



Commonwealth  
Parliamentary  
Association -  
Kenya Branch



## RESOLUTIONS & WAY FORWARD

### **BY THE INAUGURAL COMMONWEALTH PARLIAMENTARIANS WITH DISABILITIES (CPWD) AFRICA REGION CONFERENCE ON 16<sup>TH</sup> OCTOBER, 2021 NAIROBI, KENYA**

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The Inaugural Commonwealth Parliamentarians with Disabilities (CPwD) Africa Region Conference held in **Nairobi, Kenya on 14<sup>th</sup> -18<sup>th</sup> October, 2021** under the theme: ***“Mainstreaming Disability Considerations in Legislative Agenda in the 21<sup>st</sup> Century”*** deliberated on key issues that form the premise of disability considerations regionally and resolved **THAT-**

1. Commonwealth Parliamentary Association regional member countries should expedite the ratification of the United Nations Convention on the Rights of Persons with Disabilities (UN-CRPD) of 2006 to provide the framework for promoting, protecting and ensuring full and equal enjoyment of human rights and fundamental freedoms by all Persons with Disabilities, and promote respect for their inherent dignity;
2. Parliaments in Africa should prioritize enactment and adoption of progressive legislations and policy frameworks suitable for addressing economic, social, cultural, political and civil rights of Persons with Disabilities;
3. Disability Advisory Council (DAS) should be established as a requirement within the context of CRPD to help fast track and monitor disability issues especially those that form the fulcrum for performance and their contribution to socio-economic development;
4. Governments should focus on the provision of social amenities and recreational facilities that are accessible to Persons with Disabilities; to enhance their participation in development activities;

5. To enhance participation in education and improve social welfare of Persons with Disability there is need for early identification, assessment, intervention and school placement of children with disabilities in appropriate education setting. Target mapping of Disability education needs should primarily precede budgeting and financing of facilities and equipment for access by learners and trainees with disabilities;
6. Persons with Disabilities should be treated as right holders; institutions will be duty bound by law to ensure that Persons with Disabilities are facilitated to realize their rights to physical access, transport, communication, education, healthcare, employment and access to justice;
7. Legislative interventions and affirmative action strategies should be prioritized; that disability mainstreaming committees should be established in Ministries, Departments and Agencies (MDAs) to facilitate measures for attitude change, monitoring and evaluation of programs, increased employment opportunities and retention and promotion of PWDs in their places of work;
8. State parties should define in their legislation the principle of reasonable accommodation in all areas in line with article 2 of the Convention, and ensure legal recognition of the denial of reasonable accommodation as a form of discrimination;
9. There should be a long-term strategy aimed at raising awareness and combating discrimination against Persons with Disabilities including all aspects covered by the Convention;
10. Individual State parties should carry out mass-media awareness-raising campaigns and workshops in collaboration with other stakeholders in order to foster the positive image of Persons with Disabilities and their contributions to society;
11. Parliament should ensure that national, sub national and program budgets are disability focused by entrenching financing on disability concerns through a program-based approach within all sectors. Ring fenced disability financing will institutionalize the mainstreaming process of disability issues;
12. Public and private sector actors should strengthen efforts to ensure that health policies and programs including sexual and reproductive rights are fully accessible to Persons with Disabilities;
13. African Governments should pursue tax policies that are adaptive to expanding access to assistive devices for Persons with Disabilities; tax laws should provide exemptions on

manufacturing and importation of assistive devices as well as provide for tax rebates on their earnings to stimulate investment and improve livelihoods;

14. To realize the provisions of Article 31 of CRPD; Population, enumerative census and disability surveys should be positioned to collect, analyze, interpret and provide for recommendations that positively boost the realization of the inherent rights and freedoms of persons with disabilities; information and data collected should focus on disaggregation of key parameters on disability for ease of use and reference by the public and other research practitioners;
15. With the heterogeneity of the state party's governance structures; each member State shall make reasonable adjustments to Commonwealth Parliamentary Association (CPA) programs and engagements to enable the participation of people with any disability in decision making;
16. Parliamentary leadership should put in place measures to ensure that parliament premises are accessible as well adopt innovative and modern approaches that will make the work of parliamentarian easier for persons with disabilities both as parliamentarians and stakeholders;
17. Political parties and elections management bodies to develop cogent measures that encourage culture of inclusivity for persons with disabilities either by way of nomination, and campaign financing; this will expand the participation of persons with disabilities in policy decision making and representation;
18. Employment and labour laws need should be reviewed to provide for specific employment quotas for persons with disabilities; also set up career portals that are user friendly for job seekers and employers to overcome accessibility barriers by persons with disabilities;
19. Disability should be categorized and measure to address their unique challenges need to be segregated by legislations; example mental disability and decision-making ought to be made open through legislation where assisted decision-making mental disability is mainstreamed with an objective of reducing exposure and provide the distinction of choice of delegation while distinguishing from mental infirmity;
20. Institutions and parliament to undertake mapping and building capacity for persons with disabilities; this will particularly provide necessary information for involvement in

mitigation measure that concern them, this is in line with the phrase “*nothing about us without us*”;

- 21.** Sensitization of Political parties, governance institutions and electoral bodies on purposive inclusion of persons with disabilities in their programming; encouraging inclusive participation in electoral matters by persons with disabilities through provision of incentives by governments and duty bearers;
- 22.** Monitoring and evaluation framework, enforcement protocols and budgetary allocation need to be at the core of all strategies that focus on disabilities mainstreaming into legislation. Development of such frameworks will build resilience on the part of persons with disability within the premise of humanitarian rights and disaster risk reduction;
- 23.** State parties to institutionalize national disability inclusive budgeting across all government departments both at the national and sub national levels; further, review the targeting criteria for social assistance programs for persons with disabilities;
- 24.** Persons with disabilities experience stigma and discrimination which excludes them from economic and social activities and full participation in life. People with intellectual disabilities, psychosocial disabilities, as well as women and girls, older persons, children and youth with disabilities, are particularly affected and vulnerable to violence. To address stigma meted to persons with disabilities there is need for development and enforcement of measures to ensure that cases of discrimination against persons with disabilities are enforceable before courts and victims receive appropriate redress;
- 25.** Institutions to adopt immediate measures to foster compliance with the positive measure of quotas for persons with disabilities in employment, including an effective enforcement mechanism and sanctions for non-compliance, both in the public and the private sectors;
- 26.** Entrepreneurial and investment opportunities are accessible to persons with disabilities through tailored trainings and affirmative action plans including preference and reservation of procurement quotas in public private institutions to persons with disabilities as well as local purchase order financing (LPO);
- 27.** Institutionalize performance management tools that provide for disabilities mainstreaming and other gender consideration under a rapid assessment framework; this can be through reward and sanctions mechanism within the general performance appraisal tools both at management and organization level; and

- 28.** Governments to establish a time frame for the transition process from segregated to inclusive/ integrated quality education and ensure that budgetary, technical and personal resources are available to complete the process, and collect disaggregated data on the advancement of the inclusive education system; also undertake measures, including by encouraging public-private partnerships, to ensure the provision of assistive technologies in education and;
- 29.** State parties and in particular legislatures need to develop a wide range of community-based services that respond to the needs of persons with disabilities and respect the person's autonomy, choices, dignity and privacy, including peer support and other alternatives to the medical model of mental health.