

African Union, African Regional Bodies

## Resolution establishing the adoption of the Model Law on Disability in Africa

Legislation as at 17 October 2019

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African Union

## Resolution establishing the adoption of the Model Law on Disability in Africa

Published on 17 October 2019

**Commenced**

*[This is the version of this document from 17 October 2019.]*

### **THE PAN-AFRICAN PARLIAMENT**

**CONSIDERING** Article 17 of the Constitutive Act of the African Union establishing the Pan-African Parliament to ensure the "full participation of the African people in the development and economic integration of the continent";

**CONSIDERING ALSO** Article 3 of the Protocol to the Treaty Establishing the African Economic Community Relating to the Pan-African Parliament, and Rule 4 (a) of the Rules of Procedure of the Pan African Parliament, which empower the PAP to facilitate regional cooperation, development and promotion of "collective self-reliance and economic recovery" as well as the implementation of the policies, objectives and programmes" of the African Union;

**CONSIDERING FURTHER** Article 11 (3) of the PAP Protocol and Rule 4 (1) (d) & (e) of the PAP Rules of Procedure, which empowers the PAP to work towards the harmonization or co-ordination of the laws of African Union Member States, inter alia through proposing and developing model laws;

**CONSIDERING FURTHER** the African Charter on Human and Peoples' Rights and the United Nations Convention on the Rights of Persons with Disabilities, with the move from traditional charity-oriented and medical-based approaches, which guarantee equal rights to individuals regardless of their status, including disability;

**RECALLING FURTHER** the PAP Resolution on the Model Disability Law in Africa, which was adopted during the First Ordinary Session of the Fifth Parliament, in October 2018;

**RECOGNIZING** that persons with disabilities face discrimination and barriers that restrict them from participating in social life on an equal basis with others, they are denied their rights to live independently in the community with social protection;

**WELCOMING** of the partnership between the Pan-African Parliament and Africa Disability Alliance to fulfil human rights for people with disabilities by promoting and mainstreaming disability within African Union Member States through the development of a Model Disability Law;

**APPRECIATING** the contributions from the regional consultations on the Draft Model Disability Law which provided an opportunity for African citizens, the grassroots organizations and other interested stakeholders to engage with the draft Model Law;

**APPRECIATING also** the technical support given by the Africa Disability Alliance to the Pan-African Parliament in the formulation of and consultations on the draft model law on disability, which will facilitate the domestication of the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Persons with Disabilities as well as formulation of national human rights policies and legislations on disability;

**CONVINCED** that a comprehensive and integrated continental legislative framework to support the promotion and protection of the rights of persons with disabilities will make a significant contribution to redressing the profound social vulnerabilities of persons with disabilities and promote their participation in the civil, political, economic, social and cultural spheres, at both national and international levels;

**IN ACCORDANCE WITH** Rule 5 (b), (c) and (d) of the Rules of Procedure of the Pan-African Parliament, which empowers the PAP to, inter alia, organize debate, discuss, express an opinion, make recommendations and take

resolutions on the objectives and on any matters relating to the African Union and its organs, Regional Economic Communities, Member States and their organs and institutions;

**NOW HEREBY RESOLVES TO:**

1. **ADOPT** the [Model Disability Law in Africa](#);
2. **REQUEST** the Bureau of PAP to submit the [Model Disability Law](#) to the AU Policy Organs for endorsement and use by the AU Member States;
3. **UNDERTAKE** advocacy activities for the ratification of the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Persons with Disabilities and for the endorsement and use by the AU Member States;
4. **STRENGTHEN** the collaboration and exchanges among regional and national parliamentary bodies, with a view to enhancing the capacity of parliamentarians to monitor and promote disability mainstreaming in national policies and programmes, as well as the budgetary and legislative instruments.

**Adopted in Midrand, South Africa**

**17 October 2019**