

Open Letter to **His Excellency, Senator Prince Bassey Edet Out**, Governor, Cross River State, Government House, Calabar, Cross River State

Your Excellency,

RE: 4TH ANNIVERSARY OF THE CROSS RIVER STATE DISABILITY RIGHTS LAW NO. 11 OF 2021 AND URGENT NEED FOR STAKEHOLDERS' ENGAGEMENT AND FULL IMPLEMENTATION

I write respectfully to Your Excellency on this historic day, **31st December 2025**, marking the **4th anniversary of the Cross River State Disability Rights Law No. 11 of 2021**, a landmark legislation enacted to protect, promote, and guarantee the rights, dignity, and full inclusion of Persons with Disabilities (PWDs) in Cross River State.

As a committed and long-standing member of the All Progressives Congress (APC) with a disability, I remain firmly dedicated to safeguarding and documenting the legacy of the Party, particularly its **disability-inclusive governance achievements between 2015 and 2025**. This commitment is driven by a mandate to set the record straight, preserve institutional memory, and protect the APC's legacy in relation to Nigeria's disability civil rights movement. In this capacity, I have engaged as a researcher, educator, and reform-oriented advocate on disability rights at both national and international levels, guided by the globally recognized principle of the disability movement— *"Nothing About Us Without Us."* This principle is legally codified in **Article 4(3) of the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD)**, which provides that *"States Parties shall closely consult with and actively involve persons with disabilities, including children with disabilities, through their representative organizations, in the development and*

implementation of legislation and policies and in other decision-making processes concerning issues relating to persons with disabilities.”

I serve as the Convener of the **Pioneers of the National and International Disability Civil Rights Movement and Policy Change Advocates**, an educationist and reformist ad-hoc consortium aligned with the **UNCRPD Independent Monitoring Mechanism**. This role is anchored in **Article 33(1)–(3) of the UNCRPD**, which collectively obligate States Parties to establish, coordinate, and monitor national implementation frameworks. In particular, **Article 33(1)** requires States Parties to “*designate one or more focal points within government for matters relating to the implementation of the present Convention and give due consideration to the establishment or designation of a coordination mechanism.*” **Article 33(2)** further mandates the establishment or designation of “*a framework, including one or more independent mechanisms, to promote, protect and monitor implementation of the present Convention.*” Crucially, **Article 33(3)** provides that “*civil society, in particular persons with disabilities and their representative organizations, shall be involved and participate fully in the monitoring process.*”

In furtherance of these obligations, I am actively engaged in defending disability-related national budgetary expenditures before statutory anti-corruption institutions, including the **Economic and Financial Crimes Commission (EFCC)** and the **Independent Corrupt Practices and Other Related Offences Commission (ICPC)**.

Furthermore, I was one of the principal drivers and coordinators of the advocacy process that culminated in the drafting, lobbying, public hearing, and eventual passage of the Cross River State Disability Rights Law. In light of this history, and consistent with **Article 29 of the UNCRPD** on participation in political and public

life, I consider it both a privilege and a solemn responsibility to reflect on this milestone and to engage Your Excellency, the Governor of Cross River State, constructively on the urgent need for decisive, inclusive, and lawful implementation.

For the avoidance of doubt, I wish to state clearly that I am **not seeking appointment nor promoting myself** for any leadership position within the Cross River State disability framework. At present, my focus remains on personal academic development and on addressing critical systemic challenges within Nigeria's national disability landscape. My intervention is therefore principled, not personal.

What I seek is **equity, justice, and the effective realization of the right to “full and effective participation and inclusion in society,”** as guaranteed under **Article 3(c) of the UNCRPD**, and the full application of the **“No One Left Behind”** principle of the **2030 Agenda for Sustainable Development**, which commits all States to *“reach the furthest behind first”* and to ensure that development efforts *“benefit all segments of society, including persons with disabilities.”* This position aligns with Nigeria's binding obligations under international and regional frameworks, including the **UNCRPD**, the **African Disability Protocol**, and the **2030 Sustainable Development Goals (SDGs)**.

His Excellency, permit me to honour the memory of our late leader and trailblazer, **Hon. Livinus Okpa (popularly known as Incumbent)**, whose vision, sacrifices, love for humanity, and unwavering commitment to disability rights laid the foundation for this historic achievement. Though he did not live to witness the full realization of the law, his legacy remains permanently etched in the annals of disability advocacy in Cross River State.

Your Excellency may recall that the Cross River State Disability Rights Law No. 11 of 2021 was the product of broad-based consultations and rigorous legislative engagement. The drafting process was benchmarked against the Plateau State and Lagos State Disability Rights Laws and firmly anchored on the **United Nations Convention on the Rights of Persons with Disabilities (UNCRPD)**, which Nigeria signed in 2007 and ratified in 2010. The process benefited immensely from the support of civil society partners, including the **Basic Rights Counsel Initiative (BCRI)** and **Project Alert**, under the leadership of **Barr. Ibor Ofem**, as well as the constructive contributions of members of the Cross River State House of Assembly. The bill was duly passed and graciously assented to by the then Governor, **His Excellency, Sen. Prof. Ben Ayade**, at about **7:45 a.m. on 31st December 2021**.

While the enactment of this law remains a source of pride, it is with deep concern that many Persons with Disabilities across the **18 Local Government Areas and 196 wards of Cross River State** observe that its implementation remains grossly inadequate four years after its passage. Persistent gaps, misinformation, institutional inertia, and circumvention of rights guaranteed under the law continue to undermine its objectives and erode public confidence.

Your Excellency, the Law is not symbolic. It is a **binding legal instrument** imposing clear duties on the Governor and all arms of government to respect, protect, and fulfil the rights of PWDs. By **Section 30**, the Law expressly establishes the **Cross River State Commission for Persons with Disabilities** as a body corporate with perpetual succession, empowered to sue and be sued, acquire property, and operate independently for the protection of disability rights.

Further, **Section 31** clearly provides for the **composition and appointment process** of the Commission, including:

- An **Executive Chairperson**, who **must be a person with disability** and possess relevant academic qualification and experience;
- Other members, **with at least two being persons with disabilities**, drawn across the **three Senatorial Districts** of the State;
- Ex-officio representation from key Ministries, Departments and Agencies (MDAs), including Education, Health, Labour, Social Welfare, Justice, Finance, Transport, Housing, and others;
- Appointment of the Chairperson and key members **by the Governor, subject to confirmation by the State House of Assembly**, thereby underscoring transparency, legality, and legislative oversight.

Equally important, **Sections 36 and 37** vest the Commission with **far-reaching powers and functions**, including but not limited to:

- Receiving and investigating complaints of rights violations against PWDs;
- Enforcing accessibility standards and compliance with public building codes;
- Registering and monitoring disability-focused NGOs;
- Establishing vocational and rehabilitation centres;
- Issuing disability identification insignia;
- Creating and maintaining a comprehensive database of persons with disabilities;
- Advising government on disability-inclusive policies and programmes across all sectors.

These provisions make it abundantly clear that the Law envisages a **strong, independent, representative, and functional Commission**, not an ad-hoc or symbolic structure.

Moreover, Nigeria’s obligations under the **UNCRPD** extend to sub-national governments, including Cross River State. The Convention mandates proactive measures to ensure equality before the law, accessibility, participation in public life, institutional accountability, and protection from discrimination. These obligations are **not optional**, nor subject to political convenience.

In view of Your Excellency’s widely acknowledged record of benevolence, humane leadership, and public service—as a former Member of the House of Representatives, Senator of the Federal Republic, and now Governor—I respectfully appeal that you seize this moment to consolidate your governance legacy by:

1. **Convening, as a matter of urgency, a properly constituted stakeholders’ meeting** of recognized disability leaders and organizations across Cross River State; and
2. **Taking clear, lawful, and transparent steps toward the full establishment and operationalization of the Cross River State Commission for Persons with Disabilities**, strictly in accordance with **Sections 30–37 of the Law**.

Such engagement will enable government to hear directly from affected citizens, correct existing anomalies, and reposition Cross River State as a model of disability-inclusive, rights-based governance at both national and international levels.

Your Excellency, this is a defining moment. Should the State continue to look the other way—as has too often been the case in the treatment of disability issues with disdain and ignominy, including the harmful narrative that PWDs are disunited or troublesome—history will not be silent.

Political tenure is temporary; power is transient, but **governance legacy endures**. At the expiration of this administration, the record will reflect whether the Law was

faithfully implemented, international human rights obligations were honoured, and the dignity of PWDs was upheld—or whether prejudice, inertia, and neglect prevailed.

This is the time to do the needful and write your name in gold by enforcing the Law and standing firmly on the side of justice, inclusion, and human dignity. Should this historic responsibility be ignored, history will still be told—just as it is—because no position lasts forever.

Please accept, Your Excellency, the assurances of my highest esteem and consideration.

Long live Your Excellency.

Long live Cross River State.

Long live Persons with Disabilities in Cross River State.

Yours faithfully,



Job Napoleon Agbor

Committed APC Member with Disability

Convener: *Pioneers Ad Hoc Consortium – UNCRPD Monitoring Independent Mechanism*

Academic Staff, University of Calabar

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