

PARTICIPATION OF PERSONS WITH DISABILITIES IN ELECTIONS

Two of the most abiding principles of democracy are inclusiveness and participation, which means society must include its citizenry in the democratic voting process of electing leaders.

This has become even more imperative considering the recent 70th celebration of the Universal Declaration of Human Rights (UDHR), which essentially calls on people globally to take necessary action for greater freedoms, stronger respect and more compassion for the rights of others. The Principles also reiterate the point that all human beings are born free and equal in dignity and rights. The right of citizens to take part in the government of their country, either directly or through freely chosen representatives is entrenched in Article 21(1).¹

Similarly, Section 42 of the 1999 Constitution of the Federal Republic of Nigeria confers on every citizen the right to freedom from discrimination, while Section 12 of the Electoral Act 2010 (as amended) spells out the criterion that qualifies a citizen to register and vote.²

The various relevant International and Regional instruments to which Nigeria is a signatory to including the United Nations Convention on the Rights of Persons with Disabilities (CRPD) means that the country is legally obliged to set up standards for the full and equal participation of Persons with Disabilities (PWDs) in public life.

Nigeria's electoral management body, the Independent National Electoral Commission (INEC), in a bid to embrace these principles and values has introduced several reforms to the electoral process. This is even more crucial because Nigeria is estimated to have 25 million people living with disabilities. According to Centre for Citizens with Disabilities "3,253,169 Nigerians are suffering from one form of disability or the other; 1,708,751 males and 1,544,418 females suffer in sight, speech, hearing, mobility and brain to mention but a few."³

Nigeria is a signatory to the United Nations Convention on the Rights of Persons with Disabilities, and Continental Plan of Action for the African Decade of Persons with Disabilities, but still does not have a legal or policy framework to mainstream PWDs into the society in general. Laws and policies need to be created to ensure that barriers

¹ United Nations Universal Declaration of Human Rights (1948).

² Constitution of the Federal Republic of Nigeria 1999, Electoral Act 2010

³ Assessment of Provisions for Persons with Disabilities in Independent National Electoral Commission (INEC) Preparations for 2019 Elections in Nigeria. Centre for Citizens with Disabilities.

are removed and PWDs are involved in the nation development agenda at all levels.

Although there are various global, regional and state-level provisions for the protection of PWDs, their rights to participate freely and on equal basis with other people in the society, and in elections are usually violated and they are often discriminated against and inhibited by institutional and infrastructural impediments. For example, accessibility to public buildings is rare in the sense that many lack ramps, handrails, appropriate doors, lifts etc, thereby excluding PWDs from access to services such as banking and healthcare.

This Report highlights the Framework introduced by INEC, to ensure that PWDs fully participate in Nigeria's electoral and political systems.

The Framework on Access and Participation of PWDs in the Electoral Process, enshrines the concerns of PWDs and other vulnerable groups. It is a policy document aimed at the inclusion of PWDs in all aspects of the electoral process, as well as reducing the barriers they encounter as voters, aspirants, candidates, party officials and staff within INEC. Accompanying the Framework is an Operational Plan which is an internal document to deliver on the objectives.

It is worthy to note that the objectives have Strategic Actions, and that Objectives 2 and 4 specifically emphasize partnerships with a range of stakeholders, such as Electoral Officials, Media, Political Parties, Organisations of Persons with Disabilities (OPDs) and other Civil Society groups.

The overall goal of the Framework is to contribute to the facilitation of access and participation of PWDs in all aspects of the Electoral Process.

INEC's stance on PWDs is commendable because through this initiative it will address the challenges faced by PWDs in the electoral process.

It is equally commendable that on the 23rd of January, 2019, Muhammadu Buhari signed the Discrimination against Persons with Disability (Prohibition) Bill into law.

It is important to remember that accessibility and inclusiveness in society are human rights, thus the Commission must endeavor to sustain its action plans to provide accessibility to polling stations and booths; make available sign language interpreters, material in Braille format and hearing aids, magnifying glasses /large print for the visually impaired, among other assistive mechanisms.

Summary of the Framework on Access and Participation of Persons with Disabilities (PWDs) in the Electoral Process

- » The Independent National Electoral Commission (INECs) Framework on Access and Participation of Persons with Disabilities (PWDs) in the electoral process is a policy document aimed at the inclusion of PWDs in all aspects of the electoral process, as well as reducing the barriers they face as voters, aspirants, candidates, party officials and staff within the Commission. Accompanying the Framework is an Operational Plan which is an internal document to deliver the Framework.
- » The Framework was developed following series of consultations with internal and external stakeholders at different levels including persons with disabilities and the Joint Association of Persons with Disabilities (JONAPWD) at zonal and national levels. A stakeholder validation conference was also held before approval by the Commission.
- » The Framework is guided by the Constitution of the Federal Republic of Nigeria 1999, the Electoral Act 2010, and the various relevant International and Regional instruments to which Nigeria is a signatory to. Some of these instruments are: United Nations Universal Declaration of Human Rights (1948); African Charter on Human and Peoples Rights (1981); African Charter on Democracy, Elections and Governance (2007); and United Nations Convention on the Rights of Persons with Disabilities (CRPD). These instruments provide the legal basis and a set of standards for the full and equal participation of persons with disabilities in public life.
- » The rationale of the Framework is to ensure that disability issues are mainstreamed into electoral matters throughout the electoral phase, in line with the conduct of free, fair and credible elections towards strengthening and deepening of democracy in Nigeria; and support PWDs throughout the electoral cycle.

The specific objectives of the Framework are:

- » Strengthen the Commission as an institution that is inclusive in its human and financial resources as well as in its practices and process.
- » Work with relevant stakeholders to facilitate the development of accessible electoral facilities and infrastructure.
- » Encourage the participation of PWDs in all aspects of the electoral process.
- » Establish strong partnerships with relevant stakeholders to promote access and participation of PWDs in the electoral process, and
- » Encourage Political Parties on access and participation of Persons with Disabilities in the electoral process.

Some of the highpoints of the Strategic Actions are:

- » The need to develop an electoral database for aspirants, voters and candidates
- » Establish a benchmark on percentage of PWDs to be recruited as personnel of the Commission; mainstream disability and inclusivity practices in human resources management, budget, planning, procurement and processes
- » Deliberate provision of assistive devices and inclusion of budget heads for same in all electoral facilities, including INEC offices
- » Strengthen PWDs Desks at all INEC State offices with accessible electoral process; promote a safe and conducive electoral environment devoid of fear, coercion and intimidation before, during and after voting
- » Continuous support for electoral reforms on PWDs access and participation
- » Design and develop disability friendly electoral materials for training
- » Collaborate with relevant stakeholders to ensure that centres to be used for electoral activities are disability friendly and accessible
- » Establish strong partnerships with relevant stakeholders to include Development partners, Ministries, Departments and Agencies (MDAs), Civil Society Organisations and the Media.

Furthermore, the Framework has an Operational Plan which breaks down the objectives into actions that are measurable, and assign roles and resources aimed at ensuring that delivery can be measured. The Operational Plan has a set of tools for tracking and measuring progress. These are:

- A Result Outline
- The Action Plan
- Risk Mitigation Strategy, and
- Checklist for Monitoring and Evaluation

NIGERIA CIVIL SOCIETY SITUATION ROOM

Secretariat: c/o Policy and Legal Advocacy Centre (PLAC),
Plot 451 Gambo Jimeta Crescent, off Nasir El-Rufai Crescent, via Gilmor Junction,
Guzape District, Abuja, Nigeria.

Tel: 09032999919, 09095050505; Email: situationroom@placng.org

Website: <http://situationroom.placng.org>