

HUMAN RIGHTS OPED TOP STORY

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Why countries must ratify the African Disability Protocol

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On the anniversary of the Universal Human Rights Declaration, governments must take the final step to adopt a new groundbreaking and uniquely African disability treaty.



Albinism activist and Equal World campaigner Brian Sithole talks to the audience at the roadshow about the ADP and why it needs to be ratified. Photo courtesy: Charmaine Chitate/Sightsavers.

75 years ago, on 10 December 1948, nations came together to sign up to the Universal Human Rights Declaration. It was a milestone document in the history of human rights, and it continues to inspire the world to protect everyone's fundamental right to freedom, equality, and dignity. To this day we can see the ripple effects of the Declaration, which is now the building block of a new human rights treaty that could transform disability rights in Africa – [The African Disability Protocol \(ADP\)](#).

There are more than 80 million people with disabilities living in Africa. They are confronted by stigma and barriers on a daily basis, including universal disability concerns such as inaccessible infrastructure and ingrained ableism. But alongside these, there are also unique challenges that people with disabilities in Africa face, challenges which are connected to their specific countries and cultural contexts.

These include the concerns of people with albinism who have found themselves the targets of attackers who kill and mutilate them to remove their body parts in the false belief they will bring luck and wealth. They include the women with disabilities in West Africa who have been accused of witchcraft and alienated from their communities – or worse. It includes the children with disabilities who have been hidden away in their homes and don't get the opportunity to go to school, and many more people with disabilities who are subject to discrimination.

These examples illustrate just some of the political, economic, and social issues affecting people with disabilities in Africa, such as harmful cultural practices, discrimination, traditional beliefs and customs, and disproportionate rates of poverty. In many countries marginalised groups face high levels of stigma and the COVID pandemic has only worsened this inequality, particularly for women and girls with disabilities.

While the current international standard in disability rights protection, the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD), does address general disability concerns, it does not represent the uniqueness of the African context.

This is why we have come together in partnership with organisations of persons with disability and the African Union Commission and other strategic partners across the continent under the [Equal World campaign](#). We are all working together to educate and mobilise communities and policy makers to call for the ratification of the African Disability Protocol (ADP). The ADP is groundbreaking because it is the first international human rights treaty that takes into consideration the uniqueness of the African sociocultural context and impact on the rights of persons with disabilities.

The ADP is the legal framework on which African Union (AU) Member States will be required to formulate disability laws and policies to promote disability rights in their countries.[1] It builds on the rights enshrined in the UNCRPD and Universal Declaration of Human Rights but is more detailed and illustrative in representing the uniqueness of the African context, in line with the African Charter on Human and People's Rights. It was created both by and for Africans.

The protocol addresses and encompasses specific issues such as traditional beliefs, the role of the family, caregivers, and community. It also deals with community-based rehabilitation and minority groups, including people with albinism. It tackles ingrained issues of disability discrimination so that everyone can access health, education and employment without stigma, and ensures that no one is left behind.

It was adopted in 2018 by the AU, but for it to become legally binding, 15 Member States need to sign and ratify it. At present, only 12 out of 55 have done so,[2] and we commend those governments for their commitment to disability rights. A few more countries are close, such as Nigeria, Senegal and Togo, but they still have to take the final steps for full adoption.

Once adopted, the protocol will require Member States to guarantee the rights of persons with disabilities through policy changes and decisions that ensure inclusion of people with disabilities and guarantee protection of their rights, while respecting the cultural context of the continent. It will also create a pathway to enable citizens to hold their governments to account in providing responsive public service delivery systems for all its citizens, including those with disabilities.

The ADP is the result of years of work by African disability rights activists, campaigners, and organisations of people with disabilities. There are many negatives in the disability experience in Africa, but we also need to celebrate the positives. There is a vibrant disability community committed to driving change and building on positive experiences to reach their aspirations. Throughout this campaign we have been working in partnerships with activists and organisations of people with disabilities who are actively working to advocate and engage with their national governments in improving their countries for the better, who are creative, innovative and productive.

Beyond the final ratification, we also want to raise awareness of the importance of the implementation of the protocol, of turning the words of the text into real change in people's lives. We must make sure everyone across society is informed of their rights and that these are enacted. Policymakers must mainstream disability inclusion in all areas of their work, and make sure the voices of people with disabilities are central to all decisions that affect them.

As Zimbabwean campaigner Lilian Gwanyana has said recently, "When it comes to disability rights, we are the people wearing the shoes, and we feel how painful those shoes fit." Governments must listen to those voices and bring them in.

Our Equal World campaign calls on governments across Africa to ratify the ADP and take the final steps to making it a reality. Its coming into force will enable people with disabilities to better be involved as members of society and empower them to claim their rights and live full lives. It will also take us closer to achieving the Sustainable Development Goals, which are only possible if no one is left behind in development and poverty reduction.

We must all join together and work towards the ratification of the ADP so that the lives of millions of people with disabilities can be improved. This can only be a benefit to Africa as a whole.

Notes

[1] It was developed after the African Commission on Human and Peoples' Rights (ACHPR) recognised the need for the African Union to have a clear framework for Member States to promote disability rights.

[2] As of 29th Nov 2023 – 12 countries have fully ratified and deposited: Angola, Burundi, Cameroon, Kenya, Mali, Mozambique, Namibia, Niger, Rwanda, Sahrawi Arab Democratic Republic, South Africa, Uganda.

7 countries have signed but not ratified: Burkina Faso, CAR, Gabon, Malawi, Nigeria, Senegal, Togo.

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