

**MEN, WOMEN, AND CHILDREN LIVING WITH
DISABILITIES: IMPLEMENTING EXISTING
LAWS AND STRENGTHENING THE LEGAL
FRAMEWORK IN NIGERIA**

BEING A PAPER PRESENTED
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Abstract

The protection of the rights of persons with disabilities has increasingly emerged as a major human rights concern within contemporary legal discourse. Significant progress has been made in Nigeria through the enactment of the Discrimination Against Persons with Disabilities (Prohibition) Act, 2018 and other national instruments like the Child Rights Act, 2003 , the Constitution of the Federal Republic of Nigeria, 1999 as amended as well as the domestication of international instruments like the United Nations Convention on the Rights of Persons with Disabilities (CRPD) and alignment of domestic policies with the United Nations Sustainable Development Goals particularly SDGs 4,8,10,11, and 17, which promote inclusion and equal opportunities for persons with disabilities. Despite these normative advancements, persons with disabilities continue to experience widespread discrimination, exclusion, and barriers to effective participation in society.

This paper examines the implementation of existing disability laws in Nigeria and evaluates the extent to which the current legal and institutional framework has promoted inclusion, equality, and access to justice for men, women, and children living with disabilities. It argues that the principal challenge confronting disability rights in Nigeria is not the absence of legal provisions, but the persistent gap between legislative guarantees and practical implementation. The paper further highlights the inter-sectional vulnerabilities faced by women and children with disabilities, particularly in relation to discrimination, socio-economic exclusion, and limited access to justice. In addition, it analyses key implementation challenges, including weak enforcement mechanisms, institutional inefficiency, inadequate funding, poor infrastructure, and negative societal attitudes. The paper advocates for stronger enforcement structures, institutional reforms, inclusive policy design, enhanced access to justice, and sustained public sensitization. It concludes that meaningful protection of persons with disabilities in Nigeria requires a transition from symbolic legal recognition to effective and enforceable inclusion.

1. Introduction and Background of the Study

Disability has increasingly emerged as a central issue within contemporary human rights discourse, shifting from a charity-based paradigm to a rights-based approach that recognises persons with disabilities as equal holders of legal entitlements and societal participation. This transition has been reinforced at the international level through instruments such as the United Nations Convention on the Rights of Persons with Disabilities (CRPD), which obligates State Parties to promote, protect, and ensure the full and equal enjoyment of all human rights by persons with disabilities.¹ Within this evolving global framework, disability is no longer perceived merely as a medical condition but as a social construct shaped by environmental, institutional, and attitudinal barriers that hinder inclusion and participation.

In Nigeria, the recognition of disability rights has witnessed notable legal advancement, particularly with the enactment of the Discrimination Against Persons with Disabilities (Prohibition) Act.² The Act represents a significant milestone in the country's efforts to domesticate international standards and to provide a comprehensive legal framework that prohibits discrimination, guarantees accessibility, and promotes inclusion in key sectors such as education, employment, and public life. Notwithstanding this normative progress, the lived realities of persons with disabilities in Nigeria reveal a persistent disconnect between legal guarantees and practical outcomes.

Empirical evidence demonstrates that a substantial proportion of Nigerians live with one form of disability or another, yet continue to experience systemic exclusion from socio-economic opportunities.³ Despite statutory provisions mandating accessibility and inclusion, many public institutions and infrastructures remain non-compliant, effectively barring persons with disabilities from meaningful participation in society. This gap between law and reality is further exacerbated by weak enforcement mechanisms, inadequate funding, low public awareness, and entrenched societal

¹ United Nations Convention on the Rights of Persons with Disabilities (CRPD), art. 4

² Discrimination Against Persons with Disabilities (Prohibition) Act, 2018

³ CBM, 'Advancing disability rights in Nigeria'. Available at: <https://www.cbm.org/our-work/project-insights/disability-rights-nigeria> (accessed 7 May 2026).

attitudes that continue to frame disability within a charity or welfare paradigm rather than a rights-based one.

The problem is not merely the existence of legal provisions, but the failure of institutional structures to translate these provisions into tangible outcomes. Several studies have observed that, years after the enactment of the Disability Act, critical provisions such as employment quotas, accessibility standards, and institutional enforcement mechanisms remain largely unimplemented or ineffective. In practical terms, this has resulted in a situation where inclusion exists predominantly “on paper,” while structural and physical barriers continue to exclude persons with disabilities from public life.

Beyond these general challenges, the experience of disability in Nigeria is not uniform. Certain groups, particularly women and children with disabilities, face compounded and inter-sectional forms of disadvantage. Women with disabilities often encounter dual discrimination based on both gender and disability, exposing them to heightened risks of economic marginalisation, violence, and social exclusion. Similarly, children with disabilities frequently experience barriers to education, healthcare, and social integration, thereby undermining their development and long-term opportunities. These inter-sectional dimensions underscore the need for a more nuanced and targeted approach to disability rights, one that moves beyond formal equality to substantive inclusion.

Against this backdrop, this paper interrogates the extent to which Nigeria’s existing legal framework for the protection of persons with disabilities has translated into meaningful inclusion and access to justice. It adopts a rights-based and intersectional approach in analysing the implementation gaps within the Nigerian disability regime, with particular emphasis on the differentiated experiences of men, women, and children living with disabilities. The paper argues that the primary challenge confronting disability rights in Nigeria is not the absence of legal norms, but the systemic failure of enforcement, institutional capacity, and political commitment required to operationalise those norms. In doing so, it contributes to ongoing discourse on disability inclusion by emphasising the need to bridge the gap between legislative intent and lived reality, and to ensure that the promise of equality under the law translates into substantive and measurable outcomes for all persons with disabilities.

2. Conceptual Clarification

2.1. Disability

The concept of disability has evolved significantly over time, moving away from a narrow medical understanding towards a broader, socially grounded interpretation. Traditionally, some medical models of disability were conceptualized as an individual pathological, a physical or mental impairment that limits a person's functional capacity. Under this model, the focus is placed on diagnosis, treatment, and rehabilitation, often positioning the individual as the "problem" requiring correction. In contrast, the social model of disability redefines disability as a product of the interaction between individuals with impairments and the barriers embedded within society.

In Nigeria, the statutory definition of disability is provided under Section 57 of the Discrimination Against Persons with Disabilities (Prohibition) Act 2018,⁴ which defines disability as a condition involving "long-term physical, mental, intellectual or sensory impairment which in interaction with several barriers may hinder full and effective participation in society on an equal basis with others." This definition reflects the modern social and human rights model of disability by acknowledging that exclusion often results not merely from impairment itself, but from disabling societal structures and conditions. It also aligns closely with international standards, particularly the approach adopted under the United Nations Convention on the Rights of Persons with Disabilities (CRPD), which emphasizes equality, accessibility, and inclusion.

2.2. Persons with Disabilities (PWDs)

The term "Persons with Disabilities" (PWDs) is widely adopted within contemporary legal and policy discourse to emphasise the humanity and dignity of individuals living with disabilities. The terminology reflects a rights-based approach that recognises persons with disabilities as holders of legal rights and entitlements rather than objects of charity or welfare.

Section 57 of the Discrimination Against Persons with Disabilities (Prohibition) Act 2018 defines a person with disability as an individual who has obtained a permanent

⁴ Discrimination Against Persons with Disabilities (Prohibition) Act 2018, s. 57

or temporary certificate of disability confirming the existence of a long-term condition that limits functionality within society. However, this aspect of the definition has attracted criticism. It is argued that the requirement for certification is problematic within the Nigerian context, particularly given the country's weak record-keeping systems and the inaccessibility of many rural communities where numerous persons with disabilities reside.

2.3. Access to Justice

Access to justice is a foundational principle of the rule of law, encompassing the ability of individuals to seek, obtain, and enforce remedies for violations of their rights through formal and informal mechanisms. It goes beyond mere physical access to courts and includes the availability of fair procedures, legal representation, and effective enforcement of decisions.

At its core, access to justice ensures that individuals can exercise their rights, challenge discrimination, and hold institutions accountable.

For persons with disabilities, access to justice must be understood in both procedural and substantive terms. Procedural access relates to the ability to approach and navigate legal systems, while substantive access concerns the ability to achieve fair and meaningful outcomes. Where physical, financial, or institutional barriers impede this process, access to justice becomes illusory, even in the presence of formal legal rights.

2.4. Discrimination

Discrimination, in the context of disability, refers to any distinction, exclusion, or restriction that has the purpose or effect of impairing the recognition, enjoyment, or exercise of rights on an equal basis with others. It may manifest in both direct and indirect forms. Direct discrimination occurs where individuals are treated less favourably explicitly on the basis of disability. Indirect discrimination, on the other hand, arises where seemingly neutral policies or practices disproportionately disadvantage persons with disabilities.

Importantly, discrimination is not always intentional. It may arise from neglect, ignorance, or failure to accommodate the specific needs of persons with disabilities. In this regard, the denial of reasonable accommodation constitutes a form of discrimination, as it effectively excludes individuals from equal participation in society.

2.5. Vulnerable Groups: Women and Children with Disabilities

While persons with disabilities as a whole face significant barriers, certain subgroups experience heightened and intersectional forms of vulnerability. In particular, women and children with disabilities occupy a uniquely disadvantaged position⁵ due to the interaction of disability with other identity markers such as gender and age.⁶ Women with disabilities often encounter multiple and overlapping forms of discrimination, including gender-based violence, economic marginalization, and exclusion from decision-making processes. Similarly, children with disabilities face systemic barriers to education, healthcare, and social integration, which may have long-term implications for their development and future opportunities.⁷

This layered disadvantage reflects the principle of intersectionality, which recognises that different forms of inequality do not operate in isolation but interact to produce distinct experiences of marginalisation. Accordingly, a comprehensive legal and policy response must move beyond formal equality and adopt targeted measures that address the specific needs and realities of these vulnerable groups.

⁵ UN General Assembly, Convention on the Rights of Persons with Disabilities, 13 December 2006, A/RES/61/106, art. 6

⁶ UNICEF, 'UNICEF Fact Sheet: Children with Disabilities' (2022). Available at: https://www.unicef.org/sites/default/files/2022-10/GIP02115_UNICEF_Children-with-Disabilities-Factsheet-final%20-%20accessible.pdf (accessed 7 May 2026).

⁷ Gender-Based Violence and Disability Inclusion Fact Sheet. Available at: https://prevention-collaborative.org/wp-content/uploads/2024/02/GBV-and-Disability-Inclusion-Fact-Sheet_Nov23_FINAL.pdf (accessed 7 May 2026).

3. Overview of the Legal Framework

The protection of the rights of persons with disabilities in Nigeria is anchored within a multi-layered legal framework comprising international, regional, and domestic instruments. This framework reflects a gradual but significant shift from welfare-oriented approaches to a rights-based paradigm that recognises persons with disabilities as full subjects of law, entitled to equality, dignity, and participation. However, while the framework is normatively robust, its practical efficacy remains contingent upon effective domestication, institutional enforcement, and sustained political commitment.

3.1 International Instruments

3.1.1 United Nations Convention on the Rights of Persons with Disabilities (CRPD)

The United Nations Convention on the Rights of Persons with Disabilities (CRPD)⁸ constitutes the cornerstone of the international legal regime on disability rights. It establishes a comprehensive framework aimed at promoting equality, prohibiting discrimination, and ensuring the full participation of persons with disabilities in all aspects of life. The Convention mandates State Parties to adopt appropriate legislative, administrative, and policy measures to guarantee accessibility, reasonable accommodation, and effective participation in society.⁹

Nigeria's ratification of the CRPD signifies a binding commitment to align its domestic laws with international standards and to ensure that persons with disabilities enjoy their rights on an equal basis with others.¹⁰ The Convention also reflects a paradigm shift from viewing disability as a medical issue to recognising it as a human rights concern requiring structural and institutional responses.

⁸ Convention on the Rights of Persons with Disabilities, adopted Dec. 13, 2006, G.A. Res. A/RES/61/106, entered into force May 3, 2008

⁹ *Ibid*, art.4

¹⁰ Discrimination Against Persons with Disabilities (Prohibition) Act 2018

3.1.2 African Charter on Human and Peoples' Rights

At the regional level, the African Charter on Human and Peoples' Rights¹¹ provides a foundational human rights framework within which disability rights are situated. Although the Charter does not expressly address disability, its provisions on human dignity, equality, and non-discrimination have been interpreted to extend protection to vulnerable groups, including persons with disabilities.¹² The Charter's broad human rights guarantees impose an obligation on State Parties, including Nigeria, to ensure that all individuals, regardless of physical or mental condition, are treated with dignity and afforded equal protection under the law.

3.1.3 Convention on the Rights of the Child (CRC)

The Convention on the Rights of the Child (CRC)¹³ introduces a child-specific dimension to disability rights by imposing obligations on States to ensure that children with disabilities enjoy a full and decent life in conditions that promote dignity, self-reliance, and active participation in society.¹⁴ It further requires States to provide access to education, healthcare, and social services tailored to the needs of children with disabilities, thereby reinforcing the principle of inclusive development and equal opportunity.¹⁵

3.2 National Legal Framework

3.2.1 Constitution of the Federal Republic of Nigeria 1999

The Constitution of the Federal Republic of Nigeria¹⁶ serves as the supreme legal framework within which all other laws operate. While it does not explicitly provide for disability rights, its fundamental rights provisions, particularly those relating to the dignity of the human¹⁷ person, equality before the law, and freedom from discrimination,¹⁸ offer a basis for the protection of persons with disabilities. However,

¹¹ African Charter on Human and Peoples' Rights ("Banjul Charter"), CAB/LEG/67/3 rev., adopted on June 27, 1981, and entered into force on October 21, 1986.

¹² *Ibid.*, art. 18(4)

¹³ Convention on the Rights of the Child, 20 November 1989, United Nations, Treaty Series, vol. 1577, p. 3

¹⁴ *Ibid.*, art. 2

¹⁵ *Ibid.*, art.23

¹⁶ Constitution of the Federal Republic of Nigeria 1999 (as amended)

¹⁷ *Ibid.*, s. 34

¹⁸ *Ibid.*, s. 42

the absence of explicit constitutional recognition of disability as a protected ground limits the scope of protection and places greater reliance on statutory provisions for the realisation of disability rights.

3.2.2 Discrimination Against Persons with Disabilities (Prohibition) Act 2018

The Discrimination Against Persons with Disabilities (Prohibition) Act¹⁹ represents a landmark development in Nigeria's disability rights regime. The Act prohibits discrimination on the basis of disability²⁰ and guarantees inclusion in critical sectors such as education,²¹ employment, transportation,²² and public services.²³ It further mandates accessibility standards in public buildings, prescribes penalties for discriminatory practices, and introduces provisions aimed at enhancing socio-economic participation.

The Act reflects Nigeria's effort to domesticate its obligations under international instruments and to transition toward a rights-based framework. Despite its progressive provisions, the implementation of the Act has been uneven, with challenges relating to enforcement, awareness, and state-level domestication significantly limiting its impact.

3.3 Institutional Framework

The effectiveness of the legal framework is reinforced by institutional mechanisms established to implement and enforce disability rights. Central to this framework is the National Commission for Persons with Disabilities (NCPWD),²⁴ which was established pursuant to the Disability Act to oversee its implementation. The Commission is mandated to promote, protect, and prioritise the rights of persons with disabilities, as well as to coordinate policies and ensure their inclusion in all spheres of national life.²⁵

¹⁹ Discrimination Against Persons with Disabilities (Prohibition) Act 2018

²⁰ *Ibid*, s.1

²¹ *Ibid*, s.17, 18, 19, 20

²² *Ibid*, s.5

²³ *Ibid*, s.4

²⁴ The National Commission for Persons with Disabilities (NCPWD) is a Nigerian federal agency established in 2020 under the Discrimination Against Persons with Disability (Prohibition) Act 2018, s.31

²⁵ *Ibid*, s.38

In addition to the Commission, various Ministries, Departments, and Agencies (MDAs), as well as judicial institutions, play complementary roles in enforcing disability rights. However, these institutions often face challenges relating to limited resources, weak coordination, and inadequate enforcement capacity, thereby affecting the overall effectiveness of the legal framework.

4. Rights of Persons with Disabilities

The recognition of the rights of persons with disabilities represents a fundamental shift in legal and policy discourse from welfare-oriented approaches to a rights-based framework grounded in equality, dignity, and inclusion.

4.1 Right to Dignity and Human Worth

The right to dignity forms the cornerstone of all human rights protections and is particularly significant in the context of disability. It affirms the inherent worth of every individual and rejects any notion that disability diminishes personhood or social value.²⁶ Under international human rights instruments, dignity is closely linked to autonomy, independence, and the ability of individuals to make decisions concerning their own lives.²⁷ For persons with disabilities, this right challenges deeply entrenched societal attitudes that often reduce individuals to objects of charity or pity, and instead affirms their status as rights-bearing individuals capable of participating fully in society.

4.2 Right to Non-Discrimination and Equality

The right to equality and non-discrimination is central to the protection of persons with disabilities. It requires that individuals are not treated less favourably on the basis of disability and that laws, policies, and practices do not create unjustified barriers to participation.²⁸ This right extends beyond formal equality to encompass substantive equality, which recognises that equal treatment may require differential measures, such as reasonable accommodation, to address structural disadvantages.²⁹

²⁶ Constitution of the Federal Republic of Nigeria 1999 (as amended), s. 34

²⁷ Discrimination Against Persons with Disability (Prohibition) Act 2018, s.1

²⁸ Constitution of the Federal Republic of Nigeria 1999 (as amended), s. 34

²⁹ Discrimination Against Persons with Disability (Prohibition) Act 2018, s.1, 2,3,4,5

International frameworks explicitly prohibit discrimination and mandate States to take proactive steps to eliminate discriminatory practices and ensure equality of opportunity.

4.3 Right to Accessibility

Accessibility is a foundational right that underpins the realisation of all other rights. It requires that physical environments, transportation systems, information, and communication services are designed in a manner that is usable by persons with disabilities.³⁰ The importance of accessibility lies in its enabling function: without access to public spaces, services, and information, other rights, such as education, employment, and political participation, become unattainable. International legal standards emphasise the obligation of States to identify and eliminate barriers to accessibility, thereby promoting inclusion and independence.

4.4 Right to Inclusive Education

The right to education is recognised as a fundamental human right, and for persons with disabilities, it entails access to inclusive, quality, and equitable education within mainstream educational systems. This right requires not only non-discrimination but also the provision of reasonable accommodation, specialised support services, and adaptive learning environments.³¹ The objective is to ensure that persons with disabilities are not excluded from general education systems and are provided with the necessary support to achieve their full potential. Inclusive education is particularly critical for children with disabilities, as it lays the foundation for social integration, economic participation, and long-term empowerment.

4.5 Right to Employment and Economic Participation

The right to work and economic participation recognises the importance of enabling persons with disabilities to earn a livelihood and contribute meaningfully to society. It encompasses access to employment opportunities, fair working conditions, and

³⁰ *Ibid*, s.3,4,5

³¹ *Ibid*, s.17,18,19,20,21

protection against workplace discrimination.³² This right also imposes obligations on employers and the State to provide reasonable accommodation and to create inclusive labour markets that recognise the capabilities of persons with disabilities. Beyond economic independence, employment serves as a means of social inclusion and personal fulfilment, reinforcing the broader objective of equality and participation.

4.6 Right to Participation in Public and Social Life

The right to participation encompasses the ability of persons with disabilities to engage in political, social, cultural, and civic life on an equal basis with others. This includes participation in decision-making processes, access to public services, and involvement in community activities.³³ International legal frameworks affirm the right of persons with disabilities to vote, hold public office, and contribute to governance and public discourse.³⁴ Participation is essential not only for individual empowerment but also for ensuring that policies and laws reflect the lived experiences and needs of persons with disabilities.

5. Intersectional Vulnerabilities Among Persons with Disabilities: A Focus on Women and Children

While persons with disabilities as a collective group encounter significant barriers to equality and inclusion, these experiences are not uniform. Certain subgroups, particularly women and children with disabilities, face heightened and compounded forms of disadvantage arising from the interaction of disability with other identity markers such as gender and age. This phenomenon is best understood through the lens of intersectionality, which recognises that systems of discrimination do not operate in isolation but intersect to produce unique and often intensified forms of marginalisation.

³² *Ibid*, s.27-29

³³ *Ibid*, s.1

³⁴ United Nations Convention on the Rights of Persons with Disabilities (CRPD), art.29

5.1 Women with Disabilities

Women with disabilities occupy a uniquely disadvantaged position within both disability discourse and broader gender equality frameworks. They are frequently subjected to multiple and intersecting forms of discrimination, arising from the combined effects of gender bias and disability-based exclusion. Empirical evidence indicates that women with disabilities in Nigeria experience significant marginalisation in areas such as healthcare, employment, and social participation. Reports highlight that they are often neglected within healthcare systems, with limited access to essential services such as reproductive and maternal care. In many cases, discriminatory attitudes by service providers further exacerbate their exclusion, reflecting deeply entrenched societal perceptions that question their autonomy and reproductive rights. Beyond institutional barriers, women with disabilities also face heightened exposure to gender-based violence, economic dependency, and social invisibility. Their participation in decision-making processes, both within households and in public life, is often constrained, reinforcing patterns of marginalisation.

Scholarly analyses further underscore the concept of “**double discrimination,**” whereby women with disabilities are disadvantaged not only as persons with disabilities but also as women within patriarchal social structures. This intersectional disadvantage is frequently overlooked within legal frameworks, which tend to address disability and gender as separate categories rather than as overlapping systems of inequality. Consequently, the experiences of women with disabilities reveal critical gaps in the existing legal and institutional framework, particularly in relation to targeted protection, inclusive policy design, and effective enforcement mechanisms.

5.2 Children with Disabilities

Children with disabilities represent another highly vulnerable subgroup whose experiences are shaped by the intersection of disability with age-related dependency and limited agency. Unlike adults, children are often unable to advocate for their own rights, rendering them particularly susceptible to neglect, exploitation, and systemic exclusion. In Nigeria, children with disabilities face significant barriers to accessing education, healthcare, and social protection systems. Despite the existence of legal provisions guaranteeing inclusive education and protection from discrimination,

implementation remains inconsistent, and many children are either excluded from formal schooling or placed in environments that do not adequately accommodate their needs.

Research further indicates that children with disabilities are subjected to multiple layers of discrimination within families, communities, and state institutions, often resulting in social isolation and limited development opportunities. In some instances, harmful cultural beliefs and stigma contribute to their marginalisation, reinforcing patterns of exclusion and undermining their dignity.

Access to justice for children with disabilities is particularly constrained. Structural barriers, including a lack of awareness, limited institutional capacity, and procedural challenges, often prevent the effective enforcement of their rights. As a result, violations frequently go unreported or unaddressed, perpetuating cycles of abuse and neglect. The intersection of disability and childhood thus creates a distinct form of vulnerability that requires specialised legal protections, inclusive policies, and proactive institutional intervention. Without such targeted measures, the rights of children with disabilities remain largely theoretical rather than practical.

6. Challenges in Implementing Existing Laws

6.1 Weak Enforcement Mechanisms

One of the most critical challenges confronting the disability rights framework in Nigeria is the weakness of enforcement mechanisms. While the Discrimination Against Persons with Disabilities (Prohibition) Act 2018 contains robust provisions, its effectiveness is largely dependent on the capacity and willingness of enforcement bodies to ensure compliance.

In practice, enforcement is often inconsistent, with limited monitoring, weak sanctioning mechanisms, and inadequate compliance systems. As a result, violations frequently go unaddressed, and legal obligations remain largely aspirational rather than enforceable. This enforcement deficit significantly undermines the credibility of the legal framework and contributes to the persistence of systemic exclusion.

6.2 Institutional Inefficiency

Closely linked to weak enforcement is the issue of institutional inefficiency. Institutions tasked with implementing disability laws, including regulatory bodies, government agencies, and judicial institutions, often face operational challenges that limit their effectiveness. These challenges include bureaucratic delays, poor coordination among agencies, lack of technical expertise, and inadequate data systems. Consequently, the implementation of disability-related policies is often fragmented and inconsistent, reducing the overall impact of legal interventions.

6.3 Inadequate Data on Persons with Disabilities

The lack of accurate and reliable data of persons living with disability is another factor which affects the implementation of disability laws in Nigeria

Effective policy formulation and implementation depend heavily on the availability of credible data. However, there is still inadequate statistical information regarding the actual population and specific needs of persons with disabilities in Nigeria.

The absence of comprehensive data makes it difficult to properly plan, allocate resources, and design policies that adequately address the needs of persons with disabilities. In many cases, disability issues are not sufficiently reflected in census exercises, national surveys, or development plans. As a result, many persons with disabilities remain overlooked in the formulation and implementation of social and economic policies.

Furthermore, inadequate data contributes to poor monitoring and evaluation of disability-related programs and limits the ability of authorities to measure the effectiveness of existing laws and policies. Consequently, the lack of reliable data continues to hinder meaningful progress towards the protection and inclusion of persons with disabilities in Nigeria.

6.4 Inadequate Funding

The implementation of disability rights requires significant financial investment, particularly in areas such as infrastructure, assistive technologies, institutional

capacity, and social services. However, funding for disability-related initiatives in Nigeria remains insufficient. Limited budgetary allocations constrain the ability of institutions to carry out their mandates effectively, resulting in gaps in service delivery and enforcement. This financial constraint further exacerbates existing inequalities and limits the practical realisation of rights.

6.5 Poor Infrastructure

Infrastructure remains a major barrier to inclusion for persons with disabilities. Despite legal provisions mandating accessibility, many public buildings, transportation systems, and service delivery centres remain inaccessible. The absence of ramps, elevators, accessible signage, and appropriate facilities effectively excludes persons with disabilities from public life and undermines their ability to exercise their rights. This infrastructural deficit reflects a broader failure to integrate accessibility considerations into urban planning and public policy.

6.6 Lack of Awareness

A significant barrier to the implementation of disability laws is the general lack of awareness among both the public and key stakeholders. Many persons with disabilities are unaware of their rights, while public officials and service providers often lack adequate knowledge of legal obligations and accommodation requirements. Additionally, there is often limited awareness among persons with disabilities regarding the remedies and legal protections available to them. This knowledge gap contributes to non-compliance, weak enforcement, and the perpetuation of discriminatory practices. Without widespread awareness and education, legal provisions remain underutilized and ineffective.

6.7 Inaccessible Complaint and Reporting Mechanisms

Closely linked to lack of awareness is the absence of accessible and effective complaint mechanisms which weakens enforcement efforts and undermines the overall effectiveness of disability laws in Nigeria.

Although certain institutions are empowered to address complaints relating to discrimination and rights violations, these mechanisms are often not easily accessible to persons with disabilities.

In many instances, reporting systems do not adequately accommodate the different needs of persons with disabilities. In other cases, the procedures involved may be complex, not affordable, or time-consuming, thereby discouraging pursuing complaints and creating a situation where many cases go unreported and unresolved.

6.8 Societal Attitudes and Stigma

Deeply entrenched societal attitudes and cultural perceptions continue to shape the experience of disability in Nigeria. Disability is often viewed through a lens of charity, pity, or superstition, rather than as a matter of rights and inclusion. These attitudes contribute to stigma, discrimination, and social exclusion, limiting opportunities for participation and reinforcing marginalisation. Importantly, legal reforms alone are insufficient to address these challenges; meaningful change requires a broader shift in societal perceptions and values.

6.9 Gender and Child-Specific Vulnerabilities

The challenges of implementation are further compounded for women and children with disabilities, who experience heightened and intersectional forms of disadvantage. Existing legal frameworks often fail to adequately address these specific vulnerabilities, resulting in gaps in protection and support. Women with disabilities may face barriers related to gender-based violence, economic exclusion, and limited access to healthcare, while children with disabilities encounter obstacles in education, social integration, and protection systems. These differentiated experiences highlight the limitations of a uniform legal approach and underscore the need for targeted, inclusive, and context-sensitive implementation strategies.

6.10 Lack of Political Will

The effective implementation of disability laws is fundamentally dependent on political commitment. In many instances, the marginalisation of persons with disabilities reflects not only structural limitations but also a lack of sustained political will to

prioritise disability inclusion. This manifests in delayed policy implementation, weak oversight, and insufficient commitment to enforcing existing laws. Without strong political leadership and accountability mechanisms, even the most well-crafted legal frameworks are unlikely to achieve meaningful results.

7. Strengthening the Legal Framework

The persistence of systemic barriers and implementation deficits within Nigeria's disability rights regime underscores the need for a strategic and multi-dimensional approach to reform. While the existing legal framework provides a solid normative foundation, its effectiveness depends on the extent to which it is operationalised through robust enforcement, institutional capacity, legislative clarity, and societal transformation. This section proposes key measures for strengthening the legal and institutional framework to ensure the effective realisation of the rights of persons with disabilities.

7.1 Strengthening Enforcement Mechanisms

The effectiveness of any legal framework is ultimately determined by the strength of its enforcement mechanisms. In the Nigerian context, there is a pressing need to move beyond symbolic compliance toward active and consistent enforcement of disability laws. This requires the establishment of clear monitoring systems, the imposition of meaningful sanctions for non-compliance, and the development of accountability structures that ensure adherence to legal obligations. Enforcement bodies must be empowered with both the authority and the resources necessary to carry out their mandates effectively. In addition, compliance with accessibility standards and anti-discrimination provisions should be made mandatory and routinely audited, particularly within public institutions and private entities providing essential services.

7.2 Institutional Reforms

Institutional strengthening is central to the effective implementation of disability rights. This involves enhancing the capacity, coordination, and operational efficiency of institutions responsible for enforcement and policy implementation.

Key measures include:

- a. Improving inter-agency coordination among Ministries, Departments, and Agencies (MDAs)
- b. Providing specialised training for judicial officers, law enforcement personnel, and policymakers on disability rights and inclusion
- c. Establishing clear institutional mandates and performance benchmarks

Furthermore, institutions such as the National Commission for Persons with Disabilities must be granted greater autonomy, adequate funding, and operational independence to effectively discharge their responsibilities.

7.3 Legislative Reforms

While the existing legal framework is relatively comprehensive, there remains a need for targeted legislative reforms to address identified gaps and ambiguities.

Such reforms may include:

- a. Strengthening provisions on enforcement and sanctions
- b. Clarifying obligations relating to accessibility and reasonable accommodation
- c. Ensuring uniform domestication and implementation of disability laws across all states

Legislative reform should also aim to incorporate intersectional considerations, ensuring that the specific needs of women and children with disabilities are explicitly addressed within legal provisions.

7.4 Enhancing Access to Justice

Improving access to justice is essential for the enforcement of disability rights. This requires both procedural and substantive reforms aimed at removing barriers within the justice system.

Key interventions include:

- a. Ensuring the physical accessibility of courts and legal institutions
- b. Providing interpreters, assistive technologies, and accessible legal materials
- c. Expanding legal aid services to support persons with disabilities
- d. Introducing flexible procedural rules that accommodate diverse needs

These measures will ensure that persons with disabilities are not only able to access legal institutions but are also able to participate meaningfully and obtain fair outcomes.

7.5 Inclusive Policy Design

Effective disability inclusion requires the integration of disability considerations into all aspects of public policy. This entails adopting a mainstreaming approach, whereby disability is not treated as a peripheral issue but as a central component of policy development and implementation.

Policies must be designed to:

- a. Address structural barriers to inclusion
- b. Promote equal opportunities in education, employment, and healthcare
- c. Incorporate gender-sensitive and child-focused perspectives

Importantly, persons with disabilities should be actively involved in policy formulation processes, ensuring that policies reflect their lived experiences and practical needs.

7.6 Public Awareness and Social Reorientation

Legal and institutional reforms must be complemented by efforts to transform societal attitudes toward disability. Persistent stigma and negative perceptions continue to undermine inclusion and limit the effectiveness of legal protections.

Public awareness campaigns should aim to:

- a. Promote a rights-based understanding of disability
- b. Challenge stereotypes and discriminatory practices
- c. Educate the public on the rights of persons with disabilities

Social reorientation is essential for fostering an inclusive society in which legal norms are supported by positive cultural attitudes and behavioural change.

8. Conclusion

The evolution of disability rights in Nigeria reflects a significant normative shift from marginalisation to recognition, marked by the adoption of international standards and the enactment of progressive domestic legislation. Instruments such as the Discrimination Against Persons with Disabilities (Prohibition) Act 2018 signal a clear commitment to equality, dignity, and inclusion. Yet, as this paper has demonstrated, the existence of legal frameworks has not translated into meaningful protection or lived realities for persons with disabilities.

The central challenge confronting Nigeria's disability rights regime is not one of legal deficiency, but of implementation failure. Across sectors, a persistent gap exists between statutory guarantees and practical outcomes, with enforcement mechanisms remaining weak, institutions under-resourced, and societal attitudes resistant to change. Evidence shows that, despite legal mandates, accessibility remains severely limited, and inclusion continues to exist largely "on paper" rather than in practice. This implementation deficit is further compounded by intersectional vulnerabilities affecting women and children with disabilities, whose experiences reveal the limitations of a uniform legal approach. Their realities underscore the need for targeted, context-sensitive interventions that move beyond formal equality toward substantive inclusion.

Ultimately, the true measure of a legal framework lies not in its textual sophistication, but in its capacity to produce tangible, equitable, and enforceable outcomes. For Nigeria, the task ahead is clear: to transition from a system that proclaims rights to one that delivers them. This requires a decisive shift toward enforcement-driven governance, institutional accountability, and sustained political commitment. Until this transition is achieved, the promise of disability rights will remain aspirational, an expression of intent rather than a guarantee of justice. The imperative, therefore, is not merely to strengthen the law but to ensure that it works consistently, effectively, and for all.

9. Recommendations

In light of the challenges identified in this paper, the following recommendations are proposed to strengthen the protection and enforcement of the rights of persons with disabilities in Nigeria:

9.1 Strengthen Enforcement, Domestication, and Oversight Mechanisms

There is a need for more effective enforcement of the Discrimination Against Persons with Disabilities (Prohibition) Act 2018 through stronger compliance monitoring, routine accessibility audits, and the imposition of sanctions for violations. Existing enforcement bodies should be empowered to ensure strict compliance with accessibility and anti-discrimination provisions. Furthermore, all states within the federation should fully domesticate and implement disability laws to ensure uniform protection across the country. Legislative oversight by the National Assembly and relevant state institutions should also be strengthened to ensure accountability and policy implementation.

9.2 Enhance Institutional Capacity through Funding and Autonomy

Institutions responsible for implementing disability rights, particularly the National Commission for Persons with Disabilities (NCPWD), should be provided with adequate funding, operational independence, and technical capacity to effectively discharge their mandates. In addition, specialised training programmes should be organised for judicial officers, law enforcement personnel, policymakers, and public officials to improve understanding of disability rights and accommodation requirements.

9.3 Guarantee Accessibility and Inclusive Infrastructure

Government and private institutions should ensure full compliance with accessibility standards in public buildings, transportation systems, educational institutions, healthcare facilities, and digital platforms. Despite statutory obligations, accessibility gaps remain widespread in Nigeria's infrastructure. Accessibility should therefore be integrated into urban planning, building approvals, and public procurement processes, with periodic inspections to ensure compliance.

9.4 Promote Inclusive Access to Justice and Legal Protection

The justice system should be reformed to eliminate barriers preventing persons with disabilities from effectively enforcing their rights. This includes ensuring physically accessible courts, providing sign language interpreters and assistive services, expanding legal aid programs, and introducing flexible procedures that accommodate diverse needs. There is also a need for continuous disability-sensitivity training for police officers, judicial personnel, and legal practitioners to reduce discriminatory attitudes and institutional barriers within the justice sector.

9.5 Adopt Targeted and Inclusive Policy Approaches

Government policies and legal reforms should adopt intersectional and inclusive approaches that specifically address the unique vulnerabilities of women and children with disabilities. Policy formulation processes should also actively involve persons with disabilities and representative organisations to ensure that interventions reflect lived realities and practical needs. Inclusion should not be treated as a welfare consideration, but as a fundamental human rights obligation requiring mainstream integration across all sectors of governance.

9.6 Training and Sensitisation of Personnel Handling Disability Related Matters

There is a need for regular training and sensitisation of persons and institutions responsible for handling matters involving persons with disabilities. Judicial officers, law enforcement agencies, healthcare workers, educators, and other public officials should be adequately trained on disability rights, accessibility standards, and inclusive practices.

In many cases, violations of the rights of persons with disabilities are worsened by inadequate awareness and poor understanding of disability-related issues among relevant officials and stakeholders. Regular training programmes would therefore improve service delivery, strengthen institutional responsiveness, and promote the effective implementation of disability laws in Nigeria.

9.7 Advance Public Awareness and Social Reorientation

Sustainable implementation of disability rights requires broader societal transformation. Public awareness campaigns should therefore be intensified to

promote a rights-based understanding of disability, combat stigma, and encourage inclusive attitudes within communities, institutions, and workplaces. Educational institutions, media organisations, religious bodies, and civil society groups should play active roles in promoting disability inclusion and challenging discriminatory cultural perceptions.

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