



ECOWAS COMMISSION
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REGIONAL STUDY AND ACTION PLAN ON DISABILITY INCLUSION

Final Report

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List of abbreviations

AfChHPR	African Charter on Human and People's Rights
AfChHPR-PWDs	Protocol to the African Charter on Human and People's Rights on the Rights of Persons with Disabilities
ADA	African Disability Alliance
AU	African Union
CRPD	UN Convention on the Rights of Persons with Disabilities
ECOWAS	Economic Community of West African States
EU	European Union
HDI	Human Development Index
MS	Member State(s)
NHRI	National Human Rights Institution(s)
OHCHR	United Nations High Commissioner for Human Rights
OP-CRPD	Optional Protocol to the Convention on the Rights of Persons with Disabilities
OPDs	Organizations of Persons with Disabilities (known as Disabled People's Organizations)
PWDs	Persons with Disabilities
RAPDI	Regional Action Plan on Disability Inclusion
REC	Regional Economic Communities
UN	United Nations
UNDP	United Nations Development Program
UNICEF	United Nations Children's Fund
WHO	World Health Organization

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Foreword

Following the adoption of the United Nations Convention on the Rights of Persons with Disabilities in 2006, national governments, Organizations of Persons With Disabilities and various key stakeholders around the world, continue to make significant efforts to promote compliance with the provisions of the Convention. Recognizing that disability inclusion is also referenced in various parts of the SDGs and specifically in parts related to education, growth and employment, inequality, accessibility of human settlements, as well as data collection and monitoring of the SDGs, the governments of ECOWAS Member States are also taking concerted actions to ensure disability inclusion albeit the challenges associated therewith.

The ECOWAS Commission commitment to promote and mobilize support for the dignity, rights and well-being of persons with disabilities in West Africa in line with the United Nations Convention on the Rights of Persons with Disabilities and the Protocol to the African Charter on Human and People's Rights on the Rights of Persons with Disabilities, led to the launch of a Regional Study on Disability Inclusion in West Africa in 2021. The study focused primarily on assessing the extent to which ECOWAS Member States were fulfilling their obligations as outlined in the United Nations Convention on the Rights of Persons with Disabilities. Based on the findings of the study, a Regional Action Plan on Disability Inclusion elaborating concrete actions and results areas for the protection of the dignity, rights and well-being of persons with disabilities in West Africa was developed.

The study found that the ECOWAS Member States were making steady progress in critical areas including statistics and disability data disaggregation, ratification of international instruments on disability inclusion, protection of the rights of women and children with disabilities, and consultations with Persons With Disabilities for Disability inclusive policies and plans. Thus, based on the findings of the challenges to disability inclusion identified in the study, a Regional Action Plan on Disability Inclusion in West Africa 2022-2030 covering three major priority areas of actions to further strengthen disability inclusion by ECOWAS, Member states, and Organizations of Persons With Disabilities was developed. The three priority areas including activities, verifiable outputs and time frame, namely enhancement of disability inclusion through all aspects of ECOWAS Commission work, improvement in legal and policy environment for disability inclusion, and strengthened regional partnerships for increased resource mobilization for disability inclusion were discussed and validated by government focal points on Disability Inclusion and representatives of Organizations of Persons With Disabilities.

The Regional Action Plan on Disability Inclusion was designed to respond to the need to further strengthen the mainstreaming of disability inclusion in policies and plans at national and regional levels by giving priority to evidence based interventions delivered through impactful, gender sensitive and cost-effective approaches. It supports the general principles of disability inclusion, as well as the human rights-based approach to disability.

At the end of the implementation of the period of the Action Plan, it is hoped that ECOWAS, Member States and the Organizations of Persons With Disabilities would have demonstrated visible and

sustained commitment to becoming accessible to and inclusive to all persons with disabilities in all aspects. In the same vein, it is hoped that ECOWAS Member States would have strengthened their legal, policy and institutional frameworks to protect and promote the rights of Persons with Disabilities in line with the relevant international and continental treaties.

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Executive summary

In 2021 the Commission of the Economic Community of West African States launched a study on disability inclusion in the region which culminated in the development of a Regional Action Plan on Disability Inclusion in the ECOWAS Member States (MS).

The research adopted a mixed method approach, consisting of a desk review, interviews and consultations with government focal points on disability and national Organizations of Persons with Disabilities (OPDs). In addition, interviews were held with the representatives of the ECOWAS Commission, the African Union (AU), the African Disability Alliance (ADA), the UN Convention on the Rights of Persons with Disabilities (CRPD) Committee, and the Office of the United Nations High Commissioner for Human Rights (OHCHR) to complement/enrich the information and data gathered for the study.

A summary of the key findings is presented below:

- **Statistics and disability data disaggregation:** Firstly, the study found that the available data of national population and housing censuses between 2006 and 2021 most likely do not reflect the real percentage of persons with disabilities (PWDs) in the ECOWAS region. The challenges regarding the number of PWDs in the region include outdated data available at national levels; disparities between national and global estimates of PWDs; and varying definitions and methodology, often associated with stigma and biased data collection. However, it is encouraging to note that in 6 MS (Benin, Burkina Faso, Ghana, Liberia, Sierra Leone and Togo), the governmental focal points in collaboration with the OPDs, have made progress collecting, disaggregating and/or disseminating data on disability that will improve the assessment of the needs of PWDs, and accordingly, the design and implementation of needed policies and programs.
- **The rights of children and women with disabilities:** The desk-review and interviews with the OPDs revealed that some discriminatory issues and practices against PWDs, particularly against children and women with disabilities, are still prevalent in the region. Due to widespread assumptions about the abilities of PWDs, children and women with disabilities with certain types and degrees of severity of impairments, in particular, frequently experience discrimination and inequality. Despite overall progress with regards to disability rights, the nature of certain types of disability and associated barriers is commonly overlooked in national laws and policy-making processes. Generally, they face limited access to healthcare, rehabilitation and assistive devices; limited participation in mainstream education and consequently in the workforce, as well as (un)reported cases of exploitation, violence and abuse, among other issues.
- **Social protection:** The research found that ECOWAS MS social protection policies and strategy documents are usually designed to include PWDs, explicitly or as one of the most vulnerable group of populations. In designing their social protection policies, 2 MS (Burkina Faso and Ghana), opted to find solutions that promote the education of children with disabilities and the active employment of PWDs. On the other hand, the type of support varies considerably across countries in the region. There is limited evidence whether the social protection schemes reach out to all PWDs in need, and whether the allocated benefits and support adequately meets the needs of PWDs.

- The ratification of the Protocol to the African Charter on Human and People's Rights on the Rights of Persons with Disabilities (hereinafter referred to as the AfChHPR-PWDs): For the AfChHPR-PWDs to enter into force, it must be signed and ratified by 15 African countries. In total, 11 states on the African continent have signed it – of which 3 MS (Mali, Burkina Faso and Togo) are from the ECOWAS region. Mali is the only country in Africa that has signed and ratified the AfChHPR-PWDs. The low number of ECOWAS MS which ratified the AfChHPR-PWDs is of concern. There is also a sense of insufficient awareness about the AfChHPR-PWDs and its importance for the region.
- The status of CRPD and Optional Protocol to the CRPD (OP-CRPD) ratification and reporting: Overall, the finding is encouraging as all 15 MS in the ECOWAS region have signed and ratified the CRPD, and 10 MS (Benin, Burkina Faso, Gambia, Ghana, Guinea, Guinea Bissau, Niger, Nigeria, Mali, Togo) have signed and ratified the OP-CRPD. With regards to the reporting to the CRPD Committee, the reporting cycle has been completed by two MS (Niger and Senegal). So far, a review of state reports by the CRPD Committee is currently underway for 7 MS (Benin, Burkina Faso, Ghana, Liberia, Mali, Sierra Leone and Togo). The remaining 6 MS (Cape Verde, Côte d'Ivoire, Gambia, Guinea, Guinea Bissau, Nigeria) are significantly behind in fulfilling their obligations to submit their states' reports on the progress made so far under the CRPD.
- The status and compliance of disability rights laws with the CRPD: The adoption of disability rights laws is an important move towards better protection of PWD rights. While in 2006, at the time of the passing the CRPD at the global level, Côte d'Ivoire, Ghana, Liberia and Togo had a disability rights law, today in addition 9 MS (Benin, Burkina Faso, Gambia, Mali, Liberia, Niger, Nigeria, Senegal and Sierra Leone) have adopted national laws addressing disability matters, which vary greatly among countries. The research identified critical gaps in the laws, including the use of derogatory language, for example the use of for example the word: 'incapacity' in Sierra Leone's PWDs Act (2011) in Article 4.2. (d): 'if the member dies or is physically or mentally incapacitated as to be unable to perform the functions of his office', a person shall cease to be a member of the Commission of the National Commission for PWDs. In a similar manner, the Committee on the Rights of PWDs, in its Concluding Observations on the initial report of Senegal (2019)¹, states it is concerned about 'The lack of measures to review all legislation and policies to harmonize them with the Convention, particularly the Social Orientation Act No. 2010-15 and its implementing decrees, and the fact that measures geared towards the prevention of disabilities are misunderstood as measures to implement the Convention'. The research also pointed out the areas of each MS disability rights law that require further strengthening and alignment with the CRPD. These include: general rights-based principles, freedom from exploitation, violence and abuse; the right to live independently, and be included in the community, the right to inclusive education; and greater protection of PWDs in situations of risks and humanitarian emergencies, among others.
- National CRPD implementation institutions: In total, there are 7 MS (Benin, Burkina Faso, Côte d'Ivoire, Gambia, Niger, Senegal, Togo) which have a department or directorate to deal with disability issues, and other 4 MS (Ghana, Liberia, Nigeria, Sierra Leone) which have established a coordination

¹ UN Treaty Body Database (2019). Senegal Concluding Observations. Available at: https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRPD%2fC%2fSEN%2fCO%2f1&Lang=en, [Accessed December 2021].

mechanism within government to facilitate disability related actions in different sectors, as defined by their disability rights laws. Ideally, these institutions should act and be regarded as the main drivers of change in terms of promoting the rights-based approach to disability. Yet, while there are promising signs of strong institutional mechanisms, it is hardly ever explicitly stated that these institutions are designated for the implementation of the CRPD, as required by its Article 33 on national implementation and monitoring.

- **National CRPD Monitoring Institutions:** The absence of an independent monitoring mechanism of the CRPD throughout the region is of particular concern. The desk review found that there are very few National Human Rights Institutions which independently or in a close collaboration with the OPDs closely observe and monitor the implementation of the convention and ensure the fair and equal treatment of PWDs in all spheres of life. The low level of submitted OPD alternative reports to the CRPD Committee - four MS (Burkina Faso, Niger, Senegal and Togo) out of nine MS who submitted reports – have missed opportunities to hold their governments accountable for their actions.
- **MS efforts and challenges in advancing disability inclusion:** The government disability inclusion focal points and national OPD report the following challenges in advancing disability inclusion: political and government instability; lack of political will; inadequate advocacy from OPDs to the government; lack of awareness on disability issues; limited knowledge on the content of the CRPD by duty bearers including ministerial executives; weak disability units or commissions; poor implementation and non-compliance with international agreements; the charitable approach to disability still rooted in the state apparatus; lack of regulatory instruments to implement the law; the weak capacity of the national OPDs to popularize the CRPD; the low representation of PWDs in parliamentary or electoral positions; inadequate consultations with PWDs in national development and issues related to them; low budgetary allocation to disability inclusion as well as a dearth of statistics, which was also confirmed by other findings throughout this research.
- **Consultation with PWDs and their representative OPDs in making disability policies and plans:** Despite some promising examples of addressing PWD rights in national laws, policies, and plans, the findings suggest there is a need to further account for and include PWDs in all sectors beyond the traditional sectors perceived for PWDs, such as social protection. It is evident that changes need to be prioritized, with proper budget allocations. Moreover, an important element of making disability inclusive laws, policies, and plans is through meaningful participation and consultation of OPDs. Yet the findings suggest that their engagement with governments outside these fairly well-established national disability related institutions could be further strengthened. Most importantly, making disability inclusive laws, policies and plans is yet to be strengthened and well rooted in a rights-based approach to disability.
- **Regional development cooperation:** Two key findings around regional cooperation include i) inadequate cooperation among the key partners on disability inclusion at the regional level and ii) scarce funding for disability inclusion. Regional cooperation among key development partners on disability inclusion needs to be encouraged and strengthened. It is believed that such cooperation

would boost strategic resource mobilization and ensure that PWDs in the ECOWAS region are not left behind.

Key recommendations

- Establish a body, within ECOWAS, of Disability Inclusion Experts in West Africa to inform development of disability inclusive policy-making;
- Improve and harmonize disability data collection and disaggregation to provide reliable and comparable data on disability at national, regional and international levels, using standardized approaches such as the WGQs in national censuses and surveys;
- Adopt measures to eliminate negative attitudinal beliefs and stereotypes and to combat cases of exploitation, violence and abuse against children and women with disabilities, including often overlooked types and severity of impairments, and to ensure they have access to basic social and health-care services and an inclusive quality education system on an equal basis with other children, women and men with disabilities;
- Adopt measures to provide a social protection scheme that is in line with the rights-based approach to disability; raise awareness and provide information about available social protection schemes in accessible formats; actively involve OPDs in the design, implementation and evaluation of the national social protection schemes; further develop evidence of the real needs of PWDs to guide a new scheme to adequately cover disability related expenses and actively promote PWDs' social inclusion;
- Raise awareness of AfChHPR-PWDs and encourage the states to prepare administratively for the ratification and implementation of the AfChHPR-PWDs;
- Raise awareness of the OP-CRPD and encourage the states to ratify the OP-CRPD;
- Conduct a comprehensive analysis of national legislative compliance with the CRPD; Furthermore, enact or modify all relevant laws to prohibit non-discrimination based on disability across all sectors, including repealing those legal and regulatory provisions that contain derogatory connotations or discriminatory practices;
- Strengthen the designation and capacities of focal points and coordination mechanisms within government to implement the CRPD; raise awareness of the guidelines issued by the CRPD Committee on the establishment of an independent monitoring mechanism and undertake a comprehensive consultation before forming new mechanism(s); establish or strengthen the independent monitoring mechanism in line with the UN guidelines;
- Align national policies and plans with the CRPD by considering the core human rightsbased principles, in the development of policies and plans across all sectors; promote and systematically use rights-based budgeting for inclusion;
- Establish a mechanism for the systematic participation and consultation of PWDs and their representative OPDs in the design, implementation, monitoring and evaluation of policies and plans across all sectors and at all levels;
- Enable sharing of knowledge, good practices and synergies between MS;
- Enhance cooperation between ECOWAS and key development partners to boost resource mobilization on disability inclusion at the national and regional levels.

1 Introduction

1.1 Research design and methodology

In 2021, the ECOWAS Commission launched a Study on Disability Inclusion which culminated in the development of a Regional Action Plan on Disability Inclusion in the region.

The present report presents the current situation of disability inclusion in all 15 ECOWAS MS in which the Regional Action Plan will be implemented. The overall purpose of this research is to understand the extent to which MS address the rights of men, women and children with disabilities in their national laws and policies, in alignment with the CRPD and AfChHPR-PWDs.

It is expected that the findings will inform substantial improvements in selected areas, in close collaboration with the OPDs and other relevant partners in the region.

The following were the key questions that guided the research:

1. What is the number of persons (men and women) with disabilities in ECOWAS MS?
2. What are the most common challenges that children with disabilities face with equal access and discrimination in the region?
3. What are the most common gaps (ratifications, compliance, coordination, implementation, monitoring) that exist at MS levels? To what extent national laws and policies, especially laws on the protection and promotion of rights of PWDs (hereinafter referred as the disability rights laws), are in line with the CRPD & rightsbased approach to disability?
4. To what extent are OPDs engaged in the national policy making processes as well as monitoring of the treaties with respect to the protection and promotion of their rights?
5. What are the efforts and challenges in terms of advancing disability inclusion in different sectors and at different levels (MS and regional level)?

The research used a mixed method approach consisting of following:

- Desk review, including the documentation and analysis of a number of publicly available sources of information and academic literature about the disability statistics, the overall situation of the rights of children and women with disabilities in West African countries, social protection policies and strategy papers, the status of the ratification of the CRPD and the AfChHPR-PWDs, the official initial State reports and OPDs reports submitted to the CRPD Committee, national disability rights laws, as well as other information available on government and non-government websites.
- To complement the desk-review, the researcher collected, analyzed and interpreted data obtained through key informant interviews and structured questionnaires. In total, questionnaires were completed by 12 ECOWAS MS (Benin, Burkina Faso, Gambia, Ghana, Guinea Bissau, Côte d'Ivoire, Liberia, Niger, Nigeria, Senegal, Sierra Leone and Togo). Out of 12 ECOWAS MS, in 9 MS (Benin, Burkina Faso, Gambia, Guinea Bissau, Liberia, Niger, Nigeria, Sierra Leone and Togo) both governmental focal points and OPDs responded, while in the other 3 MS (Gambia, Côte d'Ivoire and Senegal) only one party responded.

- Interviews were conducted with representatives of AU, ADA, CRPD Committee, and the Office of the High Commissioner for Human Rights (OHCHR) in West Africa to complement and enrich data and get a regional insight into the findings.

Box 1. Overview of key terms and approaches used in the research

The social model of disability	This approach shifts the paradigm away from the medical and charity model to disability that view disability as a 'problem'. The social model of disability rather views problems/barriers that exist in society and prevent PWDs from having equal opportunities on an equal basis with other citizens.
The rights-based approach to disability	This approach works towards responsibilities imposed on governments and other institutions (duty bearers) to respect, promote and realize human rights and to abstain from violations and harm of all human beings, including those with disabilities (rights holders). The preconditions for the fulfillment of this approach include: accountability, accessibility, empowerment of PWDs and their self-representation.
CRPD	CRPD does not aim to create new rights for PWDs but to enable them to fully enjoy the same rights (civil and political rights; economic, social and cultural rights) as everybody else on the basis of equal opportunities. With regard to economic, social and cultural rights, it allows the progressive realization of these rights given states' limited resources. The achievement of nondiscrimination and of equality requires affirmative actions and reasonable accommodations.
OP-CRPD	OP-CRPD can be ratified by states independently of the ratification of the CRPD. The OP allows every PWDs, as an individual or group of individuals, to submit a complaint to the CRPD Committee about their rights which under the CRPD have been denied. The CRPD Committee can conduct an inquiry and submit recommendations to the states. The UN system allows soft sanctions, but often the states' reputation is at stake, if they do not comply.
Disability Inclusion	In compliance with the CRPD, Disability Inclusion puts the focus on both developing disability-specific and other mainstream laws, policies and other internal actions that take into account the accessibility, participation and inclusion of PWDs in all areas.
Twin track approach to disability	The twin track approach is commonly used in developing countries to advance the rights of marginalized groups of the population. It uses the parallel approach of targeting - to address the specific challenges of PWDs, and mainstreaming - to ensure equal access of PWDs in all development interventions.

1.2 Scope of the research

Table 1. Scope of the research as defined by the Terms of Reference

Statistics and data disaggregation by disability	- o Number and percentage of men and women with disabilities identified in the national population census. - o Improvements toward disability data disaggregation.
Particular attention to some groups and topics	- o Children and women with disabilities: Challenges faced by children and women with disabilities in the region - o Social protection: Inclusion of PWDs into the social protection policy and strategies.
Ratification of AU treaty	o The status of ratification of the AfChHPR-PWDs.
CRPD, national disability rights laws and national implementation and monitoring mechanism	- o The status of ratification of the CRPD and its OP-CRPD, and reporting to the CRPD Committee. - o The status of MS with disability rights laws and comparison with the CRPD. - o The status of national institutions to address disability matters as well as to implement and monitor the CRPD
Disability Inclusive policies, plans and budgets	- o Efforts and challenges by MS to advance disability inclusion in sectoral policies, plans, and budgets - o Engaging OPDs in consultation processes at the national levels
Development cooperation	o Current opportunities and gaps in the region.

1.3 Limitations of the research

The research is ground-breaking and provides an overview of the current situation on disability inclusion in the region. In terms of limitations, the research did not conduct a comprehensive analysis of national laws and policies in all relevant sectors for the realization of PWDs rights. In the given timeframe, the research only provided a brief insight of a few selected ECOWAS policies.

The research team made efforts to obtain a balanced view from all 15 ECOWAS MS. Out of 12 ECOWAS MS, in 9 MS both governmental focal points and OPDs (Benin, Burkina Faso, Gambia, Guinea Bissau, Liberia, Niger, Nigeria, Sierra Leone and Togo), while in the other 3 MS (Ghana, Cote d'Ivoire and Senegal) only government focal points responded. It was difficult to obtain information from Mali and Guinea due to the political crises. Nonetheless, where attempts to get responses failed, the research used other sources of information, where appropriate.

Finally, apart from the Regional Validation Meeting, due to the restrictions related to the Covid-19 pandemic, the research team did not conduct any field visits.

2. Analysis of Study Findings

2.1 Statistics and data disaggregation by disability

2.1.1 Disability statistics and main issues across the ECOWAS region

Table 2, below, shows the number of PWDs in ECOWAS region gathered in the period 2006 - 2021. Generally speaking, data on the number of people with disability in the ECOWAS region is obtainable from the reports of national population and housing censuses but there are still considerable issues concerning disability related statistics which will be further discussed.

Table 2. Number of PWDs in the ECOWAS countries (from 2006 to 2021)

MS	Number of PWDs - National Population and Housing Census	Disaggregated by sex		Year
		Women	Men	
Benin	Nearly 2% or 172.870 PWDs	Less	More	2013 ²
Burkina Faso	About 1% or 168.094 PWDs	Less	More	2006 ³
Cape Verde	About 21% or nearly 100.000 PWDs	N.A.	N.A.	2010 ⁴
Côte d'Ivoire	Nearly 2% or 450.896 PWDs	Less	More	2014 ⁵
Gambia	1.2% or 21.873 PWDs	Less	More	2013 ⁶
Ghana	About 8% or 2.098.138 PWDs	N.A.	N.A.	2021 ⁷
Guinea	N.A.	N.A.	N.A.	N.A.
Guinea Bissau	Nearly 1% or 13.590 PWDs	N.A.	N.A.	2009 ⁸

² National Institute of Statistics and Economic Analysis. <https://instad.bi/statistiques/enquetes-et-recensements#recensement-general><https://instad.bi/statistiques/enquetes-et-recensements-recensement-general-de-la-population-et-de-l-habitationde-la-population-et-de-l-habitation>

³ UN Treaty Body Database (2020). Burkina Faso State Party's Report. Available at: https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRPD%2fC%2fBFA%2f1&Lang=en [Accessed December 2021].

⁴ CEDAW (2013). Shadow Report Shadow Report to the Seventh and Eighth Cape Verdean Periodic Reports on the Implementation of the Convention on the Elimination of All Forms of Discrimination Against Women. Available at:

https://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/CPV/INT_CEDAW_NGO_CPV_13483_E.doc [Accessed December 2021] ⁵ Portail Officiel du Gouvernement de Cote d'Ivoire. Appui aux Personnes Vulnérables (updated on 03 December 2020). Available at:

<https://www.gouv.ci/actualite-article.php?id=3&recordID=11788&p=390> [Accessed December 2021]. Gambia Bureau of Statistics (2013). Population and Housing Census. National Disability Report. Available at: <https://www.gbosdata.org/downloads-file/census-2013-national-disability-report> [Accessed December 2021].

⁵ Ghana Statistical Service (2021). Available at: <http://statsghana.gov.gh/gssmain/fileUpload/pressrelease/2021%20PHC%20General%20Report%20Vol%203F-Difficulty%20in%20Performing%20Activities-final-161221.pdf> [Accessed December 2021].

⁶ For more information about approaches used to measure disability in Guinea Bissau census, consult <https://unstats.un.org/unsd/demographic-social/meetings/2016/kampala-disability-measurement-and-statistics/Session%206/Guinea-Bissau.pdf>

⁷ <https://unstats.un.org/unsd/demographic-social/meetings/2016/kampala-disability-measurement-and-statistics/Session%206/Guinea-Bissau.pdf> [Accessed December 2021].

⁸ Retrieved from <https://www.hi.us.org/liberia-...text=According%20to%20the%20population%20census.job%20market%2C%20and%20health%20services>

Liberia	About 14% or around 488.470 PWDs	N.A.	N.A.	2008 ⁹
Mali	N.A.	N.A.	N.A.	N.A.
Niger	About 4% or 715 497 PWDs	Less	More	2012 ¹⁰
Nigeria	About 2% or 3.253.169 PWDs	N.A.	N.A.	2006 ¹¹
Senegal	Nearly 6% (5.9%) of the whole population	N.A.	N.A.	2013 ¹²
Sierra Leone	1.3% of the country's population had a disability	Less	More	2015 ¹³
Togo	2.2% or 161.106 PWDs	More	Less	2015 ¹⁴

The findings presented in table 2 suggests that numbers collected through national censuses most likely do not reflect the real number of PWDs in the ECOWAS region.

The challenges regarding disability statistics on the number of PWDs in the region include

- outdated data available at national levels;
- disparities between national and global estimates of PWDs;
- varying definitions and methodology, often associated by stigma and biased data collection.

Outdated data – The main issue in disability data statistics, or specifically related to the counting of PWDs, is that national level reporting relies on old censuses or surveys that are no longer accurate. As Table 2 shows, available national statistics range mostly from 2006, and in some exceptional cases, some countries have not conducted, published or finalized nationwide population census in recent times, with the exception of Ghana’s Population and Housing Census conducted in 2021¹⁵.

Disparities between national and global estimates of PWDs – Table 2 further shows that available statistics on PWDs differ between the countries of the ECOWAS region and popularly accepted global estimates of PWDs. Based on the 2010 global estimates, about 10% of the global population had some type of disability (WHO, 2011)¹⁵.

⁹ [us.org/iberia#:~:text=According%20to%20the%20population%20census.job%20market%2C%20and%20health%20services.](https://www.us.org/iberia#:~:text=According%20to%20the%20population%20census.job%20market%2C%20and%20health%20services.) [Accessed December 2021].

10 Niger National Institute of Statistics (2012). Rapport sur la situation socioéconomique des personnes. Available at http://statniger.org/wp-content/uploads/2020/05/SITUATION_DES_HANDICAPEES.pdf [Accessed December 2021].

¹¹ Retrieved from <https://artsandculture.google.com/entity/disability-in-nigeria/g11cjnklnjp> [Accessed December 2021].

¹² UN Treaty Body Database (2018). Senegal State Party's Report. Available at:

https://tbininternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRPD%2F2C%2FSEN%2F1&Lang=en ¹³ Central for Human Rights (2018). Sierra Leone: Revised Country Report. Available at <http://www.rodra.co.za/index.php/countries/sierra Leonehttp://www.rodra.co.za/index.php/countries/sierra-leone/19-countries/sierra-leone/54-highlights-on-key-changes-to-sierra-leone-country-reportleone/19-countries/sierra-leone/54-highlights-on-key-changes-to-sierra-leone-country-report>

¹⁹ Retrieved from <https://togopresse.tg/5eme-recensement-general-de-la-population-et-l'habitat-la-prise-en-compte-du-handicap-dans-le> <https://togopresse.tg/5eme-recensement-general-de-la-population-et-l'habitat-la-prise-en-compte-du-handicap-dans-le-processus-preoccupe-les-techniciens-de-l'ineed/> [Accessed December 2021]

¹⁴ Ghana Statistical Service (2021). Difficulty in Performing Report. Available at:

http://statsghana.gov.gh/gssmain/fileUpload/pressrelease/2021%20PHC%20General%20Report%20Vol%203F_Difficulty%20in%20Perfor ming%20Activities_final_161221.pdf [Accessed December 2021]

¹⁵WHO (2011). World report on Disability. Available at <https://www.who.int/teams/noncommunicable-diseases/sensory-functions-disability-and-rehabilitation/world-report-on-disability> - :~:text=World%20Report%20on%20Disability%202011,a%20figure%20of%20around%2010%25%20disability-and-rehabilitation/world-report-onhttps://www.who.int/teams/noncommunicable-diseases/sensory-functions-disability-and-rehabilitation/world-report-on-disability - :~:text=World%20Report%20on%20Disability%202011,a%20figure%20of%20around%2010%25%20disability#:~:text=World%20Report%20on%20Disability%202011,a%20figure%20of%20around%2010%25. [Accessed December 2021].

Considering countries like Benin, Burkina Faso, Gambia, Guinea Bissau, Nigeria, Sierra Leone and Togo), we can see that the number of PWDs is predominantly around 1 or 2%, which is extremely low in comparison with the global estimates at that time. The evidence suggests that the number of PWDs was hugely underestimated. Besides, it must be highlighted that since 2011 the global estimates of disability are on the rise due to demographic trends and increases in chronic health conditions, among other causes. (WHO, 2021). Currently the WHO estimates that about 15% of the world's population have some form of disability (WHO, 2021)¹⁶. If this estimate is adjusted to 387 million of people who live in the ECOWAS region, according to the UNDP Human Development Reports (UNDP, 2021)¹⁷, there are around 58 million people with some form of disability who live in the ECOWAS region.

If we take the example of Cape Verde, from the National Population and Housing Census of 2010, we can see the highest percentage of PWDs is at 21%, or in other words, more than 10% of what was the global average at that period. This is also in stark contrast to nearly all other countries with available national statistics.

Stigma, varying disability definitions and methodology used during nationwide censuses – In the ECOWAS region, the reasons for under-estimating the number of PWDs is usually linked to definitions. The language used to refer to persons with various type of disabilities and the methodology used to obtain the statistics vary significantly from country to country. For example, the Gambian census of 2013 focused on short-term disabilities, and was limited only to certain age groups and households. Some types of disabilities (e.g., mental disabilities) are either misplaced in the category 'other disabilities', or completely excluded. On a positive note, in the most recent 2021 Ghana Census, PWDs were identified using the following criteria under six domains: difficulty in seeing, hearing, walking or climbing stairs, remembering or concentrating, communicating, difficulty with self-care, in addition to severity of difficulty, in line with the WHO's International Classification of Functioning, Disability, and Health (Ghana Statistical Service, 2021)¹⁸.

The use of stigmatizing language and attitudes, which is still very common in many West African countries makes comprehensive data collection, comparisons between countries and consequently adequate policy making very difficult. Omission of PWDs from the final count is often associated with the fact that some families do not want to declare their relatives with disabilities, especially those with mental disabilities, for various reasons, including shame and stigma. Also, as often explained, the validation is left to the enumerators who might not necessarily have the person in front of them or have no specific knowledge of disability (Burkina Faso, Alternative report to the CRPD Committee, 2018)¹⁹.

2.1.2 Efforts towards improvement of disability data disaggregation in ECOWAS MS

The CRPD clearly requires more disaggregation of data by disability, and the involvement of the representatives of PWDs in the data collection process. The collection of data disaggregated by disability is a first step in applying disability inclusive approaches.

¹⁶ WHO (2021). Disability and Health (Last updated 24 November 2021). Available at: <https://www.who.int/en/news-room/fact-sheets/detail/disability-and-health> [Accessed December 2021].

¹⁷ United Nations Development Programs (2021). Human development Reports. Available at <https://hdr.undp.org/en/data> [Accessed December 2021].

¹⁸ Ibid, p.14

¹⁹ UN Treaty Body Database (2020). Alternative Report, Coalition of OPWDs. Available at: https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2fCRPD%2fNGO%2fBFA%2f35426&Lang=en [Accessed December 2021]

One of the recommended data disaggregation tools is a set of questions established by the Washington Group on Disability Statistics (CBM, IDA, the Stakeholder Group of Persons with Disabilities, 2018)²⁰. The Washington Group of Questions (WGQs) counts PWDs in an easy and unbiased manner and addresses the use of disability disaggregated data as a tool to measure and compare the participation of persons with and without disabilities in poverty, health, education, employment and other areas. The questions use the WHO's International Classification of Functioning, Disability, and Health as a conceptual framework. The WGQs can be used not only in surveys or censuses, but also for other programmatic and administrative purposes (WG on Disability Statistics, 2021)²¹.

In the absence of current (published) statistical data on the number of PWDs, the research set out to identify any recent measures (in the past 12 months) taken by the governments to improve data collection on disability in national contexts. From the findings obtained through this research, there is a lack of harmonized approach in terms of definitions, concepts and statistical methodologies that can produce data on PWDs comparable at national, regional and even international levels.

On the one hand, the responses received from countries such as Togo, Burkina Faso and Nigeria suggest a minor but notable start of WGQs-interventions. The responses obtained from countries such as Benin, Ghana, and Sierra Leone indicate that key stakeholders recognize the need to improve their disability statistics, in compliance with the international standards. It is unclear whether the statistical systems in these countries are adequately equipped to generate disability statistics by using only the WGQs or other methods recommended by the CRPD, but it is encouraging to see that several MS are gradually moving towards a better and more coordinated approach towards disability data disaggregation. The following Table 3 highlights positive examples in the region:

Table 3. Disability data disaggregation: The overall summary findings for all MS

Noticeable actions	Positive, but isolated cases	No progress	No information
Benin, Burkina Faso, Ghana, Liberia, Sierra Leone, Togo	Gambia, Nigeria	Cote d'Ivoire, Guinea Bissau, Niger, Senegal	Cape Verde, Guinea, Mali
6 MS	2 MS	4 MS	3 MS

More specifically, Table 4 illustrates several positive examples in disability data disaggregation resulting mainly from collaboration between government statistical agencies and units in charge of disability inclusion.

²⁰ CBM, IBM, Stakeholder Group of PWDs' for Sustainable Development. Disability Data Advocacy Tool. Available at: https://cbmglobal.org/wp-content/uploads/2020/11/DisabilityData_advocacytoolkit_accessible.pdf [Accessed December 2021]

²¹ For more information on how administrative data can be used for collecting data on disability, see the article on the Washington Group for Disability Statistics' website: <http://www.washingtongroup-disability.com/can-administrativedata-used-collecting-data-disability/>

Table 4. Disability data disaggregation: some positive examples in the ECOWAS region

Benin	There are reports of collaboration between the national association of OPDs and the National Institute of Applied Statistics and Economy to consider the disaggregated data of PWDs in the next 2022 census.
Burkina Faso	Through trainings and continuous engagement of Burkina Faso's National Multisectoral Council for the Protection and Promotion of the Rights of Persons with Disabilities, its National Statistical Office has made a firm commitment to incorporate the WGQs in the next national population census.
Ghana	2021 Ghana Population and Housing Census collected data on population that have difficulties in performing activities due to disability. In parallel, the National Council on PWDs has set up a Data-Disaggregated Unit to create an accurate database.
Liberia	The Liberian National Commission on Disabilities has identified the process of collecting and disaggregating data on PWDs (women, men and children with disabilities) as the first priority of their Annual Work Plan, recently developed with representatives of OPDs.
Nigeria	In 2018, the Nigerian Demographic and Health Survey, supported by the World Bank, used the WGQs to identify PWDs in certain households. However, this is reportedly an isolated case.
Sierra Leone	The country is in the process of improving its mid-term Census by collaborating with the national association of OPDs, the National Commission for Persons with Disabilities and the Ministry of Social Welfare to make reference to disability in the data collection process. However, it must be noted that the advocacy efforts to use the WGQs in previous censuses did not bring a result.
Togo	The General Population and Housing Census is currently underway and for this purpose, the National Institute for Statistics and Economic and Demographic Studies is using the WGQs. The representatives of OPDs with other partners are continuously raising awareness among PWDs to take part in this general census.

Clearly, conducting a nation-wide census and surveys requires considerable efforts and resources, but the attention also has to be placed on how to produce and use the data. Thus, for improved disability data collection and disaggregation, this research recommends to ECOWAS MS to harmonize definitions, concepts and statistical methodologies to provide reliable and comparable data on disability at national, regional and international level – for example use the standardized approaches such as the WGQs in national census and surveys.

2.2 The plight of children and women with disabilities in the region

There are approximately 240 million of children with disabilities around the globe²², and also according to UNICEF (2021), there is around 15% children, aged 0 to 17 years, with disabilities in West and Central

²² UNICEF (2021). Fact Sheet. (Last updated 02 December 2021). Available at: <https://www.unicef.org/press-releases/fact-sheet-worlds-nearly-240-million-children-living-disabilities-are-being-denied><https://www.unicef.org/press-releases/fact-sheet-worlds-nearly-240-million-children-living-disabilities-are-being-denied> [Accessed December 2021].

Africa²³. Children without disabilities are likely to play freely and take part in family life; they also have greater chances of accessing education and eventually finding a job. However, children with disabilities may not share the same success stories and achievements as they continue to face marginalization and multiple discrimination. Children with disabilities are amongst the most vulnerable of the population due to the simple fact that they may not be able to assert their rights and challenge inadequate protection, both at the individual and institutional levels (UNICEF, 2021)²⁴.

There are many factors that may influence the extent to which children with disabilities are marginalized or excluded from their families, communities, and culture including:

- false beliefs and negative attitudes of others towards them due to their disability. These behaviors are experienced differently depending on the type of disabilities;
- gender – young girls with disabilities are more likely to be vulnerable to sexual violence and seen as ‘not suitable for marriage and family life’;
- poverty – poor families, even with the best will to care for their children with disabilities, may become trapped in a cycle of poverty and face a lack of access to very much needed information, support and resources for their children;
- emergencies – the hard living conditions of children with disabilities are even more intensified during political clashes, armed conflicts, refugee situations, natural disasters, or recurrent public health emergencies in the ECOWAS region.

Through questionnaires, national OPDs recognized there are many disturbing issues and practices against children with disabilities which are common to all countries in the region.

They include: neglect, societal stigma, failure to have their births registered, limited access to healthcare, rehabilitation and social protection, limited participation in mainstream education and consequently in the workforce, (un)reported cases of exploitation, violence and abuse from family, teachers and community members, and other harmful practices that threaten the life of children with disabilities as well as their healthy and fulfilled development – which is further elaborated below.

Traditional beliefs and negative societal attitudes - The scale of traditional beliefs and negative societal attitudes against children with disabilities in the ECOWAS region not only affects their dignity and potential for development but is also a main factor in cases of exploitation, violence, abuse, and even infanticide. As such, this is a severe human rights concern (Mustapha, 2021)²⁵.

Traditional animism has deep roots and is still very much present in many West African countries. Throughout history the causes of disability have been, and indeed in many communities still are, associated with sorcery, mystical punishment for family sins and misfortune. For example, in Guinea Bissau, there are reports about Irá children who are believed to be ‘abnormal’, the ‘reincarnation of bad spirits’ and are ‘capable of witchcraft’ (UNICEF, 2021, p. 78)²⁷.

These traditional views have serious consequences on children with a disability and their parents who may under such strong cultural influences to consider their child to be a burden with many

²³ UNICEF (2021). Children with disabilities overview. Available at: <https://data.unicef.org/topic/child-disability/overview/> [Accessed December 2021].

²⁴ UNICEF (2021). Research and evidence about children with disabilities. Available at: <https://www.unicef-irc.org/children-with-disabilities> [Accessed December 2021].

²⁵ Y. K. Mustapha (2021). Exploring the Experience of Individuals with Physical Disabilities Regarding Stigma and Discrimination during Childhood: A review of literature. African Journal of Health Sciences. Available at <https://www.ajol.info/index.php/ajhs/article/view/208480/196526> [Accessed December 2021]. ²⁷ UNICEF (2019). Situational Analysis of children's rights and well-being in Guinea Bissau. Available at <https://www.unicef.org/guineabissau/reports/situation-analysis-childrens-rights-and-well-being-guinea-bissau> [Accessed December 2021].

disadvantages, if she or he continues to live (Babik, 2021)²⁶. Children may also have albinism or periodic episodes of epilepsy. Regardless of the type of disability, such children are deemed to be ‘undesirable’ and are negatively represented. As a result, for example in Guinea Bissau, there are widespread reports of children without a birth certificate who are at higher risk of being excluded and denied their rights (Njelesani, 2019²⁷; UNICEF, 2021).

Millions of stigmatized children with disabilities are at risk of living without affectionate care, often hidden and isolated from their peers and the rest of the community. Hence, they lack the most basic access to healthcare as well as rehabilitation services, assistive devices and learning materials that can support their development and prepare them for school.

Cases of exploitation, violence and abuse - Although there are no exact figures, violence against children with disabilities happens in different forms in all societies all around the globe; it happens in the ECOWAS region too.

Moreover, the literature review shows that children and adolescents with disabilities are 3 to 4 times more likely to experience physical and sexual violence and neglect than other children; and they are at significantly increased risk of experiencing sexual violence: up to 68% of girls and 30% of boys with intellectual or developmental disabilities will be sexually abused before reaching their 18th birthday, on a global level (UN Special Representative of the Secretary General on Violence against children, 2021)²⁸

The research on exploitation, violence and abuse of children with disabilities in the ECOWAS region is not widespread. A few studies on violence against children with disabilities conducted in Guinea, Niger, Sierra Leone and Togo in 2018, and Guinea Bissau in 2019, confirm that there is still little known about these issues, and that government responses are not rising to the challenge, often leaving families and communities to solve issues (Njelesani, 2019)²⁹.

According to the official reports submitted by the CRPD Committee to Senegal and Niger, specific forms of exploitation, violence and abuse include corporal punishment in children with disabilities’ home, in school and in institutions, forced begging and labor as being guides to elderly PWDs, sexual violence and abuse, as well as infanticide. Neglect or negligent treatment, even emotional abuse and rejection may also occur when children with disabilities seek to access basic social services, such as healthcare, education, or rehabilitation services.

The literature review further shows that children with disabilities who are abandoned, albino children, children with mental disabilities, children with disabilities living with HIV/AIDS, young girls with disabilities, children with disabilities from ethnic minority groups, children with disabilities in the midst of natural or man-made emergencies, and children with disabilities living as internally displaced or refugees are amongst those most vulnerable to exploitation, violence or abuse.

It is evident that children with disabilities who are left under-identified, under-cared for and under-protected are evidently at a higher risk of facing violence and abuse. On the other hand, the level of

²⁶ Babik and al (2021). Factors Affecting the Perception of Disability: A Developmental Perspective. Available at: <https://www.frontiersin.org/articles/10.3389/fpsyg.2021.702166/full> [Accessed December 2021].

²⁷ J. Njelesani (2019). A child who is hidden has no rights”: Responses to violence against children with disabilities. Available at: https://www.researchgate.net/publication/331443545_A_child_who_is_hidden_has_no_rights_Responses_to_violence_against_children_with_disabilities [Accessed December 2021].

²⁸ UN Special Representative of the Secretary General on Violence against children (2021). Children with disabilities. Available at: <https://violenceagainstchildren.un.org/content/children-disabilities> [Accessed December 2021].

²⁹ Ibid, p.20

stigma associated with disability and weak justice systems lead to the high prevalence and persistence of this problem (African Child Policy Forum, 2014)³⁰.

Limited participation of children with disabilities in the education system - By being deprived of education, children with disabilities experience denial of their basic rights. As discussed in the previous sections, in the ECOWAS region, parents and families lack the support they require and underestimate the potential of these children, thus constantly discriminating against them. Millions of children remain unidentified and left with no provision of the support they need such as assistive devices, rehabilitation services, accessible infrastructure. This becomes even more critical in emergency situations.

Across many countries in the ECOWAS region, there are different types of education provided to this category of children; these include special schools (attended only by children with disabilities), integrated schools (children who have long-term physical, mental, intellectual or sensory disabilities are placed in special education units within ordinary schools), and inclusive education where all children with different learning styles, including those with disabilities, learn together in an accessible and adaptive schooling environment for all.

While the increase of education of children with disabilities due to special and integrated education over the years has been noted, in the most cases, this type of education is generally available in urban areas, leaving many children living in rural areas without schooling. There are also reports that there is a lack of advanced learning opportunities and available job openings for students after they finish primary and secondary special and integrated schools.

It becomes increasingly clear that special education, especially institutionalized forms, does not address the issue of social marginalization and exclusion; on the contrary, it intensifies it. Thus, the most recent global trends show that the best use of technical knowledge which exists within special and integrated education is that i) it can serve children with severe special education needs and provide them with a quality educational experience and outcome, and alternatively, ii) as a resource center to support pupils enrolled in mainstream / inclusive education (UNESCO, United Nations Children's Fund, 2019)³¹.

It is widely known that inclusive education is a cost-effective solution to the education of children with disabilities. While such strategies are not without cost, it should be emphasized that they are well worth the cost in the long run. Initial investment in terms of staff, curricula, teaching materials, equipment, infrastructure and other support mechanisms are equally beneficial for all learners, including those with disabilities. Currently, inclusive education is usually supported by development partners' projects or private schools. However, it is apparent that it cannot be fully achieved without involving parents, schools, including preschool education, and governments support (Aga-Hirpa, 2021)³².

Box 2. Brief insight into the situation of women with disabilities in the ECOWAS region

³⁰ The African Child Policy Forum (2011). Children with disabilities in Africa: Challenges and opportunities. Available at <https://app.box.com/s/f62a287cb8963c6bf3ff> [Accessed December 2021].

³¹ UNESCO, United Nations Children's Fund (2019). On the road to inclusion: highlights from the UNICEF and IIEP Technical Round Tables on Disability-inclusive Education Sector Planning. Available at: <https://unesdoc.unesco.org/ark:/48223/pf0000372193> [Accessed December 2021]

³² D. Aga Hirpa (2021). Exclusion of children with disabilities from early childhood education: Including approaches of social exclusion. Available at: <https://www.tandfonline.com/doi/full/10.1080/2331186X.2021.1952824> [Accessed December 2021].

Women with disabilities

The status of women with disabilities in African society simultaneously overlaps with their age, type of disability, family heritage, ethnicity and their urban-rural residence.

There are overwhelmingly disturbing practices against women with disabilities that require consideration: societal stigma, limited access to the basic healthcare services, education, social protection and employment, lack of investigation and impunity in cases of domestic abuse and sexual violence, as well as limited participation in decision-making, including politics, among many other factors (Global Call to Action Against Poverty, 2021)³³.

Although important considerations of women with disabilities in the development of national laws, policies and plans has taken shape in several countries, it is disturbing that this topic has not yet been given attention generally and national disability rights laws. It can be also argued that such failures could be avoided if women with disabilities through their representative OPDs are included in the formulation of relevant laws. This finding clearly calls for further legislative examination.

Women with disabilities may be protected from certain laws, governmental policies or benefit from certain governmental measures which are established on the basis of equal opportunity, but ultimately an adequate response may only be possible if the laws and policies explicitly make reference to women and takes into consideration their perspectives. De facto equality can be achieved only if existing gender equality, women empowerment or other measures to eliminate the violence against women includes the issues of the participation and inclusion of women with disabilities on an equal basis. Liberia, for example, made significant progress in the area of access to justice but according to their official report to the CRPD Committee, women with disabilities still face major barriers in information, communication, inaccessibility of courts or dealing with specific needs.

Despite these challenges, according to the review of available state reports to the CRPD Committee, there are several countries (e.g., Liberia) across the region with good examples that raise and address the issues of women with disabilities within their existing laws, policies and plans, but their good intentions are usually hampered during implementation.

- Thus, this research recommends to ECOWAS MS to strengthen protection and promotion of the rights of children and women with disabilities, in particular by adopting measures to eliminate negative attitudinal beliefs and stereotypes and to combat cases of exploitation, violence and abuse against children and women with disabilities, with often overlooked types and severity of impairments, and to ensure they have access to needed social and health-care services and an inclusive quality education system, on an equal basis with other children, women and men with disabilities;

2.3 Existence of disability inclusion social protection

An analysis of the existence of social protection for PWDs is linked to the broader view of what the social protection represents for PWDs and those without disabilities. Social protection is seen not only as a

³³ Global Call to Action to End Poverty (2021). Available at: <https://gcap.global/leave-no-woman-behind/> [Accessed December 2021].

tool to improve people's well-being, but also as one of the main positive contributors to national economic growth and the success of sustainable development goals.

Vulnerability and risk put social protection in focus, as shown during the Covid-19 pandemic. People in need of social protection are those exposed to certain economic and social risks which may lead to poverty and further vulnerability. Findings from the study suggests that PWDs are more likely to be at risk of poverty and vulnerability (P. van Wouwe, 2017)³⁴.

Social protection measures designed to reduce such risks can be in the form of social assistance or social insurance or related to labor in order to promote employment. The size and modalities of such measures vary from one country to another depending on their resources and overall functioning. Clearly, the way social protection systems are designed may significantly either empower or further disempower PWDs in their efforts to reduce hardships. Absence of measures that promote social inclusion may negatively affect around 80% of PWDs of a working age who have no real opportunities for jobs and economic gain.

The literature review shows it is more likely that any failure to ensure a wide range of social protection and active employment measures for all citizens will consequently miss a large portion of the population and lead to an adverse impact on PWDs (ILO, 2021)³⁵.

Box 3. CRPD, Article 28, Adequate standard of living and social protection

Article 28 recognizes the right of PWDs to social protection without discrimination and States parties are obliged to take appropriate measures without discrimination on the basis of disability to ensure access to: affordable services, devices and other disability-related needs; social protection and poverty reduction programs especially for girls, women with disabilities and older persons with disabilities; provide state assistance with disability-related expenses including training, counselling, financial assistance and respite care for those PWDs and their families living in situations of poverty; as well as to ensure access to public housing and retirement benefits and programs.

The following section examines the level of inclusion of PWDs in existing national social protection policies or strategy documents, published from 2011, across the ECOWAS region.

As explained below, in Table 5, for the purpose of this research, a simple rating tool was adapted to be used for a quick analysis (Bridging the Gap: Inclusive Policies and Services for Equal Rights of PWDs-Project European Union, 2019)³⁶:

³⁴ J. P van Wouwe (2017). Poverty and disability in low- and middle-income countries: A systematic review. Available at: <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5739437/> [Accessed December 2021].

³⁵ ILO (2021). Disability and Work. Available at: <https://www.ilo.org/global/topics/disability-and-work/lang-en/index.htm> [Accessed December 2021].

³⁶ Bridging the Gap-Project European Union (2021).Resource. Available at: <https://bridgingthegap-project.eu/wp-content/uploads/Inclusion-of-persons-with-disabilities-in-EU-cooperation-Paraguay.pdf> [Accessed December 2021].

Table 5. Disability Inclusive Social Protection Policies: Tool for analysis

	No available information; No comprehensive policy and strategy document, or The policy or strategy document contain limited references to PWDs.
	The policy or strategy document contain references to disability in context, priority groups, strategic objectives or actions but there are some limitations in approach, such as: inadequate terminology or specialized approaches
	Disability is mentioned in relevant sections of policy or strategy document; The policy or strategy uses a combined approach (disability targeted and mainstream) to some extents, but still, there are areas for development.

As Table 6 below shows, the analysis included the national social protection policy and strategy documents from all ECOWAS countries. In the absence of sufficient online information from Côte d'Ivoire and Togo, the government focal points filled the missing data. Due to translation limitations, the data from Cape Verde were omitted. Although a quick analysis of policies has been undertaken to determine the level of the existence of social protection for PWDs, this does not guarantee that the support provided is tailored to the real-life situations in which PWDs live, which will be further discussed.

Table 6. Disability Inclusive Social Protection Policies: Findings for each MS

Country	Name of document	Year	Findings	Tool
Benin	Holistic Social Protection Policy	2013	- Disability is recognized as a vulnerability factor; o PWDs are referenced under the action point 3.4 'Support and promotion of specific groups in situations of extreme vulnerability'; - Social Assistance Aid is granted by the Support Fund for the Rehabilitation and Integration of PWDs.	
Burkina Faso	National Social Protection Policy	2013 - 2022	The policy makes reference to children and adults with disabilities under program 2: 'Improving access for all, especially poor populations and vulnerable groups, to basic social services, specifically related to accessing health, education and jobs';	
	Sectorial Policy: Labor, Employment and	2018 - 2027	Disability is linked to interventions that support both affirmative actions (e.g.: adapted school buses) and accessible and inclusive services (e.g.: accessible infrastructure) in both indicators and budget sections;	

	Social Protection of Burkina Faso		Sectorial Policy on Labor, Employment and Social Protection aims at targeted actions for PWDs generally and specifically in emergency situations.	
C. Verde	N/A	N/A		
Côte d'Ivoire	National Social Protection Strategy	2014	- o The document is aimed at gradually building a social protection system that strengthens the resilience of vulnerable groups, including men, women and children with disabilities, in the face of social risks; - o Axis 3 of this strategy has a set of mechanisms and tools (national and international legal instruments, social assistance, toll-free number) to prevent and respond to the risks of abuse, discrimination, violence and exclusion often experienced by PWDs.	
Gambia	The Gambia National Social Protection Policy	2015 - 2025	o The policy document makes several references to PWDs, including as a priority target group, data disaggregation, protective and transformative social protection approaches and actions.	
Ghana	Ghana National Social Protection Policy	2015 - 2030	- o The policy makes several points that issues of disability and gender will be mainstreamed throughout social protection efforts; - o It provides targeted cash transfers to PWDs under the Livelihoods Empowerment Against Poverty; - o It recognizes that PWDs need to be better targeted with regards to minimum income security for working age persons;	
			o The policy promotes inclusive employment and includes PWDs in its targets.	
Guinea	N/A	N/A		
G. Bissau	N/A	N/A		

Liberia	National Social Protection Policy and Strategy	2013	- o Disability is mentioned under objective 2: ‘Provide social assistance to support the poorest and most vulnerable groups, including PWDs, and elderly in attaining an improved standard of living consistent with minimum social protection floor and which enables those with labor capacity to graduate from extreme poverty.’; - o Liberian Policy looks at social cash transfers and other disability grants as a means of promoting independence, but at the same time it does not seem to offer any other social protection measures that may further support social inclusion of PWDs; - o On a positive note, the policy recognizes this gap and aims to scale up programs in close consultation with the key disability actors across various sectors.	
Mali	National Social Protection Policy	2015	o The policy makes a reference to PWDs as a priority group and highlights strong involvement of the national federation of OPDs and the National Community Based Rehabilitation Program, but there are no explanations about social protection measures for children and adults with disabilities.	
Niger	National Social Protection Policy in Niger	2011	- o Disability is recognized as a vulnerability factor; - o Disability is linked to one out of five strategic priorities that aims to reduce inequalities and strengthen social protection for vulnerable groups, specifically in the area of social security, special education, access to work and employment;	
Nigeria	Nigeria National Social Protection Policy	2017	- o Disability is mentioned in four out of eighteen policy measures classified into following categories: accessing education, health services, livelihood enhancement and employment; - o Specific measures designed for children and adults with disabilities include free health care services, support in learning materials and	
			assistive devices and cash transfers for the unemployed; o Disability is not addressed as a cross-cutting issue anywhere in the document.	

Senegal	National Social Protection Strategy of Senegal	2015 - 2035	- o PWDs are recognized as a vulnerable section of population; - o Disability is cited under Objective 4: 'Establish an integrated social security system for people with disabilities' through the Equal Opportunity Card; - o Disability is also well targeted under the provision of a minimum pension for unemployed persons.	
Sierra Leone	Draft national policy framework for social protection	2011	o There is a reference to disability in several actions, such as free access to health services, rehabilitation and special education, social services with the focus on shelter and other basic needs provisions, as well as small enterprises support, skills training and business training.	
Togo	N/A	N/A		

Certainly, inclusion of PWDs in social protection policies and strategy documents does not automatically mean their effective implementation, so a more comprehensive analysis should be undertaken to assess if the policies are translated into action. The overall findings, including the review of policies as well as the responses obtained by OPDs, include following:

- PWDs are usually well-recognized as a priority group like other vulnerable sections of the population, but further explicit targeting is highly recommended;
- In total, all 14 assessed countries had ratified the CRPD at the time of adopting their national social protection policies and strategy documents (though not all countries had adopted disability rights laws), but the use of derogatory language is noticeable in some MS documents. Also, for instance, in Senegal, the CRPD Committee clearly expressed its concerns with the disability assessment criteria used for the issuance of the equality card for social protection schemes, that is not in line with the human rights model of disability (OHCHR, 2019)³⁷.
- There is limited evidence about the type, amounts or size of support provided under disability grants to support PWDs, which in general may vary from purchasing assistive devices, such as wheelchairs or crutches, renovating homes, getting long-standing personal assistants or subsidizing costs to access certain services. There are, however, reports that, in Sierra Leone, the number has increased to a minimum of 25% of PWDs of the total number of beneficiaries that could benefit from cash transfer programs. Women and children with disabilities are also better targeted than in previous years. Yet, it remains unclear whether these PWDs are entitled to receive more than one benefit according to their individual type of disability and real needs.
- The most frequent barrier to accessing to social protection is related to the lack of easy-to-understand information. Availability of information about social protection measures in sign language is practically non-existent in Liberia, Niger or Benin.
- While disability inclusive social protection approaches have not yet been fully developed in the region, there are a few promising examples which have adopted both disability targeted and

³⁷ 39 Ibid, p.8

mainstream interventions. In Burkina Faso, for example, the policy targets not only children with disabilities with school-related benefits, but it also supports the schools to remove structural barriers and to make their classrooms accessible to children with disabilities. Targets are translated in both action-indicators and budgets.

- On a positive note, inter-departmental coordination has been proven to contribute to strengthening social protection measures. In Sierra Leone, the key disability stakeholders, namely the National Disability Commission and the national association of OPDs are invited to take an active part in the work of the National Commission for Social Action, specifically when decisions about cash transfers are being taken.

In addition to the above-mentioned review of social protection policy strategy documents, the report of the ECOWAS desk review of social protection, 2018, including social insurance shows that ten (10) MS such as Benin, Burkina Faso, Cape Verde, Ghana, Guinea, GuineaBissau, Liberia, Mali, Sierra Leone and Togo, provides benefits on the basis of disability (not related to the injuries from accidents at the workplace). Moreover, the desk review shows that in 4 MS such as Cape Verde, Nigeria, Senegal and Togo benefits are provided through their non-contributory social protection measures which make specific reference to PWDs

It is important to highlight that, in 2019, UN Partnership on the Rights of PWDs³⁸, identified the most common shortcomings in the provision of social protection, as follows:

- inadequate assessments of individual impairments – states should avoid conditioning eligibility criteria and access to social protection based on the provision of medical exams and certifications that are rooted into the medical model of disability;
- limited disability benefits and coverage - assistance provided from the states should be based on real disability-related expenses, especially in families with low incomes;
- insufficiency of measures that promote active employment and social inclusion - PWDs may be supported by certain employment opportunities, but these initiatives will be short-lived if not accompanied by assistive devices and the adaptation of workplaces.

This research recommends ECOWAS MS to strengthen disability inclusive social protection systems in line with the rights-based approach to disability; To raise awareness and provide information about available social protection schemes in accessible formats; To actively involve OPDs in the design, implementation and evaluation of the national social protection systems; To further develop the evidence base of the real - needs of PWDs and guide new scheme to adequately cover disability related expensed and actively promote social inclusion;

2.4 Overview and status of ratification of the AfChHPR-PWDs

The research examined the status of ratification of the AfChHPR-PWDs (hereinafter referred as the Protocol). The AfChHPR-PWDs sets standards about the rights of PWDs and imposes obligations on states to take all appropriate measures at their disposal to respect, promote and realize disability rights

³⁸ Joint statement Towards inclusive social protection systems supporting the full and effective participation of persons with disabilities (2019). Available at: <https://www.social-protection.org/gimi/gess/RessourcePDF.action?ressource.ressourceId=55473> [Accessed December 2021].

and to abstain from violations and harm of PWDs regardless of their ethnicity, socio-economic status, age, gender or any other differences, as specifically stated in its article 4.

The desk review shows that the history of promotion and protection of disability rights in the ECOWAS region has been described as gradually developing. To understand the current situation of regional instruments that favors this issue, it must be noted that since the 80s, the AU, together with its RECs, has a much stronger mandate and regional influence on human rights (Combrinck, 2013)³⁹.

One of the most noteworthy of AU's legally binding human rights treaties is the African Charter on Human and Peoples' Rights (also known as the Banjul Charter; abbreviated as AfChHPR). To encourage compliance with the Banjul Charter, the AU has at its disposal the ability to act as i) a facilitator of technical knowledge through a designated Focal Point on Disability, and ii) in cases of serious violation of disability rights, guaranteed by legislation, through the African Court of Justice and Human Rights. On a positive note, it is reassuring that after decades of continuous efforts to promote and protect human rights through this treaty, the AU Heads of states have supplemented the original Banjul Charter by a special protocol on the rights of PWDs. The Protocol to the AfChHPR was adopted at the AU 30th Summit Meeting, held in January 2018 in Ethiopia.

Given the fact that the Disability Protocol to the AfChHPR has been adopted through the advocacy efforts of OPDs, it seems that the right way to continue this lengthy process towards the ratification and implementation is together with them.

Box 4. Key Features of the AfChHPR-PWDs

The AfChHPR-PWDs draws from the CRPD and built on the same principles and articles on implementation and monitoring. It clearly provides the legal basis for considering discrimination on the grounds of disability and allows affirmative measures in favor of PWDs on the African continent

The AfChHPR-PWDs in a similar manner to the CRPD, cites that the MS 'shall take appropriate and effective measures, including policy, legislative, administrative, institutional and budgetary steps, to ensure, respect, promote, and fulfil the rights and dignity of persons with disabilities on an equal basis with others.' As such, this treaty invites the governments to further strengthen their responses and deal with disability issues in a systematic and complementary manner with the CRPD.

The AfChHPR-PWDs permits PWDs to bring their individual cases to the Independent Expert Body set in place by the African Commission on Human and People's Rights. In contrast, PWDs are allowed to complain on the individual basis to the CRPD Committee only when states ratify the OP-CRPD. Moreover, the AfChHPR-PWDs puts a strong focus on multiple discrimination on the basis of both age and gender. It also recognizes the rights of persons with albinism and protects the rights of family and caregivers of PWDs from any abuses. In this manner, the AfChHPR-PWDs tends to incorporate disability inclusion from an African perspective. (Center for Human Rights, 2018)⁴⁰.

³⁹ H. Combrinck (2013). Disability rights in the african regional human rights system during 2011 and 2012. Available at: <https://upjournals.up.ac.za/index.php/adry/article/download/423/332> [Accessed December 2021].

⁴⁰ Center for Human Rights (2018). Press Statement. Available at: <https://www.chr.up.ac.za/dru-news/482-press-statement-centre-for-human-rights-calls-on-african-states-to-ratify-newly-adopted-african-disability-rights-treaty> [Accessed December 2021].

The AfChHPR-PWDs will enter into force when 15 AU MS formally accede to it. At the time of this research, Mali is the only country in the whole continent of Africa that has signed and ratified it which should be especially valued given it has been achieved amid its political and social turmoil. In total, 11 states on the African continent have signed it – of which 3 MS are from the ECOWAS region, as Table 7 shows.

Table 7. Status of the ratification of the AfChHPR-PWDs

Signed and ratified the AfChHPR-PWDs	Signed, but not ratified
Mali (signed 2020, ratified 2021)	Burkina Faso (2019) Togo (2019)

Clearly, the number of ECOWAS MS which ratified the AfChHPR-PWDs is concerning. Findings obtained from this research also strongly suggest there should be continuous efforts to raise awareness about the AfChHPR -PWDs and to encourage the states to prepare administratively for the ratification and implementation of the AfChHPR-PWDs.

2.5 National laws, institutions and the CRPD

2.5.1 The status of the CRPD ratification and reporting in ECOWAS MS

Since its adoption in 2006, the CRPD⁴¹ became an important human rights tool. It introduced the new paradigm shift in viewing disability as a right, development, social issue instead of medical or charity issue. To date, the CRPD has been signed and ratified by all ECOWAS MS. With regards to the OP-CRPD⁴², only 1 country has not signed or ratified it while 4 MS have signed but not ratified and the remaining 10 MS have both signed and ratified it. Below, in Table 8, is an overview of the MS which have signed and ratified the CRPD and the OP-CRPD.

⁴¹ For the content of the CRPD, consult <https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities/convention-on-the-rights-of-persons-with-disabilities-2.html>

⁴² For the content of the OP-CRPD, consult <https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities/optional-protocol-to-the-convention-on-the-rights-of-persons-with-disabilities.html>

Table 8. Status of the ratification of the CRPD and OP-CRPD in ECOWAS MS

Ratified both CRPD and OPCRPD	Ratified CRPD Signed, but not ratified OP-CRPD	Ratified CRPD, but not signed or ratified OP-CRPD
Guinea (2008) Mali (2008) Niger (2008) Burkina Faso (2009) Nigeria (2010) Togo (2011) Benin (2012) Ghana (2012) Gambia (2015) Guinea Bissau (2018)	Senegal (CRPD, 2010), (OP 2007) Sierra Leone (CRPD, 2010), (OP 2007) Liberia (CRPD, 2012), (OP 2007) Côte d'Ivoire (CRPD, 2014), (OP 2007)	Cape Verde
10 MS	4 MS	1 MS

Regarding the CRPD reporting cycle – the process when MS submit their reports on the implementation of the Convention to the CRPD Committee; so far only 2 MS (Niger, Senegal) have completed the reporting cycle. A review of state reports is however currently underway in 7 MS (Benin, Burkina Faso, Ghana, Liberia, Mali, Sierra Leone and Togo). There is no evidence on the submission of reports to the CRPD Committee by the remaining 6 MS (Cape Verde, Cote d'Ivoire, Gambia, Guinea, Guinea Bissau, and Nigeria). The reasons for the delay and/or unavailability of remaining reports should be explored and addressed.

Table 9. Status of the reporting to the CRPD Committee in ECOWAS MS

MS	MS report – Due date	MS report – Published	OPD's report	Progress
Benin	05 Aug 2014	07 Mar 2019	-	Under consideration
Burkina Faso	23 Aug 2011	23 Apr 2020	Included	Under consideration
Cabo Verde	10 Nov 2013	-	-	-
Côte d'Ivoire	10 Feb 2016	-	-	-
Gambia	06 Aug 2017	-	-	-
Ghana	31 Aug 2014	08 Mar 2019	Included	Under consideration

Guinea	08 Mar 2010	-	-	-
Guinea Bissau	24 Oct 2016	-	-	-
Liberia	26 Aug 2014	24 Apr 2020	-	-
Mali	07 May 2010	27 Apr 2020	-	-
Niger	24 Jul 2010	04 Oct 2017	Included	Concluding observations issued
Nigeria	24 Oct 2012	-	-	-
Senegal	07 Oct 2012	27 Jul 2018	Included	Concluding observations issued
Sierra Leone	04 Nov 2012	2018	-	-
Togo	01 Apr 2013	13 Mar 2019	Included	Under consideration

2.5.2 Status of the disability rights laws in ECOWAS MS

Following ratification, ultimately, any state's failure to act with diligence and to support the transformation of societal norms as well as changes in national laws, policies, institutions, and budgets in accordance with the CRPD, may lead to disability rights violations.

Across the ECOWAS region, there is a plethora of legal instruments which accord citizens their fundamental human rights and uphold equality before the law for all citizens. Even though these pronouncements of law on equality paves the way for laws and services for all citizens, there is a tendency for PWDs to be excluded. Age-long discriminatory practices against PWDs have therefore brought to the fore, the need for specific laws that aim to protect and promote the rights of PWDs in national contexts.

As a result, the countries in the ECOWAS region have made significant progress in adopting laws that specifically support PWDs in different areas of life. While, in 2006, at the time of passing the CRPD at the global level, only Ghana had a disability rights law, today 9 out of 15 ECOWAS MS have specific disability rights laws, as Table 10 below shows.

Tableau 10. National Disability rights laws: Summary findings for all MS

MS with disability rights law	In drafting process	Other
Côte d'Ivoire (1998) Togo (2004) Liberia (2005) Ghana (2006) - - - - - <i>Adopted after the ratification of the CRPD:</i> Burkina Faso (2010) Senegal (2010) Sierra Leone (2011) Benin (2017) Mali (2018) Nigeria (2018) Niger (2019) Gambia (2021)	Guinea Guinea Bissau Togo – current law Act No. 2004-005 deals with the social protection	Cape Verde
12 MS	3 MS	1 MS

This progress may be attributed to the strong role of OPDs and their legitimacy in decision-making processes and is an indication towards better protection of PWD rights. However, findings obtained from this research reveal the need for a critical analysis of MS' disability rights laws to identify gaps and propose solutions with a view to providing more comprehensive protection for PWDs rights and change of attitudes.

2.5.3 Moving towards CRPD compliant national laws

The existence of disability rights laws is key for promoting and protecting the rights of PWDs especially those who have been traditionally denied of their rights.

Overall, all ECOWAS MS with disability rights laws provide a set of affirmative actions, equal access related to the following areas: healthcare; education; vocational training and employment; sport, leisure, and cultural life. The laws also establish new national coordination mechanisms, even though these vary across the region.

One of the most noticeable deficits in the current disability rights laws across the ECOWAS region is the difficulty in fully shifting towards what is known as the rights-based approach to disability (introduced on page 12 of this document). In this context, many laws are partially inconsistent with the CRPD, although the extent varies from one country to another.

On a positive note, the new Niger disability rights law, adopted in 2019, explicitly refers to the CRPD, and largely uses the human rights-based terminology in the context of the CRPD.

The following section highlights some of the main gaps between existing disability rights laws, and beyond, in relation to the accessibility, health, education, work & employment as follows:

Accessibility⁴³ - Accessibility, as one of the most fundamental rights, is fairly well recognized throughout all ECOWAS countries under existing national disability rights laws.

This research, however, points out the key areas of concern made by the CRPD Committee to Senegal following its reporting cycle (Senegal is one of two countries that have completed the reporting and reviewing cycle). The report highlights the lack of legal implementation measures, sanctions and possibility of PWDs filing complaints on accessibility barriers. It also includes: ‘The absence of a national action plan on accessibility for PWDs, covering all areas, such as information and communications technology, including online banking platforms, and public transport, especially in rural areas and particularly for persons with sensory impairments and persons with psychosocial or intellectual disabilities.’ (CRPD, 2019)⁴⁴.

Consequently, the CRPD Committee made the following recommendations to Senegal:

- (a) Adopt measures to increase the availability of information and statistical data on the accessibility of public and private buildings, including on the number of construction projects rejected due to non-compliance with accessibility standards, the number of complaints received for noncompliance, the sanctions imposed and the mechanisms available to PWDs to enable them to file complaints regarding non-compliance;
- (b) Develop, adopt and implement legislation and policies on the accessibility of facilities and services for PWDs and introduce accessibility standards in public procurement, paying particular attention to persons with psychosocial or intellectual disabilities, allocating sufficient resources and providing effective sanctions for non-compliance;
- (c) Ensure that PWDs and their representative organizations are involved in and meaningfully consulted on and can monitor the development of any accessibility plan;
- (d) Provide access to safe, affordable, accessible, and sustainable information and communications technology and transport systems for all, notably by expanding public transport systems, and providing universal access to safe, inclusive, accessible and green public spaces, particularly for PWDs.

These above-mentioned areas of concerns, as well as recommendations, may be pertinent in other ECOWAS countries too.

Education⁴⁵ - Reviews of existing disability rights laws predominantly show mixed provisions consisting of specialized and inclusive education approaches, thus indicating there is a weak but positive inclination towards inclusive education.

At its most basic level, the existing disability rights laws guarantee free access to education, enrollment priority, physical and other adaptations of the school environment, staff support and other specific measures to facilitate the participation of children with disabilities throughout the learning process and in exams.

⁴³ CRPD Article 9. Accessibility.

⁴⁴ Ibid, p.8

⁴⁵ CRPD. Article 24 Education.

But in comparison, the CRPD adopts a wide range of attributes to the education of children with disabilities, such as: ‘the right to free and inclusive education at all levels’, ‘supporting development of child’s potentials’, ‘no-refusal in general education system’, ‘reasonable accommodation measures’, ‘facilitation of use of sign language, Braille and other appropriate means of communication’, and ‘extensive disability awareness and training of teachers’, which are often not explicitly addressed in national disability rights laws.

There is enough evidence to suggest that lack of ‘no-rejection clauses’ may leave children out of the school system or diminish their chances of development and success.

Health⁴⁶ - invokes states to ensure ‘...the same range, quality and standard...’ of accessible, affordable and available services for PWDs as for other persons, including sexual and reproductive health and public health programs.

For example, Benin’s law requires a reduction of fees in private healthcare services. In comparison, Mali’s law, among others, provides a reduction of fees for public healthcare services to those PWDs who have an ‘invalidity card’. As it is stated, it seems these laws fail sufficiently to address the fact that any denial, exclusion, restriction or distinction of PWDs and their rights when accessing healthcare

Work and Employment⁴⁷ - In general, disability rights laws of ECOWAS MS include a dedicated chapter related to the employment of PWDs. Although not all countries have introduced ‘nonrejection clause’, they aim to guarantee non-discrimination based on disability and equality in accessing work. More regularly, the quota system that requires the public and/or private employers to reserve a percentage of jobs for PWDs, is established in several MS, and is usually backed up with sanctions in the case of noncompliance.

With regards to work and employment provision, an important requirement is the provision of a reasonable accommodation, which refers to adapting workplaces to the specific needs of an employee with a disability, though not all MS have introduced this commitment. Moreover, the CRPD sets wide-ranging provisions about employment, including: ‘...recruitment, hiring and employment...equal remuneration...continuance of employment, career advancement, safe and healthy working conditions...taking part in labor and trade unions...’. Failure to introduce all these provisions, including a prerequisite of an inclusive work environment, can be considered as non – compliant element of laws with the CRPD.

With a few exceptions, states are recommended to through their disability rights laws, adopt legal measures that address the employment of PWDs in a comprehensive manner. Also, with regards to making the overall employment system accessible and inclusive to PWDs, and in line with the CRPD requirements, all national laws related to the employment must be revised.

While the above paragraphs discuss the main trends that shape national disability rights laws in several human rights areas, and compare them with the CRPD, Table 11 highlights several areas that are vaguely or not at all mentioned in existing disability rights laws.

Table 11. Gap analysis of MS Disability rights laws

⁴⁶ CRPD. Article 25 (a). Health.

⁴⁷ CRPD. Article 27 Work and Employment

Country	Year – CRPD	Title of Disability rights law	Year – Law	Areas that require wide-ranging promotion and protection of PWDs in laws
Benin	2012	Act no. 2017-06 on the Protection and Promotion of the Rights of PWDs	2017	Situations of risks and humanitarian emergencies; Raising awareness; Adequate social protection; Access to justice; Political life; Statistics and setting up the National coordination mechanism.
Burkina Faso	2009	Act no. 012-2010/AN on the Protection and Promotion of the Rights of PWDs	2012	General principles; Raising awareness; Wide-ranging protection from violence, exploitation and abuse; Adequate social protection; Access to justice; Living independently and being included in the community; Statistics; National coordination mechanism.
Côte d'Ivoire	2014	Law no. 98-594 of 10 Nov 1998 of Orientation in favor of PWDs	1998	General principles and definitions; Wide-range protection in health; protection from violence, exploitation and abuse; Adequate social protection; Access to justice; Civic and political life; Statistics; National coordination mechanism.
Gambia	2015	Persons with Disabilities Bill	2021	Wide-ranging promotion and protection of PWDs in civil and political life, including access to justice, and in situations of risks and humanitarian emergencies; Participation in cultural life, recreation, leisure and sport; Adequate social protection.
Ghana	2017	Persons with Disability, Act 715 – adopted before the CRPD ratification.	2006	General principles; Raising awareness; De-institutionalized approaches and inclusive education; Wide-ranging promotion and protection of PWDs in civil and political life, cultural rights, as well as in situations of risks and humanitarian emergencies; Statistics.
Mali	2008	Act No. 2018-027 of 12 June 2018 on the rights of persons living with a disability	2018	General principles; Raising awareness; Wide-ranging promotion and protection of PWDs in civil life, including Access to Justice, and, in

				situations of risks and humanitarian emergencies; Adequate social protection; Living independently and being included in the community; Setting up a national coordination mechanism.
Liberia	2012	Act to establish a national commission on disabilities as an autonomous agency	2005	Focus only on establishment of National Disability Commission
Niger	2008	Law No 2019-62 determining the fundamental principles regarding the inclusion of PWDs	2019	Statistics, Raising Awareness, Situations of risks and humanitarian emergencies.
Nigeria	2010	Discrimination Against PWDs (Prohibition) Act	2018	Wide-ranging protection from violence, exploitation and abuse; Living independently and being included in the community; Access to Justice; The right to vote; Statistics.
Senegal	2010	Social Framework Act No. 2010-15	2010	Statistics; Wide-ranging promotion and protection of PWDs in civil and political life, including access to justice; protection in situations of risks and humanitarian emergencies; Freedom from violence, exploitation and abuse;
Sierra Leone	2010	Persons with Disabilities Act	2011	Statistics; Raising-awareness; Wide-ranging promotion and protection of PWDs in civil and political life, including access to justice; protection in situations of risks and humanitarian emergencies; Freedom from violence, exploitation and abuse.

While the disability rights laws attempt to address disability issues and alleviate the harsh conditions under which PWDs live, there is a need to strengthen national laws (existing disability rights laws, and

others) to ensure that the rights of PWDs are fully protected in all spheres of life. In doing so, it is recommended to:

- Pay attention to the language – Remove the terms such as: ‘incapacity’, ‘invalid’, ‘unable to perform’ or ‘mentally physically or mentally incapacitated unable to perform’ which have negative connotations for PWDs and may lead to exclusionary interventions;
- Avoid the use of medical model of disability - For example, in Gambia, PWDs Act (2020), article 40 ‘Discriminative medical examination’ cites: ‘An employer shall not conduct any test or examination to establish whether an applicant is a PWD or as the nature or severity of the person’s disability;

Similarly, the issuance of disability identification cards cannot be ingrained in the medical model of disability, wherever it exists. For example, the CRPD Committee, in its Concluding Recommendations (2019)⁴⁸ state they are concerned about: ‘the fact that disability assessment criteria are not in line with the human rights model of disability enshrined in the Convention for the issuance of equality cards by the different commissions established in Decree No. 2012-1038, of the Social Orientation Act No. 2010-15. Therefore, the Committee recommends to the state to ‘adopt a disability assessment process in line with the human rights model of disability, and ensure that PWDs, through their representative organizations, are involved in the design of disability assessment criteria for the issuance of equality cards’;

- Empower PWDs and address their specific requirements but avoid restrictions to PWDs. Importantly, instead of having laws that uniquely favor specialized or institutionalized approaches and imply restrictions for PWDs, MS should put in place laws that remove barriers that restrict participation of PWDs in all areas of life.
- Emphasize the core principles of the CRPD⁴⁹. Non-discrimination, accessibility and participation of PWDs, among other core principles, should be an integral part of all laws. Non-discrimination in practice implies providing specific measures, for example tax exemption on the import of assistive devices, to achieve de facto equality of PWDs.

This research recommends that the MS conduct a comprehensive review of national laws (an initial list of laws for the CRPD Compliance Analysis is in Annex 3 of this document – with a note that the review of laws for the CRPD Compliance Analysis does not stop with the review of disability rights laws). Thus, the research also calls for the enactment or modification of relevant laws to prohibit non-discrimination based on disability across all sectors. This includes repealing those legal and regulatory provisions that contain derogatory connotations or discriminatory practices.

2.5.4 National implementation and monitoring mechanisms

National implementation - The CRPD states that: ‘States Parties, in accordance with their system of organization, shall designate one or more focal points within government for matters relating to the implementation of the present Convention, and shall give due consideration to the establishment or

⁴⁸ 52 Ibid, p.8

⁴⁹ CRPD. Article 4. General principles (Respect for inherent dignity, individual autonomy including the freedom to make one’s own choices, and independence of persons; Non-discrimination; Full and effective participation and inclusion in society; Respect for difference and acceptance of persons with disabilities as part of human diversity and humanity; Equality of opportunity; Accessibility; Equality between men and women; Respect for the evolving capacities of children with disabilities and respect for the right of children with disabilities to preserve their identities)

designation of a coordination mechanism within government to facilitate related action in different sectors and at different levels'.⁵⁰

The desk review examined whether a unit or commission specifically dealing with disability issues has been established within each country, and to what extent they are involved in reporting processes to the CRPD Committee. In many countries insufficient data were available from the government website, so information was provided by the MS disability inclusion focal points who were interviewed.

First and foremost, it is important to highlight that while MS with disability rights laws have a specific scope, with established coordination mechanism for the implementation of these laws, it is hardly ever explicitly stated that such bodies are designated to implement the CRPD.

In most ECOWAS countries, the mandate for PWDs is most held by the ministry responsible for social affairs (e.g., children, gender issues or employment). As Table 12 below shows, in some countries there is evidence of a departmental unit or directorate specifically established to deal with the disability issues. The work of the unit is usually discharged through the implementation of a strategic plan (this appears to be the case in Burkina Faso, Mali, Senegal and Togo), with multiple actors and several programs. In these cases, disability issues which are framed into strategic plans are at risk of not being fully implemented due to weak capacities or limited funding, according to the responses received from the governmental focal points, in details in Annex 2 of this document.

It seems that the social affairs-related departments and directorates act, as stated by the CRPD, as focal points within government for matters relating to the implementation of the CRPD, even though this role has not been explicitly stated. When it comes to reporting to the CRPD Committee, if these departments or directorates are not taking a lead position in this process, they usually jointly work with other ministries related to the international treaties. For example, in Senegal, the National Human Rights Advisory Council, which is attached to the Ministry of Justice, has been involved in the preparation of the report to the CRPD Committee. It remains unclear if there are any appointed focal points with other branches of the governments to address disability inclusion issues, and implement the CRPD accordingly, but this is highly unlikely.

Table 12. National Disability Unit or Coordination: Summary findings for all MS

MS with a unit (department or directorate)	MS with a coordination mechanism in place	In process of setting-up a unit or a coordination mechanism	No unit dedicated to disability	No information

⁵⁰ CRPD, Article 33 (1) National Implementation and Monitoring

Benin Burkina Faso Côte d'Ivoire Gambia Niger Senegal Togo	Ghana Liberia Nigeria Sierra Leone	Gambia – according to the new law Guinea	Guinea Bissau Mali	Cape Verde
7 MS	4 MS	2 MS	2 MS	1 MS

In several MS, the governments have moved beyond traditional structures and established commissions, advisory committees or councils which are (or about to be) involved in facilitating the development of policies that support the participation and inclusion of PWDs, but generally these coordination mechanisms remain closely attached to the ministry in charge for PWDs, such as in the case of Sierra Leone. Even though, while these coordination mechanisms act as ‘custodians of disability rights laws’, they need to have sufficient authority to mainstream disability, structure, mandates, and protocols for engagement with a wide range of ministerial departments, in line with the rights-based approach. Again, it is barely anywhere explicitly written that these established coordination mechanisms within government act to facilitate related CRPD-related actions in different sectors.

Box 5. Guidelines for developing effective governing board of the Commissions

By Good Governance Institute (2019), effective governing board of the Commissions has:

- The right people round the table
- Understanding the role & responsibilities
- Good chairing skills and relationships based on trust
- Knowing the disability ecosystem – the data, civil society, other actors
- Commitment to challenging conversations in the interests of PWDs

To illustrate the attachment to the relevant ministry, in Gambia, for example, according to the PWDs Bill (2020), the Director of the Advisory Committee submits reports to the Ministry of Women, Children and Social Welfare⁵¹. The Advisory Committee is tasked to act as a national advisory body to the Ministry of Women, Children and Social Welfare.⁵² In other words, the Committee does not advise the government directly but through the Ministry. It should be noted that the members of the Committee do not include a wide variety of representatives from other ministries although the law aims to tackle access to buildings, services, information, and the physical environment. Moreover, one of the

⁵¹ Gambia, PWDs Bill (2020), article 10 (1) (f) Functions and powers of the Director of the Advisory Committee for PWDs

⁵² Gambia, PWDs Bill (2020), article 15 (1) (a) Functions of the Advisory Committee for PWDs

Advisory Committee's objectives is to advise on the enactment of laws and the reviewing of existing laws with a view to comply with the equalization of opportunities⁵³, although it is not explicitly designed to comply with the CRPD. However, in another paragraph, the Advisory Committee is tasked to participate in the monitoring and evaluation of this Act in relation to the CRPD⁵⁴, which can be a basis for further alignment with the CRPD.

In Burkina Faso, as part of a broader nation-wide initiative to promote the fulfilment of disability rights, there are, exceptionally, two bodies i) a department, namely the Directorate for the Protection and Advancement of PWDs, attached to the Ministry of Social Affairs and Solidarity tasked to implement the disability strategy, among other tasks, and, ii) a coordination mechanism, namely the National Multisectoral Council for the Protection and Promotion of the Rights of PWDs. This council⁵⁵, established as a multi – sectoral body, is designated to monitor and evaluate the implementation of the CRPD and Act No. 012-2010/AN of 1 April 2010 on the Protection and Promotion of the Rights of PWDs in Burkina Faso. Yet, its independence is yet to be strengthened. In this case, it seems there is no coordination mechanism within government to facilitate related action in different sectors and at different levels with regards to the implementation of the CRPD, except for the Directorate for the Protection and Advancement of PWDs, as a single focal point.

Due to the scope of the research, it remains unclear whether these coordination mechanisms, in carrying out their legal duties, have laid out powers and functions in bye-laws. Clearly, any lack of clarity regarding Commissions' formal structures and operating procedures may hamper their overall effectiveness. The findings also suggest it takes considerable time and resources to set-up a functional coordination mechanism (such processes are currently underway in at least 2 MS). Moreover, in order to establish and maintain the legitimacy of such structures, there is the need for continuous strengthening of capacities and resources.

Box 6. Illustration of the national mechanism for the CRPD implementation and monitoring⁵⁶

Government	Monitoring	OPDs
•Disability focal point at the highest possible level in the administration •Disability focal points in ministries	•National Human Rights Institution •Other independent monitoring mechanism compliant with the Paris Principles	•Formally granted consultative status vis-à-vis the government focal point and in monitoring mechanism •Allocation of funds to sustain their independent functioning

⁵³ Gambia, PWDs Bill (2020), article 9 (d) Objectives of the Advisory Committee for PWDs

⁵⁴ Gambia, PWDs Bill (2020), article 15 (1) (I) Functions of the Advisory Committee for PWDs

⁵⁵ UN Treaty Body Database (2020). Burkina Faso State's Rapport to the CRPD Commission. Available at:

https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRPD%2fC%2fBFA%2f1&Lang=en [Accessed December 2021].

⁵⁶ OHCHR (2020). SDG-CRPD Resource Package. Available at <https://www.ohchr.org/Documents/Issues/Disability/SDG-CRPDhttps://www.ohchr.org/Documents/Issues/Disability/SDG-CRPD-Resource/policy-guideline-foundations.pdfResource/policy-guideline-foundations.pdf> [Accessed December 2021].

•Coordination mechanism among ministries		
•The Government disability focal point is the central reference on the issue within the government. •Ministry disability focal points (officials and/or departments with expertise on disability in the area of competence of the ministry) should be appointed. •Federal countries should appoint focal points by State/Province. Local government focal points can also bring value and coordination at the local level. •The coordination mechanism aims at facilitating coordination and coherence of policies among ministries, departments, agencies and federal governments, to ensure that PWDs are included and enjoy the same rights, regardless of the level of government.		

National Monitoring – The CRPD⁵⁷ states that ‘States Parties shall, in accordance with their legal and administrative systems, maintain, strengthen, designate or establish within the State Party, a framework, including one or more independent mechanisms, as appropriate, to promote, protect and monitor implementation of the convention. When designating or establishing such a mechanism, States Parties shall take into account the principles relating to the status and functioning of national institutions for protection and promotion of human rights.’ For a clear understanding of an independent mechanism, according to the CRPD Committee’s guidelines on independent monitoring frameworks⁵⁸, when a single entity is appointed as a monitoring mechanism, this body is required to be independent from the Executive Branch and comply with the Paris Principles⁶³ and their participation in the work of the CRPD Committee.

⁵⁷ CRPD, Article 33 (2), National Implementation and Monitoring

⁵⁸ For more information about the CRPD Committee’s Guidelines on Independent Monitoring Frameworks and their participation in the work of the Committee, consult: <https://www.ohchr.org/Documents/HRBodies/CRPD/GuidelinesIMF.doc> ⁶³ For more information about the Paris Principles, Principles relating to the National Institutions, consult <https://www.un.org/ruleoflaw/files/PRINCI~5.PDF>

Box 7. Key features of an independent CRPD monitoring mechanism

Article 5 - About the role of the National Human Rights Institutions (NHRI): The CRPD Committee acknowledges the important role that NHR institutions play, inter alia, in promoting the harmonization of national legislation and policies with the Convention, the ratification of the Convention, the raising awareness of its provisions, the provision of advice to authorities tasked with the implementation of the treaty and, when their enabling legislation allow, the investigation, and complaint handling of individual and group complaints alleging violations of the rights guaranteed under the Convention. The CRPD Committee also recognizes the important role of NHRI s in the monitoring of the Convention to promote compliance at the national level. The Committee further acknowledges the role of NHRIs in bridging national level actors, including State institutions and civil society, and particularly, PWDs and their representative organizations, with the international system for the protection and promotion of human rights. The Committee also acknowledges the importance of NHRIs being established, accredited and strengthened in compliance with the Paris Principles.

Article 18 – About the relationship with the OPDs: The independent monitoring framework should ensure the full involvement and participation of PWDs through their representative organizations in all areas of its work. The Committee considers OPDs to be those comprised of a majority of PWDs- at least half of its membership-, governed, led and directed by persons with disabilities. Involvement and participation should be meaningful and operative at all the stages of the monitoring process, which should be accessible, respectful of the diversity of PWDs, as well as gender and age sensitive. Article 33.3 read in conjunction with article 4.3 requires State Parties to provide PWDs and their representative organizations, including organizations of women with disabilities and organizations of children with disabilities, with appropriate funding and resources to enable effective and meaningful participation in the monitoring framework.

Article 20 - About the relationship with the national implementation mechanism: Advisory bodies such as disability councils or committees comprising representatives of departments and units involved in the implementation of the CRPD should not be involved or in any manner take part in the activities of the monitoring framework. States parties should ensure that effective procedures are in place to prevent, regulate and resolve potential conflict of interest or undue influence resulting from the interaction of the above-mentioned bodies and the monitoring framework.

(CRPD Committee's Guidelines on Independent Monitoring Frameworks and their participation in the work of the CRPD Committee)

Table 13 (below) sheds light on the existence of the independent mechanism within MS, and gives a brief insight into the involvement of the NHRIs in the CRPD monitoring.

Table 13. Existence of independent mechanisms and involvement of NHRI in each MS

Country	Independent mechanism	Involvement of NHRI in the CRPD monitoring and their cooperation with the OPDs throughout this process
Benin	None	Limited evidence on the involvement of Benin's Human Rights Commission in the CRPD monitoring, and its cooperation with the OPDs
Burkina Faso	The National Multisectoral Council for the Protection and Promotion of the Rights of PWDs is mandated to monitor the CRPD, but does not yet function according to the CRPD Committee recommendations ⁵⁹ .	Burkina Faso National Human Rights Commission has submitted the Alternative Report to the CRPD Committee ⁶⁰
Cape Verde	N/A	N/A
Côte d'Ivoire	None	NHRI is engaged in the promotion and protection of the disability rights
Gambia	None	Limited evidence ⁶¹ .
Ghana	None	Limited evidence ⁶⁷
Guinea	None	Limited evidence ⁶²
Guinea Bissau	None	Limited evidence; According to the questionnaires received, NHRI status is currently being revised ⁶³
Liberia	None	Independent National Commission on Human Rights submitted its findings about disability under the UN Periodic Reporting and was mentioned in the Liberia initial report to the CRPD Committee ⁷⁰ .
Mali	None	Malian National Human Rights Commission is involved to some extent in the promotion of

⁵⁹ UN Treaty Body Database (2020). Burkina Faso. Rapport of the National Human Rights Commission. Available at: https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2fCRPD%2fFL%2fBFA%2f42775&Lang=en [Accessed December 2021].

⁶⁰ Ibid, p. 45

⁶¹ For more information about Gambian National Human Rights Commission consult their website <https://www.gm-nhrc.org/> ⁶⁷ For more information about Ghanaian Commission on Human Rights and Administrative Justice consult their website <https://chraj.gov.gh/>

⁶² For more information about Guinean National Independent Human Rights Institution consult their website <http://inidh.org/#section> <http://inidh.org/-section-home>

⁶³ For more information about Guinea Bissau's Commission on Human Rights consult their website <https://cndh.gw/> ⁷⁰ Independent National Commission on Human Rights of Liberia (2020). Statement. Available at: https://www.uprinfo.org/sites/default/files/document/liberia/session_36_-_may_2020/1_independent_national_commission_on_human_rights_stmt.pdf [Accessed December 2021].

		the rights of PWDs, but there is limited evidence on its involvement in the CRPD ⁶⁴
Niger	None	Limited evidence ⁶⁵
Nigeria	None	National Human Rights Commission of Nigeria recently expressed its commitment for the promotion and protection of the rights of PWDs ⁷³ .
Senegal	None	According to the Senegal state's report ⁶⁶ to the CRPD Committee, the main role of Senegalese Human Rights Committee to issue opinions or recommendations on matters relating to human rights, including reports prepared by the Government for human rights treaty bodies – but there is limited evidence about its further involvement in the CRPD monitoring and its collaboration with the OPDs.
Sierra Leone	None	Limited evidence
Togo	There is the Committee for the Monitoring of Inclusion of PWDs, but not it is not yet fully in line with the Paris Principles	Togolese National Human Rights Commission is actively engaging with the OPDs, but its role in the CRPD monitoring has not yet been fully defined ⁶⁷

National monitoring with the focus on PWDs and their representative OPDs – the CRPD⁶⁸ states that Civil society, in particular PWDs and their representative organizations, shall be involved and participate fully in the monitoring process.

It is important to highlight that the OPDs ought to play an important role in the monitoring of the CRPD. Exceptionally, in Burkina Faso and Togo, there is the National Multisectoral Council for the Protection and Promotion of the Rights of PWDs, as well as the Committee for the Monitoring of Inclusion of PWDs in Togo, which are tasked to monitor the implementation of the CRPD, their independent functioning is yet to be strengthened.

Among other tasks, the responsibility of the OPDs in the CRPD monitoring process is to prepare alternative or shadow report to the CRPD Committee. This is a unique opportunity for the OPDs to hold

⁶⁴ For more information about Malian National Human Rights Commission consult their website <https://cndhmali.com/>

⁶⁵ For more information about Niger National Human Rights Commission consult their website <https://www.cndh-niger.org/> ⁷³ National Human Rights Commission of Nigeria (2022). News: National human rights commission's commitment for the promotion and protection of the rights of PWDs (updated on 04 February 2022). <https://www.nigeriarights.gov.ng/nhrc-media/news-and-events/261-national-human-rights-commission-s-commitment-for-the-promotion-and-protection-of-the-rights-of-persons-with-disabilities.html> [Accessed December 2021].

⁶⁶ Ibid, p.8

⁶⁷ For more information about Togolese National Human Rights Commission consult their website <https://cndh-togo.org/?s=convention+du+handicap>

⁶⁸ CRPD. Article 33 (3). National Implementation and Monitoring

their governments accountable for failure to uphold their commitments and challenge the lack of implementation of their obligations.

At the time of writing this research report, out of 9 published states' reports to the CRPD Committee, only four national OPDs have submitted their reports (4 out of 9 MS who submitted reports, in total). The national OPD from Niger was the first to submit their report in 2017, followed by Burkina Faso, Senegal and Togo. According to the findings of this research, OPDs lack the material and financial resources to undertake comprehensive reporting. Evidently, they also lack information about the possibility of obtaining support from donors and partners such as, the International Disability Alliance, a global and regional alliance of OPDs, as explained by the CRPD Committee members interviewed.

To sum up, strong national institutions are a precondition to respecting the dignity of PWDs and achieving more disability mainstreaming within the context of both the CRPD and AfChHPR-PWDs. This research recognizes the need to further strengthen these institutions and their mandates. In particular, the research recommends to ECOWAS MS to strengthen the focal points and coordination mechanisms within government to implement the CRPD and urges MS to establish or strengthen the independent monitoring mechanism by the CRPD Committee Guidelines on independent monitoring framework.

2.6 Making disability inclusive policies, plans and budgets

2.6.1 States' efforts and challenges in advancing disability inclusion

As discussed in the previous section, to overcome disability-based discrimination it is necessary to promote and enforce non-discriminatory laws, and to have a strong coordination mechanism, with clear lines and responsibilities, to guide the implementation of disability inclusion. While disability specific policies and plans tend to empower PWDs, for example by providing them with care and rehabilitation, the core principles of non-discrimination and accessibility should be adequately, consistently and systematically addressed throughout the design, implementation, monitoring and evaluation across all sectoral policies and plans.

To begin with, Niger, according to its initial report to the CRPD Committee, adopted the following policies that take disability into consideration: National Gender Policy, 2008; National Social Development Policy, National Policy on Justice, 2009, resulting in Act No. 2011-42 setting out the eligibility criteria for access to legal and judicial assistance and creating a public administrative body known as the National Agency for Legal and Judicial Assistance; National Social Protection Policy; National Policy on communication for development; National Employment Policy; National Sports Policy; as well as National Child Protection Policy. Following the reporting cycle, the CRPD Committee in its concluding Observations (2019)⁶⁹ to Niger, expressed its concerns that ‘the terminology referring to PWDs in legislation, regulations and policy documents are derogatory in nature, particularly phrases such as “deaf and dumb”, “deaf-mute”, “cripple”, “infirm, incapable, foolish” in referring to persons with psychosocial and intellectual disabilities.’ and recommends repealing all derogatory terminology for PWDs from the policies and plans.

Below is a list (non-exhaustive) of MS policies and plans (strategic plans, action plans, and/or development plans) that, according to the states' initial reports to the CRPD Committee (although these policies and plans are not yet fully reviewed by the CRPD Committee), ensure that men, women and/or children with disabilities have equal access to all spheres of life, including health, education, social protection, employment, sports and also in situations of risks and humanitarian emergencies, as presented below:

- Benin: National Child Protection Policy, 2014–2024; National Development Plan;
- Burkina Faso: General Policy Act on the Prevention and Management of Risks, Humanitarian Crises and Disasters, 2014; National Water Policy; National Social Protection Policy 2012; National Gender Policy; National Strategy for the Protection and Promotion of the Rights of Young Girls, 2017–2020; National Strategy for the Acceleration of Girls' Education, 2015–2021; National Justice Policy;
- Ghana: Child and Family Welfare Policy; Justice for Children Policy; Social Protection Policy; Inclusive Education Policy; Gender Policy;
- Liberia: National revised Gender Policy, 2015; National Health and Social Welfare Policy 2011–2012; Mental Health Policy, 2016–2021; National Child Welfare and Protection Policy; Risk Management Policy, 2012; National Sexual and Reproductive Health Policy, 2010; Child Welfare and Protection Policy, 2017; National Inclusive Education Policy, 2017;

⁶⁹ UN Treaty Body Database (2019). Niger. Concluding Observations. Available at: https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRPD%2fC%2fSEN%2fCO%2f1&Lang=en, [Accessed December 2021].

- Mali: National Plan for Health and Social Development, 2014-2023; National Policy on Humanitarian Action and its Action Plan, 2018–2022; National Solidarity Policy, 2018; National Social Protection Policy, 2016; National Employment Policy, 2015; National Vocational Training Policy, 2008; National Special Education and Inclusive Education Policy; Strategic Plan for the Advancement of PWDs, 2015–2024;
- Togo: National Rehabilitation Policy, adopted, 2005; National Sports Policy and its plan of action, adopted in 2012; Policy on recreation and its attendant plan of action, 2013; National Strategy for the Protection and Promotion of PWDs, 2013; National Policy for Social Action, 2014; Accelerated Growth and Employment Creation Strategy, 2013–2017; Consideration of inclusive education in the revised Education Sector Plan 2020-2030.

All in all, it appears the progress across the various policy sectors remains uneven. It is evident that any further actions to take disability into account in sectoral policies would not only require a review of these policies by the national authorities, but also effective accountability, monitoring and evaluation systems as well as sufficient budgetary allocations, which may not be always the case, as indicated in the Annex 2 of this document.

In doing so, the government disability inclusion focal points and national OPDs report the following challenges in advancing disability inclusion related work:

- Political and government instability;
- Lack of political will on the part of duty bearers;
- Inadequate advocacy from OPDs to the government;
- Lack of awareness on disability issues;
- Limited knowledge of the CRPD by duty bearers including ministerial executives;
- Weak disability units or commissions;
- Poor implementation and non-compliance with international agreements;
- Charitable approach to disability still rooted in the state apparatus;
- Lack of regulatory instruments to implement the law;
- Weak capacity of the national OPDs to popularize the CRPD;
- Low representation of PWDs in parliamentary positions;
- Inadequate consultations of PWDs in national development and issues related to them;
- Low budgetary allocation to disability inclusion;
- Dearth of statistics.

Box 7. Budgeting for disability inclusion

To budget for inclusion, governments should:

- Do no harm: stop investing in harmful practices that are discriminatory against persons with disabilities
- Use progressive/non-retrogressive budgeting: ensure that rights-based policies in place are not disrupted by the creation of new policies or by austerity measures
- Plan ahead: evaluate the actual demand (not only the general statistical base) when planning for services and plan incremental investment to follow increases in demand
- Enhance monitoring: establish markers that allow tracking of investment in disability-specific and disability-inclusive policies
- Use rights-based budgeting: focus investment in policies that advance the implementation of the rights of persons with disabilities, following the CRPD
- Plan for reallocation: reallocate funds from policies that do not meet CRPD standards to disability-inclusive policies
- Consider proportionality of budget vs population and requirement: when evaluating the budget, ensure that persons with disabilities are properly represented as a significant population group and, if cuts or austerity measures are implemented, ensure that their negative effects do not impact this population disproportionately

(OHCHR, 2020)⁷⁰

Despite recent MS' efforts and developments in disability inclusion, without substantial political willingness and budgeting for inclusion⁷⁹ to address these above-mentioned challenges in advancing disability inclusion, PWDs will continue to face multiple barriers to the full enjoyment of their rights on an equal basis with others.

On a final note, in order to examine the level of MS' efforts to advance disability inclusion, this research assessed MS efforts in advancing disability inclusion, by looking into:

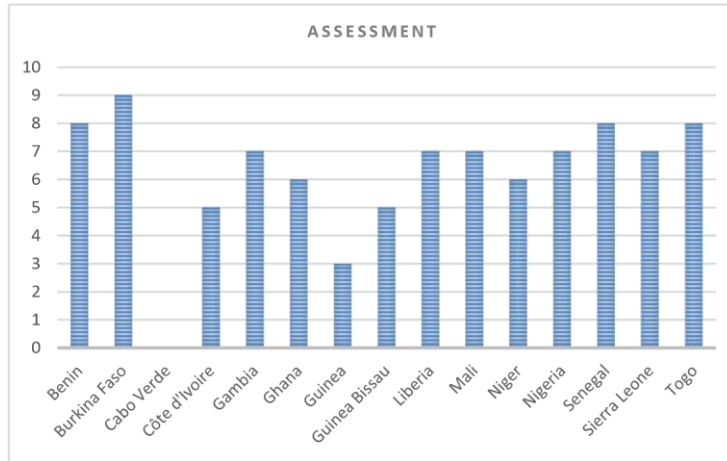
- the existence of disability rights law;
- the existence of a body dedicated to disability inclusion;
- the existence of a national policy, strategy and action plan promoting the rights of PWDs and advancing disability inclusion in different areas;
- consultation with the OPDs.

In total, the score ranges from 0 to 10, with 10 as the highest level of MS's efforts to tackle these issues. It must be noted that this simple assessment tool does not critically look into the extent to which states

⁷⁰ Ibid, p.48

apply the rights-based approach, in line with the CRPD. The results of the assessment conducted by the author of this report are shown below in Table 14, and in details in Annex 5 of this document.

Table 14. Assessment: ECOWAS MS efforts in advancing disability inclusion



The assessment shows that 5 ECOWAS MS have an average or below average score (five, or below five), and that 9 MS have above average scores (seven, or above seven). No data was obtained from Cape Verde. Countries which have reported that they are currently drafting laws, strategies or are in the process of setting up a commission are also measured and taken into account in the overall scoring. The data can be used as baseline information for further measurement of progress with regards to these several selected indicators.

2.6.2 The participation and consultation with the PWDs and their representatives OPDs

The participation and consultation with the OPDs vary from the one country to another across the ECOWAS region. It depends on political, cultural, regulatory and economic factors, but also on the capacities of the OPDs to influence the development of policies. The West African OPDs usually lack self-financing capacities to act fully independently. They are typically based on voluntary work, and rarely have professional staff on a long-term basis. It is widely known that an increase of financing provided to the OPDs by the governments is associated with a decrease in the OPDs' autonomy. Ultimately, the OPDs, as a part of civil society, should be in a strong position to manage their own functioning and act as pressure groups, when needed.

Apart from a few findings, the national OPDs seem to be recognized and supported by the governmental disability inclusion focal points. Despite that, it appears that the relationship between government institutions and the national OPDs is dynamic, complex, and sensitive. The policy-making is led and implemented by the government structures in charge of disability issues. Often, the governments rely on OPDs which have a wide presence in the communities across the country. Most of the time, dialogue with the national OPDs regularly takes place, and in several MS disability rights laws are initiated by

OPDs. Regardless of where the drive for change comes from, it is of utmost importance that the voices of PWDs are heard.

Interestingly, even when there are well-established relationships between the government institutions and national OPDs, there is no guarantee that the OPDs will be consulted in the monitoring and evaluation of certain policies and plans, beyond the disability specific areas, as reported for example in the case of Burkina Faso. Thus, a more strategic and institutionalized approach needs to be adopted to ensure the participation and consultation with OPDs across all sectors and levels.

The OPDs, consulted during this research report that there are multiple underlying issues that prevent greater involvement and consideration of OPD opinions and interests in policymaking processes. They include: ignorance, unwillingness, lack of accessibility and logistical means to attend meetings, no awareness or poor understanding about inclusion.

The OPDs continue to demand from their governments to respect their legal obligations and further commit to account for and include PWDs in national policies and plans, through the meaningful participation of PWDs. But without substantial support, OPDs will continue to be in a weak position to recognize and defend their human rights despite their core mission to advocate for their rights.

The research recommends to MS to establish mechanisms for the systematic participation and consultation of OPDs into the design, implementation, monitoring and evaluation of policies and plans across all sectors and at all levels.

2.7 Disability inclusion in regional development cooperation

Since the adoption of the CRPD in 2006, disability inclusion has become one of the emerging topics for a wide range of international cooperation partners. Specifically, CRPD⁷¹ stresses the importance of international and regional organizations in supporting countries in their efforts to advance disability inclusion. It suggests several actions, including: accessibility and inclusiveness of international cooperation programs; technical capacity building and financial assistance as well as supporting scientific research.

As a direct result of such obligations, it is apparent that change is taking place at the institutional levels of many development organizations, but real impact is yet to be witnessed. In 2018, the UN, to improve its performance regarding disability inclusive work, adopted the UN Disability Inclusion Strategy⁷² to be implemented through its policy and accountability mechanism for a period of 5 years after which it will be reviewed.

The UN Disability Inclusion Strategy is being implemented across UN entities, including UNWomen, the Joint United Nations Program on HIV/AIDS, UNDP, the United Nations Population Fund, the UN Refugee Agency, UNICEF, the World Food Program, the WHO, the World Bank and other entities. Certainly, this is a much-anticipated course for better coordination and interconnection among UN entities to improve not only their internal accessibility and inclusive policies and practices, but also to provide assistance for PWDs in many partner countries.

⁷¹ CRPD, Article 32. International Cooperation.

⁷² For more information about the UN Disability Inclusion Strategy, consult

https://www.un.org/en/content/disabilitystrategy/assets/documentation/UN_Disability_Inclusion_Strategy_english.pdf

To further present the current situation regarding this matter, in 2020 the government of Togo, for example, signed partnership agreements with international organizations involved in the protection and promotion of the rights of PWDs, in particular Humanity & Inclusion, CBM International, Plan International Togo, Special Fund for PWDs of the Red Cross, UNICEF, UNDP, the German Society for International Cooperation, the US Embassy, the European Union (EU) and the French Development Agency.

According to the responses submitted by the government of Togo to the CRPD Committee, there are no tools for capitalizing information and statistical data on inclusive international cooperation in the field of disability in Togo. The government of Togo also raised issues about i) the disability dimension in calls for projects for PWDs, or specifically for OPDs, as a part of eligibility criteria, and ii) the participation of OPDs in decision-making committees (UN, 2021).

Further, OHCHR is mandated to promote and protect all human rights established in the UN Charter, including the CRPD. The West Africa Regional Office of the OHCHR, based in Senegal, encourages and facilitates the preparation and submission of state reports to the CRPD Committee, among other tasks.

However, as revealed through an interview with the OHCHR disability inclusion focal point, there are enormous needs and gaps in terms of coordinated actions, support and any other measures among the various UN entities, governmental partners and OPDs that are active in the ECOWAS region.

It appears that partnership building as well as fundraising for disability inclusion is challenging, particularly for the African continent, although it is not unattainable. Box 9 illustrates a good practice of a committed and persistent effort to make rights real for PWDs in Asia and the Pacific region, which is home to around 690 million PWDs⁷³.

Box 9. Incheon strategy, Asia and the Pacific region

In 2012, the governments of the Economic and Social Commission for Asia and the Pacific region at a high-level intergovernmental meeting adopted the new Asian and Pacific Decade of PWDs 2013-2022 — the Incheon Strategy: ‘Make the Right Real’, consisting of 10 goals and 27 targets. The Beijing Declaration was also adopted at the meeting which included a wide range of regional stakeholders, including the UN and development cooperation agencies. In 2018, the Asian Development Bank, as well as Australian Aid, among other development partners, reaffirmed their commitment to support the Beijing Declaration and the Incheon Strategy in Asia and the Pacific region.

Another example of slow but steady provision of support for disability inclusion is the EU. Since 2011, the EU is bound by the CRPD, and as a part of its commitments has adopted the 2nd EU Strategy for the Rights of PWDs 2021 – 2030⁷⁴. Through this strategy the EU aims to ensure that its external actions and cooperation with developing countries are implemented by the principles of the CRPD. As per the strategy, disability mainstreaming is to be ensured through dialogue, policies and EU funded humanitarian and other projects.

⁷³ For more information about the UN ESCAP – Incheon Strategy, consult: <https://www.unescap.org/sites/default/files/Incheon%20Strategy%20%28English%29.pdf>

⁷⁴ For more information about the EU Strategy for the rights of PWDs 2021 – 2030, consult <https://ec.europa.eu/social/main.jsp?catId=1484>

While efforts to reach out to one of the representatives of the EU Delegation in the region failed, the desk research showed that one of the EU funded projects ‘Bridging the Gap’⁷⁵ contributes to advancing disability inclusion within the EU Delegations’ work worldwide. A follow-up phase of this project is currently being implemented in Burkina Faso and aims to support the application of the human rights-based approach to disability across governments, NHRIs and OPDs in a practical manner. It is recommended that the key lessons learnt, and achievements are shared across other ECOWAS MS. All in all, greater efforts must be undertaken to boost the resource mobilization and to ensure disability inclusive development in a cooperation with all key regional development actors.

⁷⁵ Bridging the Gap – European Union Project Information. Available at: <https://bridgingthegap-project.eu/about-the-project/>

3 ECOWAS Regional Action Plan on Disability Inclusion 2022 – 2030

This Regional Action Plan on Disability Inclusion (RAPDI) 2022 – 2030 supports the general principles of disability inclusion, as well as the human rights-based approach to disability. The ECOWAS recognizes the importance of PWDs, including children and women, enjoying all human rights without discrimination of any kind on the basis of their disabilities in the ECOWAS region.

ECOWAS is involved in many areas of work affecting PWDs, including children and women with disabilities, to have their diverse rights respected. It is committed to developing an internal strategy to improve accessibility, building on its work on creating more inclusive laws, policies and plans, and work together with MS towards ensuring that disability rights are protected, and participation is enabled.

The RAPDI reflects ECOWAS commitment to the implementation of the principles of disability inclusion in the context of the CRPD and AfChHPRPWDs. Since its passing at the UN level in 2006, the CRPD made a significant paradigm shift in viewing disability as a rights/development/social issue instead of a medical/charity issue. As of October 2014, all ECOWAS MS have ratified the CRPD. Through ratification the MS have demonstrated their commitment to harmonize existing laws with the CRPD. Ensuring that PWDs take part in making of the national laws, policies and development plans is crucial for advancing disability inclusiveness across the region. In addition, the recent adoption of the AfChHPR-PWDs sends a strong message about the intent to promote and protect the rights of PWDs within AU. ECOWAS, as the AU's Regional Economic Community, is responsible for supporting its ratification and implementation efforts.

The priority outcome-areas in this Action Plan have been developed based on the findings of the Regional Study, and in consultation with representative OPDs, governmental focal points and the ECOWAS Commission. This collaboration has generated a clear direction for making disability inclusion a reality in the ECOWAS region.

The RAPDI identifies two main changes, at the end of the implementation of this Plan:

1. ECOWAS demonstrates visible and sustained commitment to becoming accessible to and inclusive of persons with disabilities in all aspects of its work;
2. ECOWAS MS have strengthened their legal, policy and institutional frameworks aiming at protection and promotion of the rights of PWDs, in line with relevant international and continental treaties (e.g., CRPD, AfChHPR-PWDs);

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The priority outcome-areas include: i) Making transformative progress on disability inclusion through all aspects of ECOWAS work; ii) MS laws, policies, institutions, including disability data disaggregation, are progressively in compliance with relevant treaties; and iii) regional partnerships lead to increased resource mobilization for disability inclusion.

TARGET: ECOWAS

PRIORITY AREA 1: TRANSFORMATIVE PROGRESS ON DISABILITY INCLUSION THROUGH ALL ASPECTS OF ECOWAS WORK ENHANCED

Activities	Lead actor(s)	Verifiable outputs	Timeframe
1.1: Adopt the participation and inclusion of PWDs as the norm of good governance approach within ECOWAS, and its MS	ECOWAS, MS	TORs, Adopted norms	2022 – 2024
1.2: Conduct comprehensive internal review of ECOWAS-wide work on disability inclusion	ECOWAS Social Affairs Division ECOWAS Commission ECOWAS Parliament ECOWAS Court of Justice Specialized Agencies and departments	TORs; Report on the main gaps and recommendations	2022 – 2023
1.3: Develop draft internal ECOWAS Strategy on Disability Inclusion	ECOWAS Commission, WAFOD / other PWDs acting through their	TORs; Draft internal ECOWAS Strategy on Disability Inclusion	2023

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	representative organization(s)		
1.4: Organize an internal meeting to validate ECOWAS Strategy on Disability Inclusion	ECOWAS Commission, WAFOD / other PWDs acting through their representative organization(s)	Final ECOWAS Strategy on Disability Inclusion	2024
1.5: Establish and institutionalize a regional body composed by MS-level experts and PWDs acting through their representative organization(s) to advise on disability inclusion matters, when required	MS, supported by ECOWAS Commission	TORs; Number of consultations;	2022- 2030
1.6: Regularly organize information and training session on disability inclusion throughout ECOWAS	ECOWAS	TORs; Information and training session plan and reports	Annual basis
1.7: Coordinate within ECOWAS Commission's various departments to take account of disability issues in	ECOWAS Commission	TORs; Key messages developed; Inclusive planning and programming documents;	2023 – onwards

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their ongoing planning and programming			
1.8: Develop targeted communication materials to enhance positive attitudes towards PWDs, especially towards children, youth, women with disabilities, as well as other underrepresented groups: persons with albinism, mental issues, care-givers etc.	ECOWAS Commission ECOWAS Directorate of Communication PWDs acting through their representative organization(s)	TORs; Information and communication materials developed in accessible forms and formats. Annual dissemination plan	Annual basis
1.9: Regularly update on the progress in the implementation of the ECOWAS Strategy on Disability Inclusion	ECOWAS, WAFOD / PWDs acting through their representative organization(s)	Progress report with the key recommendations	Annual basis

TARGET: MS (HEADS OF STATE AND NATIONAL GOVERNMENTS, INCLUDING DISABILITY INCLUSIVE FOCAL POINTS, NATIONAL HUMAN RIGHTS INSTITUTIONS, PERSONS WITH DISABILITIES ACTING THROUGH THEIR REPRESENTATIVE ORGANISATIONS)

PRIORITY AREA 2: IMPROVED LEGAL AND POLICY ENVIRONMENT FOR DISABILITY INCLUSION

2.1: RATIFICATION/IMPLEMENTATION OF THE AfChHPR-PWDs			
Activities	Lead actor(s)	Verifiable outputs	Timeframe
2.1.1: Conduct a review of concrete administrative steps needed to be undertaken by each MS related to the AfChHPR-PWDs	MS Governments and Disability Inclusion Focal Points, supported by ECOWAS Commission	TORs; Key findings to feed into ECOWAS Advocacy Plan and MSlevel Action Plan	2022 – 2023
2.1.2: Prepare a draft advocacy document targeting ECOWAS Parliament and MS decision-makers related to the AfChHPR-PWDs	ECOWAS Commission, in a collaboration with WAFOD	Draft Advocacy Document	2022 - 2023
2.1.3: Organize an internal validation meeting	ECOWAS Commission AU Commission	Final Advocacy Document Position Paper	2023
2.1.4: Conduct at least one high-level advocacy meeting/mission in MS related to the AfChHPR-PWDs (ratification, implementation)	ECOWAS Commission, in a collaboration with WAFOD	TORs; Meeting/Mission reports and recommendations	2023 – 2030

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2.1.5: Undertake information and awareness raising campaigns at MS-level related to the AfChHPR-PWDs (ratification, implementation)	MS Governments and Disability Inclusion Focal Points National Federation of OPDs, supported by ECOWAS	TORs; Information and communication plans; MS-level Action Plan Reports and recommendations	2023 – 2030
2.1.6: Assess and provide technical assistance to MS to take appropriate, legal, administrative and budgetary measures for the AfChHPR-PWDs, following the ratification	ECOWAS Commission, in a collaboration with AU and development partners	TORs; Technical Assistance assessments, progress reports and recommendations	Annual basis

2.2: ADVOCACY FOR FULLFILLING MS-LEVEL OBLIGATIONS UNDER THE CRPD

Activities	Lead actor(s)	Verifiable outputs	Timeframe
2.2.1 Develop, validate and distribute a position document on the importance of the	ECOWAS Commission OHCHR WAFOD	Position document on the OP-CRPD distributed to targeted MS decisionmakers	2022

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OP-CRPD to those MS that did not ratify it			
2.2.2: Urge MS to submit their State' reports on the implementation of the CRPD and follow-up on the Issues Raised/Concluding Observations made by the CRPD Committee to MS	ECOWAS OHCHR WAFOD	Position papers / Calls for Actions based on State reports and CRPD Committee findings	2022 – 2030
2.2.3: Provide comprehensive trainings on the CRPD to a wide-range of actors at MS-levels	ECOWAS Commission OHCHR	TORs; Training plans and reports for each MS	Annual basis
2.2.4: Conduct a comprehensive analysis of national legislative compliance with the CRPD with key recommendations to each MS	MS, supported by ECOWAS	TORs; Analysis reports with key recommendations to feed into MSlevel Action Plans	2022 – 2030
2.2.5: Draft, amend and/or adopt the Disability Rights Law that fully reflect the human rights- based approach of the CRPD	MS Governments and Disability Inclusion Focal Points National OPDs	MS-level Action Plans (to be reviewed on a regular basis though M&E of this Action Plan)	2023 – 2030

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2.2.6: Conduct at least one high-level advocacy mission per year to each MS related to obligations and legal duties under the CRPD	ECOWAS Commission OHCHR WAFOD Other actors, where needed	TORs; Number of meetings/ missions; Reports with recommendations to feed into ECOWAS Advocacy Plan and MSlevel Action Plans	2023-2030
2.2.7: Develop MS-level Action Plans to followup on the Issues raised/Concluding Observations made by the CRPD Committee	MS Governments and Disability Inclusion Focal Points National Federation of OPDs	MS-level Action Plans (to be reviewed on a regular basis though M&E of this Action Plan)	2023 – 2030
2.2.8: Develop strategies and action points with the Regional HRI to further engage NHRI in CRPD monitoring, including OPDs	ECOWAS Commission PWDs acting through their representative organization(s)	TORs; Meeting reports; Number of consultations; Strategies and action points developed	2023 – 2026
2.2.9: Establish or strengthen the independent monitoring mechanism in accordance with the guidelines issued by the CRPD Committee.	NHRI, in a collaboration with the national OPDs, supported by ECOWAS Commission	Number of established independent mechanisms in the region	2023 – 2030

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2.3: TECHNICAL ASSISTANCE FOR NATIONAL INSTITUTIONS TO MAINSTREAM DISABILITY-INCLUSION ACROSS ALL SECTORAL POLICIES, PLANS AND BUDGETS, IN HARMONY WITH THE HUMAN-RIGHTS BASED APPROACH OF THE CRPD			
Activities	Lead actor(s)	Verifiable outputs	Timeframe
2.3.1: Conduct in-depth self-assessment of MS national institutions dealing with the CRPD implementation and disability inclusion mainstreaming	MS Governments and Disability Inclusion Focal Points, supported by ECOWAS Commission and development partners	TORs; Template for self-assessment (provided by ECOWAS); Reports with key findings and recommendations for technical assistance	2022 – 2023
2.3.2: Establish a mechanism for a regular consultation with PWDs/OPDs in the process of disability inclusion mainstreaming	MS Governments and Disability Inclusion Focal Points	MS-level Action Plans (to be reviewed on a regular basis through M&E of this Action Plan) – including e.g., Memorandum of Understanding	2023 – 2030
2.3.3: Develop annual plans and coordinate with other ministries/departments/agencies to mainstream disability inclusion	MS Governments and Disability Inclusion Focal Points PWDs acting through their representative organization(s)	MS-level Action Plans (to be reviewed on a regular basis through M&E of this Action Plan) – including list of inclusive policies and plans	Annual basis

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2.3.4: Provide technical assistance and support to MS Governments and Disability Inclusion Focal Points in the formulation, implementation and M&E of disability inclusive policies, plans and budgets, across all sectors and levels, in harmony with the CRPD	ECOWAS Commission Development partners	TORs for each MS; Number of online, hybrid or face-toface capacity development activities provided to MS (planned & on request); Technical Assistance reports with follow-up plans	2023 – 2030
2.3.5: Collect and share Good Practices among MS regarding disability inclusion mainstreaming	ECOWAS Commission, in collaboration with MS Governments and Disability Inclusion Focal Points PWDs acting through their representative organization(s)	TORs; Online platform for collecting and sharing best practices is established and functional; Consider bi-annual face-to-face meetings, or other activities for effective adoption of Good Practices	2023 – 2030
2.3.6: Commission, and share with MS, a variety of studies, or reports on disability inclusion, on a wide-range of sectors to support the implementation of inclusive policies, plans and budgeting	ECOWAS Commission Development partners	TORs; Priority issues to be suggested by MS-experts; Number of research papers or studies on disability inclusive issues	2025 – 2030

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2.4: DISABILITY DATA DISSAGREGATION HARMONIZED AND INSTITUTIONALIZED			
Activities	Lead actor(s)	Verifiable outputs	Timeframe
2.4.1: Conduct in-depth review of current approaches (data collection, analysis, compilation, dissemination and usage) and needs to identify PWDs in the upcoming national census and surveys	MS-levels statistical departments/agencies MS Governments and Disability Inclusion Focal Points	TORs; Self-assessment template questionnaires (provided by ECOWAS Commission); Reports with key findings and recommendations	2022
2.4.2: Organize a regional validation meeting on the harmonization of the MS-levels approach on disability data disaggregation	ECOWAS Commission MS Governments	TORs; Harmonization report validated by MS	2023
2.4.3: Organize trainings and other tailored support at the level of MS for ministries/departments/agencies and OPDs to improve their advocacy efforts	ECOWAS Commission	TORs; Number of guidelines, training manuals and tools on Disability Data Disaggregation	2023 – 2026
2.4.5: Set up internal protocols and systems for disability data disaggregation	MS Governments and Disability Inclusion Focal Point	MS use data in their daily work – policy making processes	2023 - 2030

TARGET: ECOWAS COMMISSION AND DEVELOPMENT PARTNERS**PRIORITY AREA 3: STRENGTHENING REGIONAL PARTNERSHIPS FOR INCREASED RESOURCE MOBILIZATION FOR DISABILITY INCLUSION**

Activities	Lead actor(s)	Verifiable outputs	Timeframe
3.1: Map key development partners at international, regional and national levels and their interventions in disability inclusion	ECOWAS Commission	TORs; Report with key recommendations on the way forward	2022 – 2023
3.2: Organize a regional meeting to discuss strategies to increase resource mobilization for disability inclusive development in the region.	ECOWAS Commission (organizer) Development partners	TORs; Number of working meetings; Meeting report with the road map on resource mobilization	2023 - 2024
3.3: Follow-up on the implementation of the Road Map to mobilize resources for disability inclusive development initiatives in the ECOWAS region.	ECOWAS Commission Development partners	Number of meetings/missions/initiatives; Proof of increased financial resources for disability inclusion (increasing each year);	2023 – 2030

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3.4: Promote disability inclusive budgeting (e.g., inclusive education) to MS decision makers and ministries/departments/key advisory staff in charge of finances	ECOWAS Commission Development partners	TORs for joint meetings; Number of meetings/missions; Number of guidance, tools and good practices shared with MS; Number of disability inclusive budgets adopted by MS (increasing each year) - (to be reviewed on a regular basis though M&E of this Action Plan);	2024 - 2030
3.5: Allocate grants for representative OPDs to implement activities that support the implementation of this action plan	ECOWAS Commission	TORs; Grants management rules and regulations; Reports	2024 - 2030

RAPDI 2022-2030 IMPLEMENTATION, MONITORING AND EVALUATION MECHANISM

Activities	Lead actor(s)	Verifiable outputs	Timeframe
1: Develop Terms of Reference	ECOWAS Commission	TORs developed and shared with MS, including MS-levels Action Plan	2022
2: Designate Focal Points on disability inclusion	MS	Note verbal - Focal Point appointed ECOWAS notified	2022

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3: Develop reporting templates on the implementation of MS-levels Action Plans	ECOWAS Commission	Template developed and shared	2022
4: Convene regular progress meetings with the Focal Points to follow-up on the implementation of this Action Plan	ECOWAS Commission	Number of virtual meetings (at least 2 meetings per year) Meeting reports;	2022 – 2030
5: File annual reports on the implementation of the MS-level Action Plans	MS Governments and Disability Inclusive Focal Points	Number of reports received	Annual basis
6: Synthesize and analyze MS' annual reports on implementation of Action Plans and carry forward high-level advocacy efforts	ECOWAS Commission	Analysis conducted; feedback provided; Priority issues for ECOWAS Commission to update their Advocacy Plan;	Annual basis
7: Report on the implementation of MS-levels Action Plans to ECOWAS parliamentary sessions	ECOWAS Commission	Reports	Annual basis

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8: Convene mid-term and final regional meetings to evaluate the progress in the implementation of the RAPDI with key recommendations on the way forward	External Evaluator(s) PWDs acting through their representative organization(s)	TORs; Evaluation reports with recommendations, followed by Conferences to validate findings	Mid-term & Final basis
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Annex 1: Brief review of ECOWAS policies in terms of disability inclusion

Name of document	Disability Inclusiveness	Comments
ECOWAS Revised Treaty (1993)	No	ECOWAS Treaty fully recognizes the rights, security and welfare of all citizens on an equal basis, but there is no specific reference to the rights of children, women and men with disabilities.
ECOWAS Protocol A/SP1/12/01: on democracy and good governance (1999)	No	There is no reference to disability under the nondiscrimination points.
ECOWAS Humanitarian Policy (2012)	Yes, but it can be strengthening	There is a reference to PWDs in the strategic objectives (5) and a priority measure to which ECOWAS Member States should domesticate and implement international instruments related to discrimination against disability, but the language used to refer to PWDs is 'outdated'.
ECOWAS Gender Policy	No	There is no specific reference to women and girls with disabilities.
ECOWAS Regional Decent Work Program (2016)	Yes, but it can be strengthened	The program makes a specific reference to the employability of PWDs (Priority Area 1, indicators & outputs). The use of language to describe PWDs should be updated, and there should be a clear link to the CRPD, specifically, the right to work and employment (art. 27).
ECOWAS Child Policy and Action Plan (2019)	Yes	The policy makes several references to children with disabilities throughout the document, but its action plan can be strengthened.

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Supplementary act relating to Equality of rights between women and men for sustainable development in the ECOWAS region	Yes, but it can be strengthened	While the act makes specific references in articles 8 and 10 - in the important areas for PWDs: social protection and protection of children with disabilities, many other sections are of relevance to women and girls with disabilities.
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Annex 2. ECOWAS MS disability related budgetary allocations and sources of funding

Q: If your country has a national disability inclusive strategy, provide information on i) budget allocation and ii) the main sources of funding for disability-related programs:

Benin

Each year, the state of Benin, through several structures, makes available budgetary resources oriented towards the care and support of PWDs:

the Department in charge of people has a budget of 60,000,000 FCFA for rehabilitation, the organization of income-generating activities, schooling, support in compensatory material, etc. for the benefit of PWDs;

the National Solidarity Support Fund has a budget of more than 50,000,000 FCFA for the benefit of PWDs (support in technical assistance, payment of scholarships to students with disabilities, care for the mentally ill, care and operations for children with disabilities, support for technical assistance for mobility and food, Support for the functioning of FAPH, celebration of statutory days relating to disabilities, training;

Training centers for PWDs have a net budget of 80,000,000 FCFA for the benefit of PWDs;

Centers for the Social Promotion of the Blind have a budget of 690,000,000 FCFA for the education of children with disabilities

Social promotion centers (85 in number) throughout the national territory have budgetary resources to support PWDs

The National Agency for the Promotion of Employment provides support for the integration into employment of young disabled people

Several technical and financial partners also provide support to promote the inclusion of PWDs:

World Bank: 100,000,000 FCFA per year for schooling and care for children with disabilities;

The UNDP: more than 50,000,000 FCFA for sensitization and popularization of the CRPD and the law on the protection of PWDs, support (inputs, awareness message transcribed into Braille and sign language) within the framework of the fight against COVID 19;

UNFPA: about 20,000,000 FCFA each year for the fight against GBV against women and girls with disabilities;

UNICEF: more than 50,000,000 FCFA each year for the identification, rehabilitation, schooling for the benefit of children with disabilities. Resources are also used to raise awareness about the rights of children with disabilities;

WHO: Supports the country's efforts in community-based rehabilitation;

Handicap International: provides substantial direct and indirect support for the implementation of the rights of PWDs;

The Service of the Sisters' for Human Promotion (technical and financial) support for activities to protect the rights of PWDs;

Several International NGOs as well as Civil Society Organizations at the local level also participate in the financial effort for the protection and promotion of the rights of PWDs.

(Source: Ministry of Social Action and Micro-finance, Directorate for PWSs and Elderly, 2021)

Burkina Faso
In Burkina Faso, the projected cost of the PAO amounts to 13,659,797,000 FCFA. From this financial forecast, 4,302,652,000 FCFA are expected from the State budget, 3,947,550 000 FCFA from TFPs and 5,409,596,000 FCFA to be sought. States' contribution could be reviewed due to COVID 19 and security issues in the country (Source: National Multisectoral Council for the Protection and Promotion of the Rights of PWDs, 2021)
Ghana: N/A
Guinea Bissau: N/A
Côte d'Ivoire: N/A
Liberia:
In Liberia, upon the passage of the Act Establishing the National Commission on Disabilities, Budgetary allocation to the Community of PWDs started in fulfillment of Section 7 which says "That immediately after the passage of this Act, the Government of Liberia shall make Budgetary Appropriation for the Education, Social and Economic Development of all PWDs within minute of this Act". Notwithstanding, we are still using Right Based Approach to continue advocating for Increase. (Source: National Commission on Disabilities, 2021)
Niger: N/A
Nigeria
In Nigeria, at the moment, the Commission is faced with paucity of funding which is limiting the extent to which most of the ongoing and intended disability inclusion efforts can be well achieved in record time. (Source: National Commission for PWDs, 2021)
Senegal:
Yes: Senegal has a national disability action plan with an estimated cost of 47 billion F CFA. This plan is financed by the State budget, local authorities and contributions from development partners. (Source: Ministry of Health and Social Action, Directorate for Promotion and Protection of PWDs, 2021)

Sierra Leone:

Quarterly budgetary allocation from the Government of Sierra Leone as main source of funding.

(Source: Ministry of Social Welfare, Directorate of Social Welfare, 2021)

Togo

In Togo, budget allocation main funding sources

Annual subsidy to special schools 25 million F CFA by the state

Annual subsidy for orthopedic appliances 60 million F CFA by the state

Support for the care of children with intellectual disabilities 70 million F CFA by the state

Other contributing partners through the projects: humanity and Inclusion, CBM, GIZ, Plan International Togo, Liliane Foundation, ICRC, UNICEF, European Union delegation, Embassies of Germany, France, China

(Source: Ministry of Social Action, the Promotion of Women and Literacy, Directorate for PWDs, 2021)

Annex 3. Initial (non-exhaustive) list of ECOWAS MS laws for the CRPD Compliance Analysis

Q.: Please provide information on legislative provisions which place PWDs in a marginalized, isolated and exploited situation. What steps is your country taking to change this legislation? What steps is your association taking to amend this legislation?

Benin	MS	In terms of the employment of PWDs there are regulatory provisions that exclude PWDs whose impairment is likely to interfere with their ability to meet their professional obligations. There are criteria based on the physical skills which is in contradiction with the provisions of the disability rights law. The structures of the Ministry in charge of Labor are working to correct these regulatory shortcomings.
	OPD	Recruitment for a job, press releases are discriminatory in relation to disability. Our federation expresses its dissatisfaction with the authority and makes pleas for the rereading of the texts fixing the recruitment.
Burkina Faso	MS	In Burkina Faso, no legislative provision places PWDs in a marginal, isolated and exploited situation.
	OPD	Exclusion in job competitions (visual acuity and physical aptitude) which are generally required.
Côte d'Ivoire	MS	Nothing to add
	OPD	N.A.
Gambia	MS	N.A.
	OPD	The 1997 Constitution of the Gambia actually in the opinion of PWDs does not broadly address the needs and aspirations of PWDs. The recognition of the rights specifically in Section 31) Subsection 1, 2 and 3) is not enough. In light of these gaps, Gambia Federation of The Disabled strongly advocated for the existence of specific legislation that will broadly address these gaps. As a result of the existing legislature called PWD Act 2021. Broadly, all or most of the fundamental rights and freedoms of PWDs are duly addressed. Sequel to these, during the transition period of the Gambia under the Third Republic, the Constitutional drafters having consulted PWDs through Gambia Federation of The Disabled, PWDS came with a position paper about the changes. Pursuant to these, for the first time in the history of the Gambia's constitution, in Section 58) the fundamental rights and freedoms of PWDs were broadly addressed. Unfortunately, the said draft Constitution was rejected at the National Assembly.

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Ghana	MS	Articles 42 and 94 (b) (ii) of the 1992 Constitution excludes persons with psychosocial disabilities from becoming members of Parliament and voting. Also, the capacity of PWDs as credible witnesses is not specifically addressed in the Evidence Act, 1975; The PWDs Re-enactment Bill addresses the marginalization of PWDs.
	OPD	N.A.
Guinea Bissau	MS	It does not exist
	OPD	OPD is working on advocacy and raising awareness among the country's institutions so that legislation or public policies, programs, projects and strategies are created that empower PWDs, especially in terms of social protection.
Liberia	MS	Article 63 and 64 of the Liberian Constitution ‘inability, incapacitated or other disability’ came clear as we have been advocating for review and this require Constitutional Amendment, specifically: Article 63 “a. Whenever a person elected to the office of President dies or is otherwise incapacitated before being inaugurated into office, the Vice--President elected shall succeed to the office of President, and this accession shall commence a term. b. Whenever the office of the President shall become vacant by reason of death, resignation, impeachment, or the President shall be declared incapable of carrying out the duties and functions of his office, the Vice-President shall succeed to the of the President to complete the unexpired term. c. The Legislature shall, no later than one year after the coming into force of this Constitution, prescribe the guidelines and determine the procedure under which the President, by reason of illness, shall be declared incapable of carrying out the functions of his office. d. Whenever the office of the Vice-President becomes vacant by reason of death, resignation, impeachment, inability or otherwise, the President shall, without delay, nominate a candidate who, with the concurrence of both Houses of the Legislature, shall be sworn in and hold office as Vice-President until the next general elections are held. Whenever the VicePresident elect dies, resigns, or is incapacitated before being inaugurated, the President elected on the same ticket with him, shall, after being inaugurated into office, nominate without delay a candidate who, with the concurrence of both Houses of the Legislature, shall be sworn in a hold office as Vice-President until the next general elections are held.” Article 64 “Whenever the office of the President and of the VicePresident shall become vacant by reason of removal, death, resignation, inability or other disability of the President and Vice-President, the Speaker of the House of Representatives shall be sworn in as Acting President until the

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		holding of elections to fill the vacancies so created. Should the Speaker be legally incapable or otherwise unable to assume the office of Acting President, then the same shall devolve in order upon the Deputy Speaker and members of the Cabinet in the order of precedence as established by law. The Elections Commission shall within ninety days conduct elections for a new President and a new VicePresident.”
	OPD	Nothing to add
Niger	MS	No legislative provision in Niger puts PWDs in an isolated or exploited marginal situation.
	OPD	The Civil Code of Niger contains discriminatory provisions with regard to PWDs, particularly with regards to the legal capacity of persons with psycho-social disabilities on the one hand and the repeated use of degrading or even insulting expressions about them.
Nigeria	MS	There is an ongoing Constitutional Review and the Commission is committed to ensuring that the review takes into cognizance, the existence of a law prohibiting discrimination against PWDs.
	OPD	We are advocating for changes where needed
Senegal	MS	No available information at the moment
	OPD	N.A.
Sierra Leone	MS	Nothing to add
	OPD	No. The National Covid 19 response Emergency Response Center (NaCOVERC) recently passed. Our OPD is involved in their work.
Togo	MS	No
	OPD	In our knowledge, there are no legislative provisions placing PWDs in a marginal, isolated and exploited situation. But when our association is informed of this kind of behavior of marginalization, isolation and exploitation, it seizes the public authorities concerned for explanation and corrections.

Questionnaires, neither from MS or OPDs, from Cape Verde, Mali and Guinea were not obtained.

Q.: Does your country have legislation relating to the realization of your rights (non-discrimination; accessibility; civil and political; socio-economic; cultural; protections in the situations of risks and humanitarian emergencies), on an equal footing with others?

Benin	
Non-discrimination	Law 2017-06 of September 29, 2017 on the protection and promotion of the rights of PWDs in the Republic of Benin

Accessibility	Law 2017-06 of September 29, 2017 on the protection and promotion of the rights of PWDs in the Republic of Benin
Civil and political rights, including protection from exploitation, abuse and violence	Law 2017-06 of September 29, 2017 on the protection and promotion of the rights of PWDs in the Republic of Benin, but according to the OPD: Although the State has ratified the CRPD and the promulgation of the law protecting and promoting the rights of PWDs in the Republics of Benin, the implementing decrees have been pending since 2017. protection against exploitation exists in law but is not enforced. Violence and abuse are not enforced in law. Access to justice is difficult for PWDs (accessibility to court buildings, absence of sign language interpreters, lack of assistants, etc.). About the participation in political life: Article 44 of the constitution does not allow PWDs to run for the highest office.
Socio-economic rights	Law 2017-06 of September 29, 2017 on the protection and promotion of the rights of PWDs in the Republic of Benin, but according to the OPD: At the family level, the refusal of some parents to grant their children the right to form a family. In terms of health, no specific health care policy exists for the benefit of PWDs. Rehabilitation: rehabilitation structures lack adequate staff and equipment. Education: not all children with disabilities go to school and schools are not made accessible to PWDs, particularly people with hearing and visual disabilities. Employment: discrimination persists by the State and private companies do not yet promote access to employment for PWDs. Social protection: a semblance of social protection which the majority does not benefit from.
Cultural rights	Law 2017-06 of September 29, 2017 on the protection and promotion of the rights of PWDs in the Republic of Benin
Protection in the situations of risks and humanitarian emergencies	Law 2017-06 of September 29, 2017 on the protection and promotion of the rights of PWDs in the Republic of Benin
Burkina Faso	
Non-discrimination	Constitution; Act no. 012-2010/AN on the Protection and Promotion of the Rights of PWDs;
Accessibility	Act no. 012-2010/AN on the Protection and Promotion of the Rights of PWDs; but according to the OPD, there is insufficiency in the implementation and/or enforcement; Accessibility is limited to a few access ramps which do not meet the standards and which are only visible in the locality grades; All other aspects of accessibility are non-existent (visual, auditory, toilets, hospital tables and beds etc.)

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Civil and political rights, including protection from exploitation, abuse and violence	Act no. 012-2010/AN on the Protection and Promotion of the Rights of PWDs; but according to the OPD, there is insufficiency in the implementation and/or enforcement;
Socio-economic rights	Act no. 012-2010/AN on the Protection and Promotion of the Rights of PWDs; but according to the OPD, there is insufficiency in the implementation and/or enforcement or other laws do not take into account specific needs of PWDs;
Cultural rights	Act no. 012-2010/AN on the Protection and Promotion of the Rights of PWDs; but according to the OPD, there is insufficiency in the implementation and/or enforcement or other laws do not take into account specific needs of PWDs;
Protection in the situations of risks and humanitarian emergencies	Act no. 012-2010/AN on the Protection and Promotion of the Rights of PWDs; but according to the OPD, there is insufficiency in the implementation and/or enforcement or other laws do not take into account specific needs of PWDs;
Côte d'Ivoire	
	The Basic Law of 2016, in its articles 32 and 33 which takes into account the provisions of the CRPD; The promotion of decent employment for PWDs with the exceptional recruitment of 658 PWDs in the public administration from 2018 to 2020.
Non-discrimination	The Constitution of November 2016, articles 32 and 33
Accessibility	Constitution and draft texts existing and in the process of being adopted
Civil and political rights, including protection from exploitation, abuse and violence	Constitution and draft texts existing and in the process of being adopted
Socio-economic rights	Constitution, Law No. 98-594 of November 10, 1998 and draft texts existing and in the process of being adopted
Cultural rights	Constitution and draft texts existing and in the process of being adopted
Protection in the situations of risks and humanitarian emergencies	Constitution

Gambia	
Non-discrimination	Constitution; PWDs Bill (2021)
Accessibility	PWDs Bill (2021)
Civil and political rights, including protection from exploitation, abuse and violence	There are laws, but with regards to the current situations and gaps: Political Parties do not select PWDs to contest or stand for positions during National Elections even though Section 39) of the Constitution of The Gambia includes the rights of PWDs to vote and be voted for.
Socio-economic rights	There are gaps in current legislation
Cultural rights	There are gaps in current legislation
Protection in the situations of risks and humanitarian emergencies	Inexistent
Guinea Bissau	
Non-discrimination	There is no specific legislation
Accessibility	There is no specific legislation
Civil and political rights, including protection from exploitation, abuse and violence	There is no specific legislation
Socio-economic rights	There is no specific legislation
Cultural rights	There is no specific legislation
Protection in the situations of risks and humanitarian emergencies	There is no specific legislation
Ghana	
	In order to ensure the compliance of the CRPD, the government of Ghana is currently reviewing its PWDs Act, 2006 (Act 715).

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Non-discrimination	Article 29 of the 1992 Constitution, Sections 45 to 54 of the Labor Act, 2003 (Act 651) and the PWDs Act, 2006 (Act 715).
Accessibility	Act 715 has provisions on accessibility to physical spaces. The identified gap is that, it does not specifically address access to ICT and reasonable accommodation for PWDs. There is also the Ghana Accessibility Standard on the Built Environment that prescribes the requisite accessibility standards to the physical spaces.
Civil and political rights, including protection from exploitation, abuse and violence	The 1992 Constitution guarantees the civil and political rights of Ghanaians, including PWDs. The identified gap is that civil and political rights of PWDs are not specifically provided for in Act 715.
Socio-economic rights	The 1992 Constitution of Ghana guarantees the family, health, rehabilitation, education, employment, social protection of Ghanaians, including PWDs. Act 715 also has provisions on the economic and social rights of PWDs. The identified gap is the absence of clearly defined economic and social rights of PWDs.
Cultural rights	The 1992 Constitution of Ghana guarantees the cultural life, religious events, leisure and sports rights of Ghanaians, including PWDs. Act 715, generally, makes provisions for PWDs to access cultural life, religious events, leisure & sports. The identified gap is that, Act 715 does not specifically address how the cultural life, religious events, leisure and sports of PWDs can be easily accessed.
Protection in the situations of risks and humanitarian emergencies	Act 715 does not have specific provisions to address the protection of PWDs in situation of risks and humanitarian responses.
Attention to children and women with disabilities	Act 715 does not have specific provisions on the rights of children and women with disabilities.

Liberia	
Non-discrimination	There is no specific legislation
Accessibility	There is no specific legislation

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Civil and political rights, including protection from exploitation, abuse and violence	There is no specific legislation
Socio-economic rights	There is no specific legislation
Cultural rights	There is no specific legislation
Protection in the situations of risks and humanitarian emergencies	There is no specific legislation
Niger	
Non-discrimination	The law 2019-62, determining the fundamental principles relating to inclusion of PWDs
Accessibility	The law 2019-62, determining the fundamental principles relating to inclusion of PWDs
Civil and political rights, including protection from exploitation, abuse and violence	The law 2019-62, determining the fundamental principles relating to inclusion of PWDs
Socio-economic rights	The law 2019-62, determining the fundamental principles relating to inclusion of PWDs
Cultural rights	The law 2019-62, determining the fundamental principles relating to inclusion of PWDs
Protection in the situations of risks and humanitarian emergencies	N.A.
Nigeria	
Non-discrimination	Discrimination Against PWDs (Prohibition) Act (2018), but not yet implemented
Accessibility	Discrimination Against PWDs (Prohibition) Act (2018), but not yet implemented

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Civil and political rights, including protection from exploitation, abuse and violence	Discrimination Against PWDs (Prohibition) Act (2018), but not yet implemented. No specific provisions about the access to justice.
Socio-economic rights	Discrimination Against PWDs (Prohibition) Act (2018), but not yet implemented
Cultural rights	Discrimination Against PWDs (Prohibition) Act (2018), but not yet implemented
Protection in the situations of risks and humanitarian emergencies	Discrimination Against PWDs (Prohibition) Act (2018), but not yet implemented
Attention to children and women with disabilities	There are no specific provisions on the rights of children and women with disabilities under the Prohibition Act 2018
Senegal	
Non-discrimination	Social Framework Act No. 2010-15
Accessibility	Social Framework Act No. 2010-15
Civil and political rights, including protection from exploitation, abuse and violence	There are gaps
Socio-economic rights	Social Framework Act No. 2010-15
Cultural rights	Social Framework Act No. 2010-15
Protection in the situations of risks and humanitarian emergencies	There are gaps
Sierra Leone	
Non-discrimination	The 1991 Constitution of Sierra Leone, PWDs Act, 2011
Accessibility	PWDs Act, 2011;

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Civil and political rights, including protection from exploitation, abuse and violence	The 1991 Constitution of Sierra Leone, PWDs Act, 2011, The public Elections Act 2012
Socio-economic rights	The 1991 Constitution of Sierra Leone, PWDs Act, 2011
Cultural rights	The 1991 Constitution of Sierra Leone, PWDs Act, 2011
Protection in the situations of risks and humanitarian emergencies	Mechanisms under the National Central Intelligence and Security Act, 2002
Togo	
	The country has initiated the process of adopting the disability rights law. This draft law passed in 1st and 2nd reading in the Council of Ministers.
Non-discrimination	There some gaps and areas for improvements
Accessibility	There some gaps and areas for improvements
Civil and political rights, including protection from exploitation, abuse and violence	Constitution (1994); Law No. 2013-008 of March 22, 2013 on the electoral code – yet there some gaps and areas for improvements
Socio-economic rights	There is a Personal and Family Code which regulates family life in Togo. This Code applies principles to all Togolese without any discrimination. This Code does not provide for any specificity relating to PWDs.
Cultural rights	The lack of accessibility measures
Protection in the situations of risks and humanitarian emergencies	This legislative framework applies principles to all Togolese, including PWDs. However, in the implementation of humanitarian actions in times of emergency, there are no appropriate and adapted mechanisms for care of PWDs considered to be the most vulnerable.

For further overview of existing laws, regarding the implementation of the RAPDI 2022 – 2030, please refer to the MS & OPDs completed questionnaires.

Annex 4. ECOWAS MS disability inclusion profiles at glance

BENIN	It has a population of around 12 million. It ranks 158th out of 189 countries in the 2020 Human Development Index. Benin has a stable political situation, with some unrest around the legislative elections in 2016. Pascal Talon, a multi-millionaire, was elected for the president for his second term in 2021. Benin's economy is stable, with a small but steady growth. It is highly dependent on exports and trade with Nigeria which has been negatively affected during the COVID-19 pandemic. The country faces challenges in terms of corruption, inefficient public spending and lack of economic diversification. The poverty rate is around 40% (The World Bank, UNDP, 2021). CRPD national implementation and monitoring mechanism: Benin ratified both the CRPD and the OP, without reservations, in 2012. The country submitted its first report to the CRPD Committee in 2018. The official review of the report is currently underway. Benin has not yet set up an independent monitoring mechanism to promote, protect and monitor implementation of the CRPD at the national level. The Benin HRI has been increasingly involved in disability rights issues, thanks to the cooperation with the national OPDs. However, the Alternative Report(s) by Benin HRI and/or civil society have not yet been submitted. The Ministry of Justice and Legislation is responsible for preparing and presenting the initial report and the periodic reports. As for the establishment or designation of a coordination mechanism within the government to facilitate matters relating to the implementation of the CRPD, the set-up of the Consultation framework for the inclusion of PWDs is currently underway. National disability rights law, institution and strategy: In 2017, Benin adopted Act no. 2017-06 of the Protection and Promotion of the Rights of PWDs. The Ministry of Social Action and Microfinance, with its Directorate for PDSs and Elderly, established in 2018, is responsible for the development and support of the state's policy on inclusion and the protection of the rights of PWDs, including the coordination and facilitation of cooperation with public structures and OPDs. In order to broaden support for persons with disabilities, the country has adopted the National Policy for the Protection and Integration of PWDs for the period of 2012 – 2021, with the accompanying National Solidarity Support Fund (FASN) and numerous development partners that support its implementation on an annual basis. Other disability inclusive policies and plans: Benin: National Child Protection Policy, 2014– 2024; National Policy for the Protection and Integration of PWDs, 2012–2021; National Development Plan which provides for flagship actions in favor of poverty reduction and social protection of vulnerable groups.
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BURKINA FASO	This is a land-locked Sahelian country with a population of about 21 million. It ranks 182nd (out of 189 countries) in the 2020 HDI and about 40% of population lives below the national poverty rate. The country is facing growing insecurity due to terrorist attacks along the border with Mali and Niger (The World Bank, UNDP, 2021). By the end of 2020, according to the National Council for Emergency Assistance and Rehabilitation, there were over one million internally displaced people of which 54% are children up to 15 years. The crisis is further exacerbated by the COVID-19 pandemic. CRPD national implementation and monitoring mechanism: Burkina Faso ratified the CRPD in 2009, including the OP to CRPD. In 2018, the country submitted its initial report to the CRPD Committee. In 2018, the CRPD Committee issued ‘List of Issues’ to which the State has to reply, although the reporting process is yet to be finalized. Burkina Faso established the National Multisectoral Council for the Protection and Promotion of the Rights of PWDs.
	Council, among others, is to monitor the implementation of the CRPD. The alternative reports to the CRPD Committee have been submitted by the NHRI and network of international and national actors active in the field of disability. National disability rights law, institution and strategy: In 2010, Burkina Faso adopted Act No. 012-2010/AN on the Protection and Promotion of the Rights of PWDs. There is also the Directorate for the Protection and Advancement of PWDs under the Ministry of Social Affairs and Solidarity. The Directorate is in charge of the National Strategy for the Protection and Advancement of PWDs in 2012 - 2021 with a view to further incorporating disability-related issues into the action plans of its various departments. Other disability inclusive policies and plans: Burkina Faso adopted several acts and policies that take into PWDs issues in the following areas: humanitarian responses, gender empowerment and promoting girls’ education, among others. Specifically, these are: General Policy Act on the Prevention and Management of Risks, Humanitarian Crises and Disasters, 2014; National Water Policy; National Social Protection Policy 2012; National Gender Policy; National Strategy for the Protection and Promotion of the Rights of Young Girls, 2017–2020; National Strategy for the Acceleration of Girls’ Education, 2015–2021; National Justice Policy.

CAPE VERDE	This is a small island country situated around 600 km off the West African coast. Cape Verde has a population of around 0.5 million, and is a Portuguese speaking country. The country has a stable political scene. In 2016, the opposition party Movement for Democracy won the elections for the first time since the independence. The next elections are scheduled in 2021. Cape Verde is one of West African success stories, with steady economic growth, mainly based on tourism. It is expected that the COVID-19 crisis will slow down the reduction of poverty and public debt. The country is currently supported by the Disaster Risk Management Development Policy Financing with a Catastrophe Deferred Drawdown Option Operation by the World Bank. According to the 2020 HDI, Cape Verde ranks 126th out 189 countries, and is classified as a country of medium development. (The World Bank, UNDP, 2021). Cape Verde ratified the CRPD in 2011. It has not yet submitted its first state report to the CRPD Committee. There is no available evidence about specific laws on disability inclusion or other CRPD implementation and monitoring measures.
CÔTE D'IVOIRE	The country has a population of around 27 million. It ranks 162nd out of 189 countries in the 2020 HDI. The country has a stable political landscape, with sporadic unrest. The current president Alassane Ouattara was reelected for the third time in 2020. The ruling party RHDP won legislative elections in 2021, which have been characterized by most people as democratic and inclusive. The Ivory Coast has a stable economy, with decreasing poverty from 46.3% in 2015 to 39.4% in 2020, mainly in urban areas. (The World Bank, UNDP, 2021). CRPD national implementation and monitoring: The Ivory Coast signed both the CRPD and its OP in 2007, but it only ratified the CRPD in 2014. The country has not yet submitted its initial report to the CRPD Committee. Côte d'Ivoire does not have a specific law or recent strategy to deal with the rights of PWDs in line with the CRPD. Other related information: Côte d'Ivoire has disability rights law (1998) regulating education, professional training and employment. In the absence of new, comprehensive legislation, Côte d'Ivoire has adopted the policy in favor of PWDs, which is now followed by the Strategy and Action Plan. The Department for the Promotion of PWDs, attached to the Ministry of Employment and Social Protection created in 2003, is tasked to design and implement national policies aimed at the promotion and protection of PWDs, and to initiate and lead actions aimed at the social inclusion of PWDs in the development process, employment and other strategies for PWDs.

GAMBIA	It is a small country bordered to the West by the Atlantic Ocean and Senegal. It is densely populated with around 2.5 million people who mainly live in urban and suburban parts of the country. It ranks 172nd out of 189 countries in the 2020 Human Development Index. The country has a relatively stable political scene, with opposition party the United Democratic Party (UDP) which won the elections for the first time in 2016. The current president Adama Barrow defeated former president Yahya A.J.J. Jammeh who was in power for 22 years. The next presidential elections are planned in 2021. Gambia's economic growth was robust before COVID-19 caused disruptions in tourism and trade. The poverty rate is nearly 50% (The World Bank, UNDP, 2021). CRPD national implementation and monitoring mechanism: Gambia ratified the CRPD and its OP in 2015. It has not yet submitted its report to the CRPD Committee. In terms of CRPD monitoring, since 2018 the National Human Rights Commission considers complaints and investigates abuses relating to disability rights. National disability rights law and institution: After nearly 10 years of drafting processes, Gambia passed its first piece of law that guarantees the rights of PWDs, namely the PWDs Bill, 2020, in a very comprehensive manner. The law established the National Advisory Committee for PWDs to act as the main national mechanism on disability in charge of, among other things, advancing compliance of existing laws and policies with the principles of equality and nondiscrimination. The PWDs Policy 2022-2031 and its Act 2021, state OPDs roles in the process of implementation of these documents and instruments. Other disability inclusive policies and plans: In the absence of a national strategy or actions plans, Gambia has specifically targeted PWDs within its National Development Plan 2018 – 2021 in the area of education and employment, and within its ongoing Education Policy 2016-2030. Acts: The Access to Information Bill 2021, the Women's Act of the Gambia 2010 (amended in 2016), and the Children's Act of the Gambia.
GHANA	unit dedicated to the coordination of national policies and plans relating to disability rights. Since 2018, there are ongoing efforts made by international actors and OPDs to develop a National Strategy on Inclusion of PWDs. A draft version has been recently submitted to the Ministries for review and adoption. Other related information: In the absence of a strong legal framework and national social security system, Guinea Bissau's Country Strategic Plan 2014 -2024, supported by the World Food Program, aims to include PWDs in all actions. Apart from several sporadic actions in the field of healthcare, rehabilitation and education (there are 3 specialized schools), disability issues are rarely taken into account by the authorities.

LIBERIA	Liberia has a population of around 5 million. It ranks 175th out of 189 countries in the 2020 HDI. After the first and second Liberian civil wars, the country has stabilized in the 21st century. Power was handed peacefully in 2018 to the current president George M Weah (former professional football player). The next presidential and legislative elections are scheduled for 2023. The country is rich in natural resources, but its economy is one of the weakest in the region. The poverty rate is at 64%, mainly in rural areas. Around 670.000 people live in extreme poverty. The country was hit hard by the Ebola virus and is now facing the COVID-19 pandemic. (The World Bank, UNDP, 2021). CRPD national implementation and monitoring mechanism: Liberia signed both the CRPD and its OP-CRPD in 2007, but it only ratified the CRPD in 2012. The country submitted its initial report to the CRPD Committee in 2019, but the reporting system is still under review. An alternative report by the national association of OPDs has been submitted, but not published for public consultation. According to the Liberia initial report to the CRPD Committee, the Independent Commission on Human Rights is responsible for monitoring the implementation of all international treaties signed and ratified by the Government. National disability rights law, institution and strategy: There is little evidence related to the new national laws to prohibit all forms of discrimination against PWDs. The National Commission on Disabilities (2005) is the main focal point for disability issues. It reports to the Ministry of Gender, Children and Social Protection. The Act establishing the National Commission (established before the passing of the CRPD) has jurisdiction over all matters involving and appertaining to the general welfare of all PWDs, including but not limited to supervising effective delivery of social services and economic empowerment services for PWDs in the country. The National Commission works with all OPDs. In 2018, the National Commission on Disabilities launched the National Action Plan on PWDs, which is currently being renewed. Other disability inclusive policies and plans: Liberia: National revised Gender Policy, 2015; National Health and Social Welfare Policy 2011–2012; Mental Health Policy, 2016–2021; National Child Welfare and Protection Policy; Risk Management Policy, 2012; National Sexual and Reproductive Health Policy, 2010; Child Welfare and Protection Policy, 2017; National Inclusive Education Policy, 2017.
MALI	Mali is large landlocked county with its north part reaching out to the Sahara Desert. Mali has a rapid population growth with nearly 21 million. It ranks 184th out of 189 countries in the 2020 HDI. Since 2012, the country faces major instability, caused by political coups, ethno-religious violence, amplified terrorist and violent extremist attacks. It is expected that the transition government, placed through the mediation efforts of ECOWAS, will hold the general elections next year. The political fragility impacted already weakened

	economic activities (decline in cotton production and agricultural sector), and it brought the country in economic recession.
	According to the most recent reports, the poverty rate increased by 5%. (The World Bank, UNDP, 2021). CRPD national implementation and monitoring mechanism: Mali ratified both the CRPD and its OP-CRPD in 2008. The country submitted its first report to the CRPD Committee in 2019, no evidence of submitted alternative reports. The reporting process is underway. The National Human Rights Commission has been established only in 2016. National disability rights law, institution and strategy: Since 2018, Mali has one key legal act that addresses disability: Act on the Rights of Persons living with a disability (Act No. 2018027). The Ministry of Solidarity and Humanitarian Action adopted the Strategic Plan for the Advancement of PWDs 2015–2024 which aims to ensure full participation and equal opportunities for PWDs without discrimination across all ministerial departments. Other disability inclusive policies and plans: National Plan for Health and Social Development, 2014–2023; National Policy on Humanitarian Action and its Action Plan, 2018–2022; National Solidarity Policy, 2018; National Social Protection Policy, 2016; National Employment Policy, 2015; National Vocational Training Policy, 2008; National Special Education and Inclusive Education Policy; Strategic Plan for the Advancement of PWDs, 2015–2024;
NIGER	Niger is a landlocked Sahelian country with a population of about 25 million. It occupies the last place (189th) in the 2020 HDI. The current president Mohamed Bazoum was sworn in 2021 which marks the first peaceful transition of powers since the independence. The country is largely affected by the security crisis due to the terrorist attacks near the border with Burkina Faso and Nigeria, which led to a humanitarian crisis with a big influx of refugees. Niger is rich in natural resources, although the recent economic progress is adversely affected by recent insecurities and COVID-19 responses. The extreme poverty rate remains high at 42.9%. (The World Bank, UNDP, 2021). CRPD national implementation and monitoring mechanism: Niger ratified both the CRPD and its OP-CRPD in 2008. The country submitted its initial report to the CRPD Committee in 2015. After a long series of discussions and exchanges which involved a wide range of civil society actors, CRPD Committee completed its first reporting cycle in 2019 by issuing the Concluding Observations.

	National institution: Since 1993 has a law on Social Protection of PWDs, but specifically in 2019, adopted law 2019/62 that deals with PWDs through many areas of life, in line with the CRPD, to a large extent. One of the major actions that the Government has recently taken is the creation of the Directorate for the Promotion of PWDs and Social Inclusion, under the Ministry of Health, Population and Social Affairs.
NIGERIA	Nigeria is the most populated country in West Africa with around 211 million people. Nigeria has largest economy in this region, but inequalities in terms of income and employment opportunities are very high. Before COVID-19 pandemic, the economy was growing at 2.2%, but the country remains weak in terms of dependency to oil industry, governance, public financial management and administration systems, and persisting terrorist attacks in the northern part of country. In the 2020 HDI, the country ranks 161st (out of 189 countries) and has 40% of population living below the national poverty line. The All-Progressive Congress party is the ruling party, with the president Muhammadu Buhari who secured his 2nd term in 2019. (The World Bank, UNDP, 2021). CRPD national implementation and monitoring mechanism: Nigeria ratified the CRPD and the OP-CRPD in 2010. Nigeria has not yet submitted its initial report to the CRPD Committee. Nigeria does not have an independent mechanism, but the NHRI is increasingly involved in disability matters though the draft National Action Plan for the Promotion and Protection of Human Rights 2021- 2025. National disability rights law, institutions and strategy: It is only in early 2019 that Nigeria passed the Discrimination Against PWDs (Prohibition) Act. Additionally, Jigawa, Ekiti, Kano, Bauchi, Kwara, Nasarawa, Ondo, Enugu, Lagos and Plateau states have laws that regulate the rights of PWDs in different life areas. Under new disability laws, in 2020, the National Disability Commission has been set up to steer all matters relating to disability rights and promote disability inclusion in Nigeria, including the access to free, quality and inclusive education, healthcare, employment, access to public transport and buildings and a slew of social, civil, political and economic rights. The Commission is supervised by the Honorable Minister of the Federal Ministry of Humanitarian Affairs, Disaster Management and Social Development.

SENEGAL	It has a population of 16.7 million. It ranks 168th (out of 189 countries) in the 2020 HDI. Senegal has enjoyed a high rate of political stability since its independence. The Senegalese's economy has expanded since 2014, although the Covid-19 pandemic has caused an economic fall by 0,7% in 2020. The current president Macky Sall has been reelected in 2019 for his 2nd term. (The World Bank, UNDP, 2021). CRPD national implementation and monitoring mechanism: In 2007, Senegal signed the CRPD and its OP-CRPD, but it only ratified the CRPD in 2010. In 2015, Senegal has submitted the Initial Report to the CRPD Committee, by including a broad-based participation and consultations of the Human Rights Directorate of the Ministry of Justice, the Ministry of Health and Social Action, the national human rights institutions (Senegalese Human Rights Committee and National Human Rights Advisory Council), as well as disability actors. This is followed by the Alternative report, submitted by the Senegalese Federation of Associations of PWDs and the Global Initiative to End All Corporal Punishment of Children. After years-long dialogue between parties, the CRPD Committee has submitted its Concluding Observations in 2019. The next State's party report is due in October 2024. National laws, institution and strategy: In addition to the principle of non-discrimination applicable to all Senegalese citizens under the Constitution, in 2010, Senegal has adopted a major legal act on the promotion and protection of rights of PWDs: the Social Framework Act No. 2010-15 of 6 July 2010. Under the Ministry of Health and Social Action, and the Directorate for Promotion and Protection of PWDs, in 2017, the National Committee for monitoring the national action plan on disability 2017-2021 was created. It functions as the multi-actors and multi-sectorial body, with active involvement of OPDs. Other disability inclusive policies: National Strategy for the Economic Empowerment of Women, the National Girl's Agenda, 2020-2024, National strategy for gender equity and equality.
SIERRA LEONE	Sierra Leone has a population of about 8 million. It ranks 182nd out of 189 countries in the 2020 HDI. The country marked a slow growth due to rise of activities in construction, agriculture, iron production and export. Despite these positive developments, the country's poverty rate affects more than half population. This coastal, post-conflict country faces challenges in terms of weak governance, corruption, mismanagement of its natural resources and unemployment. The current the opposition Sierra Leone People's Party (SLPP) Rtd. Brig. Julius Maada Bio won the elections in 2018. The parliament is held by the previous ruling party All People's Congress (APC). (The World Bank, UNDP, 2021). CRPD national implementation and monitoring mechanism: Sierra Leone signed the CRPD and its OP-CRPD in 2007, but it only ratified the Convention in 2010. The initial report to the

	CRPD Committee has been recently submitted. There is no independent monitoring mechanism. National disability rights law and institutions: In 2011, the country passed the Persons with Disabilities Act. The law set up the National Commission for PWDs (2012). The Commission remains attached to the Ministry of Social Welfare, Gender and Children's Affairs, with limited access to funds. The National Steering Committee on Disability, with several Ministries, forms the coordination mechanism. The Human Rights Commission which is part of the steering committee has developed a referral mechanism for PWDs to access justice. Other disability inclusive policies and plans: The Medium-Term National Development Plan, as the successor of decennial National Development Plan covering the period 2019 – 2023 specifically targets PWDs which is partially a result of consultation with the representatives of OPWDs. There are also considerable movements in the area of education, employment, social protection, gender empowerment, election process and food provision to the most vulnerable population, including those with multiple disabilities as a part of the World Food Program.
TOGO	Togo: Togo has a population of about 8.5 million. It ranks 186th out of 189 countries in the 2020 HDI. The country's political scene is stable, with the dominant ruling party: the Union for the Republic (UNIR). The president Faure Gnassingbe has been reelected in 2020 for its fourth five-year term. Over several last years, Togolese economy showed a steady progress which is now affected by the COVID-19. The poverty rate fell from 61.7% in 2006 to 53.5% in 2017. The inequality affects particularly women living in rural areas with limited access to basic services such as health and education. (The World Bank, UNDP, 2021). CRPD national implementation and monitoring mechanism: Togo ratified both the CRPD and the OP-CRPD in 2011. The country submitted its first report to the CRPD in 2016, followed by the alternative reports submitted by civil society actors. The process of reviewing the State's initial report and related issues has not yet been officially completed. On the institutional level, the country has the Committee for the Monitoring of the Inclusion of PWDs, but it is not yet in accordance with the Paris Principles. The National Human Rights Institution is actively engaging with the national OPDs with regards to the protection of the rights of PWDs. National disability rights law, institution and strategy: The country does not have a recent law that is in line with the CRPD. The review of Act No. 2004-005 that deals with the social protection of PWDs is currently underway. The Ministry of Social Action, the Promotion of Women and Literacy, in 2005, established Directorate for PWDs. Its mission is to design, coordinate, supervise and evaluate all activities for the protection and promotion of PWDs, plan and implement activities for the protection and promotion of PWDs, define policies for the social advancement of PWDs, ensure the application of laws on the social protection of PWDs. PWDs are included in the work of the Directorate. The Directorate has adopted the National Strategy on Promotion of the PWDs 2013-2017. Since its official

	expiration, there are no reports about the achievements or continuation of these strategic efforts. Other disability inclusive policies and plans: National Rehabilitation Policy, adopted, 2005; National Sports Policy and its plan of action, adopted in 2012; Policy on recreation and its attendant plan of action, 2013; National Strategy for the Protection and Promotion of PWDs, 2013; National Policy for Social Action, 2014; Accelerated Growth and Employment Creation Strategy, 2013–2017.
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Annex 5. Assessment of ECOWAS MS efforts in advancing disability inclusion

Table 14 in details

MS	Disability rights laws			National institutional framework				Disability Inclusive Strategy			OPDs' Involvement ⁷⁶			Total
Scoring	none	before 2006 / in progress	Exists	none	Ministry (no spec. unit) / in progress	spec. unit (depart.)	commission	none	in progress	exists	limited evidence	Consult. with OPDs exist, with room to improvements	Independ. role in CRPD	
	0	1	2	0	1	2	3	0	1	2	1	2	3	
1. Benin			2			2				2		2		8
2. Burkina Faso			2			2				2			3	9
3. Cape Verde														0
4. Cote d'Ivoire		1			1				1			2		5
5. Gambia			2				3	0				2		7
6. Ghana		1					3	0				2		6
7. Guinea		1			1			0			1			3

⁷⁶ Based on the questionnaires received from OPDs and desk research.

8. Guinea Bissau	1		1				1		2		5	
9. Liberia	1				3		1		2		7	
10. Mali		2	1					2	2		7	
11. Niger		2		2			0		2		6	
12. Nigeria		2			3		0		2		7	
13. Senegal		2		2				2	2		8	
14. Sierra Leone		2			3		0		2		7	
15. Togo	1			2				2		3	8	

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