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**Address to the 20th Pre-sessional Working Group of the Committee on the Rights of Persons with Disabilities. (CRPD) By Joint National Association of Persons with Disabilities (JONAPWD), Nigeria**

Warm Greetings Honorable Chair, esteemed members of the Committee on the Rights of Persons with Disabilities, distinguished delegates, and fellow advocates.

I Abdullahi Usman Aliyu, speak before you today as the National President of the Joint National Association of Persons with Disabilities (JONAPWD), the umbrella organisation of persons with disabilities (OPDs) in Nigeria. JONAPWD represents the collective voice of persons with disabilities across Nigeria, and it is with this collective voice that I bring forward our experiences, challenges, and aspirations. With a profound sense of responsibility, it is an honor to address this 20th Pre-sessional Working Group of the Committee on the Rights of Persons with Disabilities (CRPD).

Since 2007, the ratification of the Convention on the Rights of Persons with Disabilities (CRPD) has provided a beacon of hope for millions of Nigerians with disabilities, and while we acknowledge the gradual progress toward the full realization of rights, we are here to also highlight the significant gaps that remain in the implementation of these rights in which the Nigerian government has clear obligations to advance. After one decade of stakeholders' consultative meetings, the Discrimination Against Persons with Disabilities (Prohibition) Act, 2018 was adopted. Although this Nigerian Disability Act (2018) provides some legal protections including the establishment of the National Commission for Persons with Disabilities in Nigeria, it is assessed as a weak tool to hold the Nigerian state accountable for clear obligations to respect, protect, and fulfil the rights of persons with disabilities.

Under the following spotlights of articles of the CRPD, we will bring attention to the need to reinforce the commitment of Nigeria to the CRPD:

1. **Article 1- 4**: **Purpose, definitions, general principles and general obligations:**

The Nigerian Constitution lacks explicit protections for disability rights, with no mention of “disability” in Section 42’s anti-discrimination provisions. Existing references, such as Section 16(2)(d), adopt a welfarist approach rather than a rights-based approach. Efforts to amend the Constitution for better inclusion, such as the 2021 bill and proposals by civil society organizations, remain pending.

In 2015, Nigeria’s initial report to the UN Committee on the Rights of Persons with Disabilities (CRPD) highlights constitutional and legislative efforts to protect the rights of persons with disabilities, including the steps taken to towards the legislation of the Discrimination Against Persons with Disabilities (Prohibition) Act of 2018. As of December 31, 2024, 26 states out of 36 states in Nigeria have adopted the Disability Act. However, these adoptions largely advance charity models rather than the right-base approaches. The practical implementation of the Nigerian Disability Act is impeded by a lack of awareness, resources, and inconsistent enforcement across states, particularly on the part of duty bearers.

1. **Article 5**: **Equality and Non-Discrimination:**

In Nigeria, legislative efforts to promote equality and prevent discrimination mainly focus on employment; This is found under the part 5 of the Discrimination Against Persons with Disabilities (Prohibition) Act of 2018 wherein 5% provision employment is slated for persons with disabilities in public institutions only. This does not address intersecting factors like age, gender, socio-economic background, conflict, displacements and others. Importantly, the Nigerian Constitution does not specifically prohibit discrimination based on disability. Consequently, denial of reasonable accommodation is not a prohibited ground of discrimination both in the Constitution and the Disability Act.

A significant issue of discrimination can be observed in Nigerian employment practices. Even when an individual with disability is qualified for a government position, such individuals are often denied the job based on systemic and structural barriers. The request for reasonable accommodations such as working from home and special equipment are mostly denied, particularly for persons with severe impairments.

In financing disability rights in Nigeria, the Nigerian government signed over N54.99 trillion 2025 budget and only around N2 billion Naira, estimating 0.0037% funds are readily available to advance the rights of over 30 million Nigerians with Disabilities. These cases reflect how Article 5 is often undermined.

1. **Article 6:** **Women with Disabilities:**

Special measures are yet to be nationally adopted to ensure women and girls with disabilities can fully exercise their rights, even within the mainstream women’s movements in Nigeria. For instance, while the Nigerian Violence Against Persons (Prohibition) Act of 2015 and the 2021 National Gender Policy (NGP) tackle gender-based violence, it lacks specific provisions tailored to protect women and girls with disabilities, leaving them with inadequately safeguarding measures.

Women with disabilities are largely deemed unfit for marriage, with cultural perceptions that they are incapable of fulfilling traditional roles as wives or mothers. This stigma leads to social exclusion and limited marriage opportunities, with some even being denied the right to have children or nurture children, particularly those with mental, psychosocial and intellectual disabilities. These barriers reflect broader challenges, including economic dependency, limited access to reproductive health services, limited access to leadership, and discriminatory employment practices, all contributing to systemic inequality.

1. **Article 7:** **Children with Disabilities:**

The Nigerian Child’s Rights Act of 2003 does not have specific provisions for children with disabilities. While some rights of children with disabilities may be implied in this Act, there is no explicit recognition of the distinct circumstances for children with disabilities nor their parents. Similarly, the Nigerian Disability Act addresses the rights of persons with disabilities generally, without provisions tailored specifically to children with disabilities.

Existing policies, such as the National Child Health Policy and the National Policy for Integrated Early Childhood Development, include limited provisions for participation but fail to address broader decision-making inclusion. While frameworks like the Child Rights Act (2003) and the National Child Policy (2007) aim to protect children’s rights, poor implementation leaves children with disabilities vulnerable to neglect, abuse, exclusion, and sometimes targets for spiritual rituals. In practice, they are often excluded from institutional and community-level decision-making forums, with limited opportunities to express their views or influence policies and programmes that affect them.

Parents of children with disabilities in Nigeria often face immense frustration due to the high costs associated with disability-related needs. These include specialized medical care, therapy sessions, and assistive devices like wheelchairs, hearing aids, and prosthetics, which are often expensive and not covered by health insurance. Additionally, inclusive education facilities are limited and costly, forcing many families to bear the financial burden of private schooling. The lack of financial support and government assistance exacerbates these challenges, leading to emotional and financial strain on parents, who struggle to ensure their children receive the care and support they deserve.

1. **Article 9: Accessibility:**

Persons with disabilities in Nigeria have very limited access to the physical environment, transportation, information, and communications, including technology and systems. As a progress towards this, the Nigerian government developed the Persons with Disabilities Accessibility Regulations for private and public employers in 2024.

As a current concern, the Nigerian government recently proposed the Tax Reform Bill which has potential impact on persons with disabilities, particularly regarding import taxes on assistive devices and mobility aids. High import taxes on these essential items create financial barriers, limiting access to necessary tools that enhance independent living, personal mobility and respect for privacy. For a Deaf Nigerian, the Sign Language Bill in Nigeria is yet to be officially legislated as a means of communication. Cost for sign language services is mostly borne by the deaf person or sometime systems within the civil societies.

1. **Article 11: Situations of Risk and Humanitarian Emergencies:**

The Nigerian state does not have effective frameworks to ensure that lives of persons with disabilities are protected during humanitarian emergencies. For instance, during the 2022 flooding incidence, which displaced over 2.4 million Nigerian across15 states, accessible evacuation protocols and shelters were often absent. Minimal consultation with Organizations of Persons with Disabilities (OPDs), lack of disability sensitive training for humanitarian workers, inaccessible warnings, and exclusion from evacuation and emergency plans are ranging barriers against the protection of Nigerians with Disabilities during situation of risk and humanitarian emergencies.

1. **Article 13:** **Access to Justice:**

In Nigeria, persons with disabilities are not able to access the legal system on an equal basis with others. Though the Nigeria’s Constitution broadly addresses access to justice, it but does not explicitly include disability as a protected category,and the Nigerian Disability Act of 2018 lacks provisions for procedural reasonable accommodations in court proceedings. Barriers to justice for persons with disabilities include inaccessible courtrooms, documents not available in accessible formats, insufficient training for justice professionals, poverty, illiteracy and others. The high exclusion of persons with intellectual and psychosocial disabilities as witnesses plus women and girls with disabilities, particularly as victims and survivors of gender-based violence are grossly mishandled.

Although, legal reforms in Nigeria, such as the establishment of the National Human Rights Commission's Disability Rights Section and the Nigeria Security and Civil Defence Corps (NSCDC) disability desk offices represent a critical step towards the progressive realisation of legal rights for Nigerians with Disabilities, implementation remains inconsistent with the provisions of the CRPD.

1. **Article 15**: **Freedom from Torture or Cruel, Inhuman, or Degrading Treatment:**

Persons with disabilities, especially those with mental, psychosocial and intellectual disabilities, face disproportionate deprivation of liberty in mental health and residential institutions due to discriminatory laws and practices. While the National Mental Health Act of 2021 marks progress, its lack of domestication by state Houses of Assembly and the provisions like forced treatment under Section 28 of the Nigerian constitution raise concerns about rights’ violations. Discriminatory language in legal frameworks, such as the Lagos State Mental Health Law of 2019 and Section 175 of the Evidence Act of 2011, perpetuates stigma by using terms like “mentally challenged” and “unsound mind,” undermining dignity and fostering exclusion. These systemic issues highlight the need for rights-based reforms to address stigma and protect the liberties of persons with mental, psychosocial and intellectual disabilities.

1. **Article 24: Education:**

The Nigerian National Policy on Education includes provisions for inclusive education, and the Disability Act (2019) mandates schools to accommodate children with disabilities. However, implementation is often inconsistent with provisions of the CRPD, with many schools lacking the necessary resources, trained staff, and infrastructure.

In 2024, Nigerian government advanced its commitment to inclusive education by revising and adopting the National Policy on Inclusive Education. This updated policy aims to ensure that persons with disabilities from diverse backgrounds and disabilities have access to quality education within an inclusive system. To further promote inclusive education, the Joint Admissions and Matriculation Board (JAMB) introduced the Strategic Roadmap for Inclusive Access to Quality Higher Education in Nigeria (2024-2028). This initiative focuses on enhancing access to higher education for students with disabilities, recognizing the need for a bottom-up approach that starts from basic education

Despite progress, social stigma and underfunding remain significant barriers, hindering the full realization of inclusive education for persons with disabilities in Nigeria., especially for children with disabilities in rural communities. Public schools remain largely inaccessible, with limited infrastructure, transportation, and accommodations, while insecurity in regions like Northeast Nigeria worsens barriers to education. Curricula and teaching practices are mostly not adapted for learners with disabilities, and inadequate teacher training compounds exclusion. Approximately 7 million out-of-school children in Nigeria have disabilities, with only 34% of girls and 56% of boys attending school. Societal stigma, bullying, and lack of accommodations contribute to high dropout rates. The Student Loan Act of 2023 supports tertiary education but excludes basic and private education, without any recognition for extra disability cost

1. **Article 25: Health:**

Persons with disabilities in Nigeria do not enjoy quality and attainable standard of health. Though, the National Policy on Sexual and Reproductive Health and Rights of Persons with Disabilities, adopted in 2018, aims to address challenges faced by women and girls with disabilities, the actual implementation largely violates the rights of women and girls with disabilities, particularly those in rural communities. In addition, persons with disabilities, often face inadequate funding and lack access to free healthcare services and biases among professionals.

In Nigeria, the cost of medical drugs for persons with disabilities presents a significant financial burden. Many Nigerians with disabilities require specialized medications for conditions such as epilepsy, cerebral palsy, or multiple sclerosis. These medications, along with essential therapies and assistive devices, are often expensive and not covered by national health insurance schemes. The lack of affordable options forces families to bear the high costs, pushing many into poverty. This financial strain exacerbates the challenges of accessing proper healthcare.

1. **Article 27**: **Work and Employment:**

Sections 28 and 29 of the Discrimination Against Persons with Disabilities (Prohibition) Act 2018 mandate equal employment opportunities and penalties for violations, but weak implementation, lack of data, limited public awareness, and societal stigma undermine the enforcement. The 5% workforce requirement applies only to public organizations, and while the Federal Ministry of Labour and Employment’s Inspectorate Department oversees labour standards, it lacks a specific mandate to monitor recruitment processes for eligible persons with disabilities in formal and informal sectors.

Despite the 5% provision in the act, about 63% of Nigerian adults with disabilities are unemployed, with many confined to the informal sector, lacking social protections. The gap is even more significant among youth, with about 63% of young people with disabilities not participating in education, employment, vocational training or others forms of employment and entrepreneurship opportunities. With the 2024 National Access to Work Scheme for Persons with Disabilities, qualified persons with disabilities await the effective implementation across the states.

1. **Article 28: Adequate Standard of Living and Social Protection:**

The Discrimination Against Persons with Disabilities (Prohibition) Act of 2018 and the Revised National Social Protection Policy (NSPP) of 2021 include provisions aimed at promoting the right to an adequate standard of living and social protection for persons with disabilities in Nigeria. However, the implementation of these programs remains inconsistent, and significant gaps persist. Many persons with disabilities struggle to benefit from programs such as the National Social Investment Program (NSIP), the National Health Insurance Scheme (NHIS), and various National Humanitarian Programs due to inadequate implementation, lack of targeted outreach, and systemic communication barriers. In addition to poor implementation, issues such as food security, housing, and access to water, sanitation, and hygiene which are critical for persons with disabilities are not adequately addressed in existing programs.

The implied care and support agenda within Nigeria's social protection framework suffers from a lack of a clear and unified structure. As a result, the Nigerian social protection system struggles to provide consistent, equitable, and effective support for those in need, particularly the elderly, children, and women with disabilities. In Nigeria, no effective disability related benefits at national levels.

1. **Article 29**: **Participation in Political and Public Life:**

The Independent National Electoral Commission (INEC) Electoral Act of 2021, though progressive, does not fully address the unique needs of eligible Nigerians with Disabilities. While it mandates the provision of voting materials in accessible formats and encourages the inclusion of Nigerians with Disabilities in the electoral process, the execution remains inconsistent. There is insufficient funding, training, and infrastructure to ensure full inclusion.

Political parties does not reserve nominations for aspirants with disabilities, while high campaign costs, regional disparities, stigmatization, and inaccessible polling units further hinder their participation. Inadequate law implementation, insufficient funding, and grossly misrepresented data exacerbate these challenges, as seen during the 2023 general elections where only about 86,000 electorates with disabilities were captures as registered voters across the 36 states and the Federal Capital Territory. On appointive positions, only explicit designated political positions like special assistants are reserved for persons with disabilities. This is grossly inadequate.

1. **Article 31**: **Statistics and Data Collection:**

In Nigeria, the absence of reliable data on persons with disabilities makes it difficult to plan for their needs. While there are surveys and data collection efforts, they are often incomplete or inaccessible to policymakers. The National Disability Survey (2019) by the National Commission of Persons with Disabilities (NCPWD) attempted to collect data but faced challenges in reaching rural areas. This lack of data affects the ability to fully implement Article 31.

The National Social Register (NSR) being a critical tool for targeting welfare programs and identifying vulnerable populations is being usually benchmarked as reference for data for persons with disabilities. However, significant challenges persist in its implementation. Only 4.8% of the 5.7 million Nigerians listed on the NSR are persons with disabilities, which reflects an inclusion error indicating that many eligible persons with disabilities are either not identified or excluded from the register. This discrepancy highlights gaps in data collection methodologies, outreach efforts, and the integration of disability-specific indicators as guided by the Washington Groups of Questions (WGQs).

**Thank you**