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## AN ACT TO ALTER THE PROVISIONS OF THE CONSTITUTION OF THE FEDERAL REPUBLIC OF NIGERIA, 1999 TO INCLUDE SIGN LANGUAGE AMONG THE LANGUAGES USED IN CONDUCTING THE BUSINESS OF THE NATIONAL ASSEMBLY AND FOR RELATED MATTERS (HB. 210)

**SPONSOR**
**HON. SESI OLUSEUN WHINGAN**

### 1. INTRODUCTION

The proposed constitution alteration bill aims to recognise sign language as an official language for conducting business in the National Assembly by expanding the languages listed in section 55 of the 1999 Constitution to include sign language.

Sign language is a visual language that uses hand gestures, facial expressions, and body movements to communicate. It is primarily used by individuals who are deaf. It is a complete and natural language with its own grammar, syntax, and vocabulary. There are reportedly over 300 sign languages in the world developed over the years by the people who use them. As such, there is no universal sign language but different versions depending on the country or region.

This bill seeks to promote inclusivity, accessibility, and equality within the legislative process by accommodating individuals who rely on sign language as their primary mode of communication. Despite its linguistic complexity and cultural significance, sign language is often marginalised and not officially recognised in many countries. This analysis will examine the scope, implications, potential impact and challenges of the bill's proposal.

### 2. BILL SCOPE

The bill alters the existing provision in section 55 of the 1999 Constitution which recognises English, Hausa, Igbo and Yoruba as official languages of the National Assembly by proposing a replacement as follows – *“The business of the National Assembly shall be conducted in English, and in Hausa, Igbo, Yoruba and sign language*

*when adequate arrangements have been made therefore.”*

### **3. SIGN LANGUAGE AND THE LAW**

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This bill is innovative as its provision currently does not exist anywhere else. The main legislation that caters to persons with disabilities is the Discrimination against Persons with Disabilities (Prohibition) Act, 2018 also known as the Disability Act 2018. The Act provides for the full integration of persons with disabilities into the society. Although it does not make specific reference to the use of sign language in every gathering, it has several provisions catering to the rights and accessibility of persons with disabilities to public buildings.

Generally, Section 1 of the Disability Act prohibits any form of discrimination against persons with disabilities by any person, institution or circumstance and even attaches penalties for individuals or corporate bodies who contravene this. Section 18 (2) of the Act mandates braille, sign language and other skills for communicating with persons with disabilities to be included in the curricula for primary, secondary and tertiary institutions. Section 24 makes provision for special communications in public hospitals where persons with communicational disabilities are being attended to. With these provisions, it is inferred that public buildings and agencies

are bound to make provision for inclusivity to accommodate persons with disabilities.

Across the world, legislation has been used to officially recognise sign language. Research shows that there are different models for doing this. Identified legislative models or categories include (a) constitutional recognition; (b) general language legislation; (c) dedicated sign language law or act; (d) sign language and other forms of communication law or act; (e) legislation on the functioning of a national language council (responsible for promoting or regulating the standardisation of a language).

Some countries adopt sign language in specific pieces of sectoral legislation, that is, in laws dealing with education, health, criminal procedure etc., where sign language is mandated in identified instances or environments such as in schools, in provision of public health services or during legal proceedings. On the other hand, some countries do not adopt laws but rely on regulations and administrative actions to promote the use of sign language. However, there appears to be an increase in the recognition of a dedicated or stand-alone sign language legislation in several countries as it is seen to be a more coherent approach.

#### 4. DUTIES AND RESPONSIBILITIES SOUGHT TO BE IMPOSED BY THE BILL

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The National Assembly would be responsible for ensuring that sign language interpretation services are available during all official proceedings, including debates, public hearings, discussions, and committee meetings. It would also need to develop a policy or procedure to ensure that their actions are inclusive and accommodates the needs of individuals who use sign language. Other responsibilities include, but are not limited to the following:

- **Training and Capacity Building:** The National Assembly may need to organise training programs and workshops to equip its members, staff, and relevant personnel with the necessary skills to understand and use sign language effectively.
- **Accessibility:** This would involve ensuring that all materials, documents, and information presented during Assembly sessions are accessible to individuals who are deaf or hard of hearing through the provision of sign language interpretation or other accessible formats.
- **Technical Infrastructure:** This would involve providing the necessary technical infrastructure and equipment to support sign language interpretation, such as video relay services or live streaming with sign language interpretation overlay.
- **Awareness and Outreach:** The National Assembly would need to conduct awareness campaigns and outreach initiatives to inform the public, including the deaf and hard of hearing community, about the availability of sign language interpretation services and the Assembly's commitment to inclusivity.
- **Consultation with Stakeholders:** It will be necessary to consult with relevant stakeholders, including representatives from the deaf and hard of hearing community, sign language interpreters, and advocacy groups, to solicit feedback and input on the effectiveness of sign language inclusion measures.
- **Monitoring and Evaluation:** There would be need to establish mechanisms to monitor the implementation of sign language inclusion measures and evaluate their effectiveness in promoting

accessibility and participation within the National Assembly.

## 5. FINANCIAL IMPLICATION OF THE BILL

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The major financial implication of this bill is the resource and budgetary needs for implementation. Implementing sign language recognition will require significant resources for employment and training of interpreters, as well as providing accessibility services within the National Assembly.

## 6. OBSERVATIONS

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While this bill seeks to amend only Section 55 of the 1999 Constitution, Section 97 has a similar provision for State Houses of Assembly to conduct their businesses in English, and in one or more other languages spoken in the State as the House may by resolution approve. If the goal is to recognise sign language nationally and across the country, then a more holistic approach to achieving this should be adopted.

The language of the amendment also suggests that the use of sign language is not mandatory and can only be used when adequate arrangements have been made. In either case, the language of the amendment is not binding enough. With the lapsing of the five-year moratorium period for public buildings and structures to transition to more accessible and inclusive buildings as provided

by Section 6 of the Disability Act 2018, there is a huge opportunity to escalate the implementation of the Act in a more effective way especially as compliance by public offices and agencies within the five-year period from the commencement of the Act has been low.

## 7. POTENTIAL IMPACTS

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- a. Promoting Inclusivity in Governance:** By recognising sign language as an official language, the National Assembly can demonstrate its commitment to diversity, equity, and accessibility in all aspects of governance as well as equal participation for all citizens, regardless of their linguistic or hearing abilities.
- b. Facilitating Communication:** Providing sign language interpretation services will ensure that individuals who are deaf or hard of hearing who are either legislators or citizens can actively engage in live legislative proceedings, contribute to debates, and access vital information in real time too.
- c. Compliance with Legal Obligations:** The bill aligns with international conventions and expands the objective of the Disability Act 2018 that emphasises the rights of persons with disabilities,

including the right to access information and participate in decision-making processes.

- d. *Setting a Precedent:*** The adoption of this bill and its eventual implementation will set a precedent for other government institutions and organisations to follow suit in recognising and accommodating the linguistic needs of individuals with disabilities, thus fostering a more inclusive society.
- e. *Educational Opportunities:*** Recognition of sign language by the National Assembly and other government agencies can spur the development of sign language curriculum in schools, providing deaf children with better educational opportunities.
- f. *Employment Opportunities:*** With increased recognition, there may be more job opportunities for sign language interpreters and educators, contributing to economic empowerment within the deaf community.

costs, requiring careful budget allocation and resource management.

- b. *Linguistic Variation:*** Sign languages vary across regions and countries, posing challenges for standardisation and implementation as there is no standard sign language for the country. This may also leave room for misinterpretation.
- c. *Capacity Building:*** Training programs may be needed to equip members of the National Assembly and staff with the necessary skills and knowledge to effectively communicate with individuals who use sign language.
- d. *Infrastructure Requirements:*** Ensuring physical accessibility of venues and integrating sign language interpretation into various communication channels may require infrastructure upgrades and technological investments.
- e. *Coordination and Logistics:*** Coordinating sign language interpretation services for various legislative activities and ensuring the availability of qualified interpreters may pose logistical challenges.

## 8. POTENTIAL CHALLENGES

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- a. *Cost Implications:*** Implementing sign language interpretation services and other accessibility measures will involve incurring additional



## 9. CONCLUSION

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In conclusion, the inclusion of sign language as an official language in National Assembly proceedings is a significant step towards promoting inclusivity, accessibility, and equality within the legislative process. By recognising and accommodating the linguistic needs of individuals who are deaf or hard of hearing, the National Assembly can demonstrate its commitment to upholding the rights of all citizens and fostering a more inclusive society.

## 10. RECOMMENDATION

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The major recommendation is for the government to officially recognise sign language in Nigeria. Recognising sign language as an official language acknowledges the linguistic and cultural rights of the deaf community in the country. It affirms the equal status of sign language alongside spoken languages by giving it legal recognition. Official recognition of sign language promotes accessibility in public services, government proceedings, media, and educational institutions unequivocally. It facilitates effective communication and ensures that information is accessible to all citizens, regardless of their hearing status. Currently, only 41 countries recognize sign language as an official language with 4 of these countries in Africa (Kenya, South Africa, Uganda and Zimbabwe). These can serve as examples to Nigeria in adopting a

national sign language (Nigerian Sign Language) that will be used across the country which is the global best practice and supported by the World Federation of the Deaf (WFD).

There have been several calls by stakeholders for Nigeria to have a standard sign language to replace the American Sign Language presently being used by the deaf community. While there may be challenges in ensuring effective implementation, promoting awareness and acceptance, the benefits of recognising sign language as an official language far outweigh the obstacles and will create lasting positive impacts for all citizens now and in the future.

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Policy and Legal Advocacy Centre (PLAC) is a non-governmental organization committed to strengthening democratic governance and citizens' participation in Nigeria. PLAC works to enhance citizens' engagement with state institutions, and to promote transparency and accountability in policy and decision-making process.

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Policy and Legal Advocacy Centre (PLAC)  
Plot 451 Gambo Jimeta Crescent,  
Guzape District, Abuja, Nigeria.

Website: [www.placng.org](http://www.placng.org) \*Email: [info@placng.org](mailto:info@placng.org) \*Phone: 08091899999



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