

# THE PROMOTION AND PROTECTION OF RIGHTS OF PERSONS WITH DISABILITY IN NIGERIA: AN ANALYSIS OF THE APPLICABLE THEORIES, STATUTE AND TREATY LAWS

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## ABSTRACT

In Nigeria and most parts of the developing world persons with one form of disability or the other are subjected to discrimination by members of their family and the society in which they live. This phenomenon is most worrisome where these persons are denied access to public places or infrastructure, education, health services, sports complexes, jobs and face general neglect by the society. The impact of these discriminatory practices on the wellbeing and psyche of these special persons calls for concern. Hence the Government of the Federal Republic of Nigeria in 2019 signed into law the *Discrimination against Person with Disability (Prohibition) Act 2018*. The Act is intended to fully integrate person with disability disorder into the mainstream of the society. Before this law was enacted, there existed the Nigerian Disability Decree 1993 now an Act of the National Assembly. This Act was neither repealed by the 2018 Act nor a deliberated Act of the National Assembly in 1999 when Nigeria returned to democratic rule. Besides these Laws, Nigeria has ratified different regional and international instruments that were adopted to protect the rights of persons with disability. This paper therefore will analyze the theories, statutes and treaty provisions to see how it will serve the aim of promoting and protecting the rights of persons with disability in Nigeria as people with disability need the protection of government to promote equal opportunities and social inclusion for all people.

## 1. INTRODUCTION

Record has it that no fewer than 27.3 million Nigerians live with various forms of disabilities<sup>1</sup> out of a population of about 200 million persons. This

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<sup>1</sup> Ibileke, Jethro, '27.3 million Nigerians living with disabilities', *PM News*, 03 December 2018, Available online at <<https://www.pmnewsnigeria.com/2018/12/03/27-3-million-nigerians-living-with-disabilities/>> accessed 05 May 2019.