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NATIONAL HUMAN RIGHTS COMMISSION

OFFICE OF THE EXECUTIVE SECRETARY



21st December, 2018

NHRC/OES/160/I

The Chief of Staff to the President
State House
Abuja.

Dear Sir,

**RE: DISCRIMINATION AGAINST PERSONS WITH DISABILITIES
(PROHIBITION) BILL, 2018: COMMENT**

Please refer to the above subject matter, pursuant to your letter dated 18th December, 2018.

2. The Commission wishes to comment on the Bill as follows:
Legislation to protect and promote the human rights of Persons with Disabilities call for provisions that ease understanding and enforcement. Drafters of the provisions of the law should aim at achieving clarity, precision, consistency, gender sensitivity and indeed unambiguity in all legislative provisions. Selected provisions of the Bill in reference should be drafted in an elegant style under the following themes

a. Gender Neutrality/Specificity

Part I Section (1)

Use of Gender Specific Terminology

The use of ".....on the ground of 'his' disability....." is not gender sensitive (see Section I)

PROVISION in gender neutral pronoun should read, '.....on the ground of 'their' disability

b. Clarity

Section 7 refers to '**relevant authority**' this is not defined in the Interpretation Section (see 57) and will make for ambiguity

c. Section 19 provides that "The education of special education personnel shall be '**highly subsidized**' is indeterminate and uncertain

d. Drafting Legislation by Reference

Section 37(c) refers to ".....**similar organization in the country**....."

F.K. Ayari
Pls. File in Bill
File
Date

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Legislative by reference to another Legislation or 'thing' should be in specific terms. The provision does not refer to specific organization, and '**similar organization...**' is not defined in the Interpretation Section (see S.57)

3. In principle, the Commission is of the view that the Bill is both necessary and a gallant effort by the government to protect and provide for diverse components of the society especially the challenged. The President can assent to the Bill to aid the protection and promotion of the human rights of persons with disabilities in Nigeria if these issues highlighted are corrected.

Please accept the assurances of my high regard and consideration always.



Tony Ojukwu, Esq.
Executive Secretary