



Statement on Situation of Persons with Disabilities in Africa by the International Commission of Jurists and African Disability Forum to the African Commission on Human and Peoples' Rights

Observer Number: 2

The International Commission of Jurists (ICJ) and the African Disability Forum (ADF) welcome this opportunity to address the African Commission on Human and Peoples' Rights (ACHPR) on the critical issue of promoting and protecting the rights of approximately 80 million persons with disabilities in Africa. The ICJ is a non-governmental organization which was established in 1952 and is composed of 60 leading judges and lawyers from all regions of the world, working to promote and protect human rights. The ADF is an umbrella organization comprising national organizations of persons with disabilities from 44 countries in Africa, 9 continental and 4 sub-regional Organizations of Persons with Disabilities (OPDs).

The entry into force of the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Persons with Disabilities in Africa on 3 May 2024, marks a significant milestone in promoting and protecting the rights of persons with disabilities across the continent. The ICJ and the ADF draw attention to the Commission's Resolution that facilitated the entry into force of the African Disability Protocol, called on the AU Member States to ratify and implement the Protocol, in consultation with persons with disabilities and requires the Commission to set up an accountability mechanism. We call on member states and the Commission to follow-through on implementing the Resolution.

Despite this progress, persons with disabilities in Africa continue to face significant challenges in the enjoyment of their rights. In September 2024, the ADF in collaboration with the International Disability Alliance and other partners organized the first regional OPD-led disability conference, during which persons with disabilities from 38 countries across Africa identified critical issues including: inadequate infrastructure; exclusion from education; health inequities; and exclusion of persons with disabilities from key decision-making processes. One key concern is the increased levels of poverty and economic inequalities due to the exclusion of persons with disabilities from employment opportunities and inadequate social protection systems.

Persons with disabilities through the Nairobi Declaration laid a framework of regional priorities including a priority for the Commission: The call for continental ratification of the Protocol and its full implementation. In addition to the repeated calls for universal



ratification of the Protocol, much more needs to be done by States to ensure the implementation of the Protocol and the CRPD. In 2026, Member States will start reporting on measures taken to implement the Protocol, and it is critical that States fully report on legislative, policy and other measures taken to give effect to the rights of persons with disabilities. We ask the Commission to fast track the drafting of reporting guidelines for Member States and the civil society including OPDs. We further request the Commission to consider strengthening accountability mechanisms through the establishment of a Working Group that is solely dedicated to rights of persons with disabilities.

Finally, we are concerned with barriers to meaningful engagement of OPDs with the ACHPR. The engagement of OPDs remains very low and, more generally, the Commission's proceedings remain largely inaccessible to persons with disabilities, due to a failure to provide reasonable accommodations including through the provision of sign language interpretation and the provision of other alternative modes of communication and information such as braille and easy read. To date, we are only aware of 3 OPDs with Observer Status, a situation which should be remedied by both OPDs themselves and promotional activities of the Commission.

We look forward to continued collaboration and engagement with the Commission to ensure that the rights of persons with disabilities are respected, promoted, and protected across the continent.

I thank you.