully in society without access to it. Ongoing advances in ICTs also make digital literacy a prerequisite for employment and educational opportunities. However, access to and use of the internet and other ICTs is not evenly enjoyed, and many groups experience a digital divide, including persons with disabilities.[2] For example, while smartphones now have built-in accessibility features, such as voice recognition software, many websites and other online platforms are still inaccessible to PWDs.

The United Nations Convention on the Rights of Persons with Disabilities (the Convention) requires States to take appropriate measures to ensure that persons with disabilities have access to ICTs, including assistive technologies, on an equal basis with others.[3] Universal service funds (USFs) are a valuable mechanism that can be used to finance measures to ensure ICT access to PWDs.

However, USFs have been beset with various challenges across the world, such as high levels of undisbursed funds, outdated legal frameworks preventing USFs from funding new technologies, low transparency levels leading to gross mismanagement, political interference and other indicators of poor performance. This has led experts to encourage a cautious approach to their adoption for improving access to ICTs for PWDs and other target groups.

## Background

*The Convention – which has been ratified by 14 out of 16 ECLAC Member States served by the subregional headquarters for the Caribbean[4] – recognizes that ensuring access to ICTs for persons with disabilities is an essential enabler of sustainable development, and that ICTs can help to remove the remaining barriers to the full and effective participation of PWDs in society.*

In accordance with the principle 'nothing about us without us', States must implement their obligations under the Convention in close consultation with and actively involving persons with disabilities,

including children with disabilities, through their representative organizations. By doing so, States ensure input of PWDs in decisions concerning them, and improve the effectiveness of policies, plans and programmes for this group.

Box 1: Who is a 'person with a disability'?

The Convention defines persons with disabilities (PWDs) as those who have "long-term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others." This definition recognizes that disability is an evolving, social construct resulting from the interaction between persons' impairments and external barriers that hinder their participation in society.

Source: United Nations Convention on the Rights of Persons with Disabilities.

While the Caribbean has relatively good ICT infrastructure, there is a gap between availability and use of this technology due to lack of affordability, equipment, skills or relevant local content. As a result, only 51 per cent of the Caribbean population is using the internet.[5] Furthermore, internet use by persons with disabilities lags behind that of persons without disabilities, even after accounting for age differences.[6] Similarly, while internet access figures

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2    ECLAC (2018), *Information and Communications Technologies for the Inclusion and Empowerment of Persons with Disabilities in Latin America and the Caribbean* (LC/TS.2018/48), Santiago, Chile.

3    United Nations (2006), *Convention on the Rights of Persons with Disabilities and Optional* Protocol (A/RES/61/106), New York, Article 9(1).

4    Antigua and Barbuda (2016), The Bahamas (2015), Barbados (2013), Belize (2011), Cuba (2007), Dominica (2012), Dominican Republic (2009), Grenada (2014), Guyana (2014), Haiti (2009), Jamaica (2007), Saint Vincent and the Grenadines (2010), Suriname (2017), and Trinidad and Tobago (2015).

5    We are Social (2019), 'Digital 2019: Turks and Caicos Islands', (online) <date of reference: 1 July 2019> <https://datareportal.com/reports/digital-2019-turks-and-caicos-islands>.

6    ECLAC (2017), *State of broadband in Latin America and the Caribbean 2017* (LC/TS.2018/11), Santiago.

show parity among men and women, the use of internet remains unequal, with men eight percentage points ahead of women in some countries. The gap is even larger for women with disabilities due to the multiple and intersecting forms of discrimination they experience.

## What are Universal Service Funds (USFs)?

USFs are a mechanism used to increase access to telecommunication services through projects funded by legally-mandated contributions from telecommunication providers. Traditionally, governments have used USFs to expand telephone and broadband networks into geographical areas that private telecommunication companies would otherwise view as unattractive for investment.

However, advocates for PWDs have encouraged the reshaping of these funds towards ensuring both universal service and access. Universal access recognizes that not only do remote, disadvantaged and vulnerable populations require an available connection to telecommunications, but that they must also be made accessible to persons with disabilities and other marginalized groups through the provision of the necessary skills, equipment and support.

Some countries have a Universal Service Obligation (USO) in lieu of or in conjunction with a USF. USOs place an obligation on telecommunications providers to make telecommunications services available to virtually all consumers in a country, not just those in areas where a return on investment is guaranteed. Other mechanisms are also possible to deliver universal service coverage and funding, including subsidies, access deficit charges and private-public partnerships (PPPs).

## Snapshot of USFs in the Caribbean

Ten Caribbean countries have both a USF and a USO, while Cuba has a USO alone. Of the ten countries with USFs and USOs, five – Dominica,

Grenada, Saint Lucia, Saint Kitts and Nevis and Saint Vincent and the Grenadines – belong to the Eastern Caribbean Telecommunications Authority (ECTEL), whose founding treaty requires Contracting States to establish these mechanisms.

These countries have adopted ECTEL's model USF legislation and regulations, which contain a specific mandate to provide universal telecommunications service to 'the disabled and physically challenged'. ECTEL is reaching the end of a review process, which will result in significant changes to its universal service framework. This includes extending the scope of USFs to 'Universal Service and Access Funds' (USAFs), enabling them to deliver both universal service and universal access.

The other five countries - Dominican Republic, Puerto Rico, Jamaica, Trinidad and Tobago, and United States Virgin Islands – have active USFs but only Jamaica and Trinidad and Tobago have frameworks in place to ensure universal service and access to telecommunications for persons with disabilities.

A further ten countries have enacted legislation enabling the establishment of a USF but have not implemented it. Of these countries, five have legislative instruments containing a specific mandate for persons with disabilities. While Suriname and Montserrat do not currently consider a USF or USO necessary, Barbados and Belize are considering establishing USOs and USFs, and Bermuda and Guyana are in the process of establishing both mechanisms.

It is still to be seen whether Anguilla, the Bahamas, Cayman Islands, or Turks and Caicos Islands will establish either mechanism. Antigua and Barbuda has drafted a telecommunications bill providing for a USO and a USF, but industry concerns regarding the proposed USF levy have slowed its passage.

Source: Adobe Stock Images.

## Challenges

### Non-implementation of enabling legislation

Failure to implement legislative frameworks for USFs can occur when successive administrations share varying perspectives on the priority to be ascribed to a USF. In such circumstances, another mechanism might be put in place to provide universal telecommunications service.

The Telecommunications Authority of Suriname (TAS), for example, reports that a USF or USO is not considered necessary because license conditions on telecommunications providers are being used instead to provide service to the country's interior. Similarly, the Montserrat Info-Communications Authority has determined that neither a USO nor a USF is realistic or necessary at this time given the island's small size and population.

Where USF legislation lies dormant for many years without being implemented or stalls in the legislative process, its language and aims can become incompatible with the needs of target groups and the evolution of technology.

An example is Turks and Caicos Islands' 2005 Universal Service and Public Telecommunications Regulations, which require service providers to ensure that disabled end users can enjoy access to and affordability of public telephone services equivalent to that enjoyed by other end users. Similarly, the definition of 'universal service' in Antigua and Barbuda's Telecommunications Bill 2016 allows "the provision of services to enable a differently-abled user to make and receive a call". Challenge lies in the fact that funding may not be available for services to enable persons with disabilities to use the internet and other emerging technologies.

### Focus on universal service to the exclusion of access

Universal service legislation in the subregion has traditionally focused on providing universal service to telecommunications as opposed to universal access. This reflects USFs' traditional mandate to provide a connection to telecommunications networks and to reimburse telecommunications providers for the requirement to provide universal service.

An example of legal frameworks focusing on universal service is the current Telecommunications Acts of ECTEL Member States. These Acts' definition of 'universal service' includes the provision of "telecommunications services to the disabled and physically challenged" and "other service by which people access efficient, affordable and modern telecommunications."

Some National Telecommunications Regulatory Commissions (NTRCs) interpret these phrases widely to include the provision of equipment to enable persons with disabilities and other groups to make use of ICTs. Other NTRCs have adopted a narrower interpretation, concluding that it is not within their remit to fund projects for assistive devices and other equipment to allow persons with disabilities to make effective use of telecommunications networks.

### Failure to use language that is technologically-neutral and compatible with Convention standards

The language in the legislative and regulatory frameworks of many USFs in the subregion has not

kept pace with the development and changing uses of technology, or modern approaches to disability.

While legislative changes are slow, the rate of technological change is rapid and often exceeds governments' capacity to adapt to new technologies. In many cases, for example, USF legislation focuses on providing access to outdated fixed-line telephone networks and dial-up internet without mention of broadband and wireless internet access.

In 2012, Jamaica's Telecommunications Act was amended to extend the scope of its universal service obligation, among other things. The 2000 Act focused on providing "connection to the public voice network" and only extended the obligation to promote internet access to schools, public libraries and post offices and "to the extent technically feasible and in so far as the necessary resources are available."

Under the amended legislation, the USF must now also "pursue strategies to increase access to high capacity networks and the dissemination of information and communications technology services in un-served and under-served areas of Jamaica' and 'provide Internet access devices and applications for the training of students in the use of the Internet and other information and communications technology services…"

Furthermore, while most legislative and regulatory frameworks of active USFs in the Caribbean make specific reference to persons with disabilities, the language used is often based on out-moded or narrow attitudes and approaches towards PWDs and disability issues.

The definition of disability included in USF legislation or regulations can have significant practical implications. If drafted too narrowly, it can exclude categories of persons with disabilities from being considered for and accessing USF funding. If the definition includes outmoded or non-inclusive language, it reinforces a view of persons with disabilities as 'objects' in need of charity and USF administrators may be less inclined to include

persons with disabilities in decision-making processes concerning them.

ECTEL's Treaty requires Member States to provide universal telecommunications service to 'the disabled and physically challenged'. The Telecommunications Acts of each ECTEL Member State allows licenses to telecommunications providers to be granted on the condition that they provide service "to the blind, deaf, physically and mentally handicapped and other disadvantaged persons." This can be contrasted with the language used in the USF regulations of each ECTEL Member State, which refer to 'the physically challenged' as a target group for universal service interventions. Its sole focus on physical impairments therefore excludes persons with mental, intellectual and sensory impairments.

Low fund activity levels

Some Caribbean USFs experience difficulties creating enough projects each year to adequately utilize the funds they collect. A number of countries have used less than 50 per cent of their funds or have yet to use any funds at all.

Figure 1: Funds collected and disbursed by USFs in the subregion since they began collecting funds up to February 2019 (in USD)
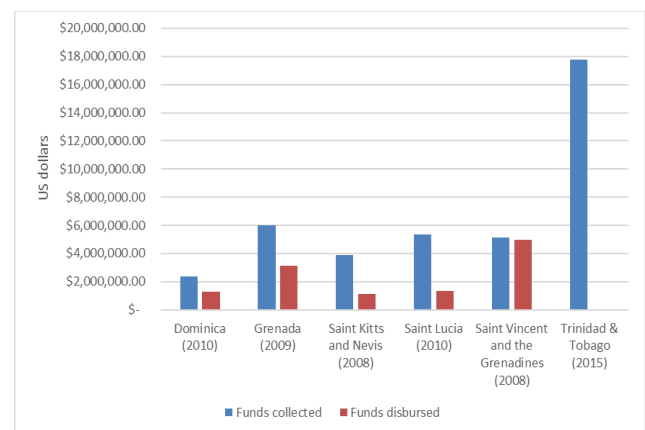


Source: ECLAC Caribbean.

For example, since it began collecting funds in 2010, the Saint Kitts and Nevis USF has disbursed only 29

per cent of funds. The NTRC states that this is a result of the current ECTEL framework's focus on providing universal service rather than access. According to the USF, Saint Kitts and Nevis has already achieved reasonable levels of telecommunications service, but access is lacking.

## Delays in meeting reporting obligations

All USFs in the subregion have statutory requirements to monitor, track and report on projects to which they have allocated funds. Given the large amount of funds collected from telecommunications providers and other sources, it is vital that USF regulatory bodies be transparent and accountable to Parliament, telecommunications providers and the public at large. This, in turn, creates public confidence in fund management and encourages timely payments from fund contributors.

However, several Caribbean USFs are lagging in their reporting obligations. Jamaica's Telecommunications (Amendment) Act 2012 requires the USF to produce annual reports. So far however, for example, only the annual report for 2013/2014 has been made public. Similarly, Trinidad and Tobago's Telecommunications Authority (TATT) informs that it has produced biennial reports for 2015/2016 and 2017/2018 and that these will be published soon.

Where ECTEL Member States are concerned, Saint Lucia's NTRC has published its annual reports up to October 2015-September 2016 on its website. The last annual reports publicly available for Dominica and Grenada date back to 2013, although Grenada informs that it submits an annual report to the Minister each year. Saint Kitts and Nevis reports that it has not produced any annual reports but plans to publish its first in 2019.

## Engagement with PWDs in project allocation and design processes

Persons with disabilities and organizations working with them in Caribbean countries are often unaware

that their countries have USOs or USFs. Many of these persons also have unmet technological needs and would benefit from ICT equipment, training and facilities.

Trinidad and Tobago established a USF in 2015 and will initiate its first universal service initiative for persons with disabilities in 2019. Some PWDs and organizations working with them in Trinidad and Tobago report that, to their knowledge their country does not have a USF; that they do not know if their country has a USF or that they have only recently become aware of the USF. Likewise, Saint Lucia's USF has been collecting funds since 2010 but some persons with disabilities and organizations working with them in Saint Lucia were unaware of its existence.

Another consideration is that, although most USFs have a legal mandate to improve access to technology for persons with disabilities, rarely is there a person with disability on staff or a staff member designated to focus on this mandate.

## Insufficient projects targeting PWDs and their access needs

Persons with disabilities are in many cases unable to make use of telecommunication services without additional training, equipment and support. Without projects specifically designed to increase access to technology for PWDs, the digital divide between persons with and without disabilities is likely to grow wider.

This raises two issues: not only are there too few projects specifically targeting persons with disabilities, but there is also inadequate focus on their special access needs. To fund projects focusing on PWDs' access needs, USFs require an enabling legal and regulatory framework that allows for both the targeting of persons with disabilities and the pursuit of projects to achieve universal access to telecommunications (as opposed to service).

Seven out of ten active USFs in the subregion have a specific mandate to increase access to technology for persons with disabilities. However, in some cases, this mandate has not resulted in a single project for this group. Jamaica reports that it has not yet used its USF specifically for a project to improve access to technology for PWDs due to increased and competing interests for USF funds.

Trinidad and Tobago created its first project for persons with disabilities five years after establishing its USF but worked closely with disability organizations and the government focal point for disabilities to design the project. The Saint Vincent and the Grenadines' NTRC began collecting funds in 2008 and will launch its first project for PWDs in 2019.

## Knowledge of disability organizations on available ICTs

USFs report that PWDs and the organizations supporting them often have limited knowledge of technologies available to transform the lives of PWDs and, as a result, they face difficulties identifying projects aimed at this group.

ECTEL's NTRCs report that they receive only a few proposals aiming to increase access to technology for PWDs. For example, although there are approximately ten active disability organizations in Grenada, the NTRC has received very few proposals from these groups since the first project call in 2010. When disability organizations do respond to project calls, they tend to propose projects based on ICT equipment currently in use, rather than focusing on emerging technologies with transformational power for PWDs.

NTRCs also find that they are unable to seek informed guidance from organizations supporting PWDs when appraising project proposals. While Saint Vincent and the Grenadines will only have its first project for PWDs in 2019, the NTRC has sought to counter this issue for other target groups by designing its own projects in house and maintaining

a high level of expertise on available ICTs within the NTRC.

## Inability of disability organizations to apply for USF funding

Most legislative frameworks of USFs in the subregion restrict eligibility for funding to licensed telecommunications providers because funding is treated as compensation for the requirement on providers to achieve universal service. Telecommunications providers receive project funding and, if necessary, sub-contract consultants, experts, organizations or other bodies with the expertise to deliver projects.

However, telecommunications providers are not the only type of organization with the expertise to execute universal service and access projects. For example, while a telecommunications provider will normally be best-equipped to provide fixed-line or broadband service, a community organization, start-up company or NGO may be better suited to develop local web content and applications, build telecentres and provide ICT training and support to persons with disabilities.



Source: Adobe Stock Images.

## Recommendations

**Future-proof USF legislation with updated language reflecting technological change and modern approaches to disability**

Of the Caribbean countries that have enacted USF legislation but are yet to implement it, none have

achieved universal service or access to telecommunications. Priority should be given to establishing a USF or to investigating other mechanisms that can be used to provide universal telecommunications access.

A variety of other mechanisms may be used to provide universal service coverage and funding, including license conditions, subsidies, and private-public partnerships. These mechanisms can also be used in conjunction with USFs. For example, most Caribbean USFs use public-private partnerships with telecommunications providers to implement universal service projects.

Where establishing a USF is the preferred option, countries are encouraged to first review their unimplemented legislation to ensure it reflects modern approaches to disability and can adapt to new and changing uses of technology.

USF legislation needs to move beyond ensuring telephone service to persons with disabilities and bridge the digital divide for internet access and other newer technologies. Furthermore, updated laws should adopt the Convention's definition of 'person with disabilities' and adequately reflect the requirement on State Parties to take appropriate measures to ensure that persons with disabilities have access to ICTs, including assistive technologies, on an equal basis with others.

## Update the legislative and regulatory frameworks of active USFs

Beyond their initial design, legal and regulatory frameworks for USFs should also be periodically updated to ensure that they remain responsive to evolving technology and to the needs of target groups. Amended legislation should be informed by submissions from experts on technology and the needs of target groups.

Caribbean telecommunications experts support model USF legislation to harmonize subregional USF frameworks and facilitate joint solutions to challenges encountered by Caribbean USFs.

CARICOM may wish to consider leading an effort to develop model USF legislation, as part of its strategy to harmonize regional ICT legislation and strengthen the CARICOM Single Market and Economy (CSME). An existing ITU framework could be updated according to international standards and as appropriate for the Caribbean context.

Whether updating their individual legal frameworks or working with other Caribbean countries to develop model USF legislation, countries should ensure that new or amended legislation:

a. Reshapes the scope of USFs to ensure both universal access and service;
b. Uses flexible language responsive to new forms and uses of technology;
c. Enables funding to be disbursed to civil society and NGOs working with PWDs and other marginalized groups; and
d. Includes a stronger mandate for PWDs, including an obligation to have annual targets for and representation of this group.

## Increase engagement with PWDs during project call, appraisal and implementation processes

USFs can raise public awareness and increase their visibility through public education campaigns aimed at persons with disabilities and other target groups. USFs can also invite project proposals from groups working with PWDs by contacting them directly and engaging in dialogue about the needs of their members.

The Telecommunications Authority of Trinidad and Tobago (TATT) anticipates that its first project for PWDs will bring awareness to the existence of the USF as well as to the availability of assistive devices under this project. TATT will work closely with the Ministry of Social Development and Family Services, including using a database of persons receiving a government disability grant, with a view to identify PWDs eligible for assistive devices.

Many USFs advertise project calls on the internet and radio and in newspapers, but members of the disabled

community are not always able to engage with these mediums or access online information. Project proposals from disability organizations would be increased if USFs directly invited local groups to share input on their members' needs and worthwhile projects.

USFs can help improve the quality of proposals received from PWDs and their representative organizations by conducting training and workshops on drafting project proposals. Organizations working with PWDs have indicated that building their capacity to draft project proposals is critical to increasing the number of initiatives targeting PWDs. These groups also expressed interest in training on the latest technologies available for PWDs, on the basis that they could include these technologies in project proposals to USFs.

**Increase representation of PWDs within USFs by employing staff with disabilities and appointing disability focal points**

There are few, if any, Caribbean USFs with staff members with a disability, or persons appointed to ensure that the mandate to improve access to technology for PWDs is achieved.

Having a staff member designated to champion the technological needs of PWDs within USFs would increase the visibility of disability and influence the selection, design and implementation of projects. The same is true for reducing the digital divide and increasing the impact of USFs for other target groups, including women and youth.

As a result, USFs are encouraged to consider appointing an existing senior staff member as a focal point on disability to keep the USF up-to-date on the ICT needs of PWDs, connect with disability organizations and PWDs in the country, and advocate for PWDs in the project selection and allocation processes. USFs can also consider putting diversity policies in place to promote the employment of persons with disabilities and other target groups across the organization.

Another option is for USFs to use external experts on the local ICT needs of PWDs to inform the selection, design and implementation of projects. Where possible, USFs are encouraged to engage consultants that identify as persons with disabilities.

To facilitate such measures, USFs may need to introduce reasonable accommodations to make the workplace supportive of persons with different types of disabilities. The Convention requires Contracting States to make necessary and appropriate modifications and adjustments to ensure that persons with disabilities may enjoy and exercise their rights and freedoms on an equal basis with others.[7] This obligation extends to workplaces and includes the provision of accessible ICTs and assistive technologies.

At a minimum, making reasonable accommodations for persons with disabilities on USF premises requires incorporating universal design features, for example providing wheelchair access to the building for persons with walking impairments and elevators with tactile buttons and audio systems for persons with seeing and hearing impairments. Workstations can be fitted with assistive technologies on a case-by-case basis.

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[7]  Convention on the Rights of Persons with Disabilities, Article 9.

Source: USC update.

**Make structural changes to ensure the timely disbursement and sustainability of USF funds**

Several USFs in the Caribbean struggle to create projects sufficient in number to utilize the funds they collect each year. Jamaica's USF, conversely, faces declining revenues given the types of telecommunications services on which its USF levy is collected. Both issues—an inability to disburse USF funds in a timely manner or to collect adequate funds—suggest the possible existence of underlying problems with the fund's legal framework, organizational structure or administrative practices.

As mentioned above, some NTRCs in ECTEL Member States report not being able to adequately utilize funds because, if adopting a strict interpretation of their regulatory framework, they are currently restricted from using funds to achieve universal access. ECTEL's new framework, scheduled for introduction in 2019, will extend the scope of ECTEL USFs from universal service to universal service and access funds (USAFs). This will allow the NTRC to create access projects and hopefully to utilize its surplus funds. ECTEL's revised framework will also allow NTRCs to award funds directly to non-telecommunications providers, such as community groups.

USFs that are under-utilizing funds need to consider, in the first instance, whether their underlying legal frameworks, capacity constraints and management structures support the timely disbursement of funds and realization of the Fund's aims. Faced with declining revenues, USFs may need to also consider the sustainability of their underlying financial models. Legal and regulatory frameworks would need to be adapted to address any shortcomings in such event.

USFs that are struggling to utilize funds for projects for PWDs can consider introducing a requirement to use a fixed percentage of fund revenues for projects targeting this group. The rules would need to be flexible enough to allow USFs to execute large projects using more than the specified percentage in any given year, but with safeguards to ensure they are not circumvented. A participatory process should be used to determine an appropriate, needs-based percentage of funds.

**Increase USF transparency and accountability through regular monitoring, evaluation and reporting**

Given the significant amount of money that USFs collect and the obligation to use these public funds to achieve the aims of the USF, regular reporting is vital for creating confidence in fund management and allocation. Annual reports provide assurance to parliament, telecommunications providers, and the public that USFs are adding value for money and are in the public interest.

By making information available about use of funds and fund performance, regular reporting would promote efficient management. Annual reports also help to make USFs more visible to the public, thereby promoting fund objectives.

**Accede to the Optional Protocol to the Convention on the Rights of Persons with Disabilities**

Persons with disabilities in the Caribbean have limited recourse if they believe their rights have been

violated. Even where a country has legislation implementing the Convention in domestic law, enforcement and awareness are generally lacking and PWDs do not have access to mechanisms enabling them to make complaints and receive redress.

The Optional Protocol establishes an individual complaints mechanism at the international level for persons with disabilities who allege that their rights under the Convention have been infringed on. This mechanism enables PWDs in countries that have ratified or acceded to the Optional Protocol to take individual or group complaints to the Committee on the Rights of Persons with Disabilities.

Accession to the Optional Protocol offers persons with disabilities an additional opportunity for redress where mechanisms at the domestic level are in need of strengthening. This is therefore an important step towards advancing the rights of PWDs in the Caribbean. Beyond this, acceding to the Optional Protocol offers countries an opportunity to simultaneously improve their national legal guarantees and strengthen domestic institutions and avenues for redress.

While the Convention has been ratified by 14 of 16 ECLAC Member States served by the subregional headquarters for the Caribbean, only Dominica and Saint Vincent and the Grenadines have acceded to the Optional Protocol. As regards the Caribbean's 13 non-self-governing territories (NSGTs) governed by France, the Netherlands, the United Kingdom and the United States of America, only France has extended the Optional Protocol to its overseas territories, Guadeloupe and Martinique.

Caribbean countries are urged to prioritize their accession to the Optional Protocol.

**Seize on opportunities for national and regional cooperation and capacity building**

Given their small size and vulnerabilities, Caribbean Small-Island Developing States (SIDS) face many capacity restraints that make cooperation imperative. The SIDS development agenda encourages these countries to establish national and regional ICT platforms and information dissemination hubs to facilitate information exchange and cooperation, and to act at the national and regional levels to attract more public and private investment for developing ICT infrastructure.[8]

ECTEL provides a strong subregional example of USFs benefiting from cooperation in a range of areas, including joint infrastructure projects, harmonization of laws and regulatory frameworks, and capacity building.

USFs in the subregion are beginning to explore new opportunities for regional and international collaboration and investment. In 2019, Saint Vincent and the Grenadines' NTRC reports that it will apply for funding for the first time to regional and international organizations, such as the World Bank, the European Union and the Caribbean Development Bank (CDB) in order to generate funds to expand current projects and work on new initiatives, such as subregional projects collaborating with other NTRCs. Developing additional funding sources can ensure self-sufficiency in the event of inadequate USF revenues, and promotes innovation through working with new funding partners.

Caribbean countries support the creation of a common regional space where they could jointly find solutions to challenges experienced by USFs. As part of this initiative, Caribbean countries may also wish to create model USF legislation in order to harmonize regional frameworks. These projects could be spearheaded by CARICOM as part of its efforts to harmonize the supply of telecommunications services in the subregion.

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[8]    United Nations General Assembly (2014), SIDS Accelerated Modalities of Action (SAMOA) Pathway (UN Res A/RES/69/15), New York.

Source: Adobe Stock Images.

## Conclusion

Caribbean USFs can increase access to technology and are worth pursuing if devised carefully with a focus on their design, structure and implementation. There is currently much scope for increasing their capacity to deliver their mandate to increase access to telecommunications for PWDs and to address other challenges related to their underutilization.

Countries wishing to increase the effectiveness of their USFs should first consider whether their underlying legal frameworks and organizational structure support realization of the fund's aims. In many cases, legal and regulatory frameworks will require updating to ensure that USFs are responsive to developments in and changing uses of technologies and the needs of target groups.

Furthermore, countries that have enacted legislation enabling the creation of USOs or USFs but are yet to establish these mechanisms should consider addressing this expeditiously or investigating other mechanisms that can be used to provide universal telecommunications service. Before being implemented, USF legislation should first be reviewed to ensure it reflects modern approaches to disability and uses of technology, and is responsive to the views and needs of PWDs.

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