

Implementing the Right to Inclusive Higher Education in Ethiopian; A human Right Approach

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1. Introduction

- **The Mandate:** The CRPD (Art. 24) requires member states to ensure inclusive education at all levels.
- **The Gap:** Despite ratifying the CRPD, Ethiopia's domestic laws and institutional frameworks remain largely unaligned with the Human Rights Model of Disability.
- **Objective:** To assess the extent of domestic implementation of inclusive higher education in Ethiopian universities for students with visual disabilities.

2. Methodology

- **Doctrinal Analysis:** Examination of international treaties (CRPD, Marrakesh Treaty) and national laws (FDRE Constitution, Higher Education Proclamation).
- **Qualitative Content Analysis:** Lived experiences of students with visual disabilities across five selected Ethiopian universities.
- **Guiding Framework:** The Human Rights Approach to Disability.

3. Findings

3.1. Key Legal Findings

Instrument	Current Status	Critical Gap
FDRE Constitution	Promulgated pre-CRPD.	Silent on inclusive education; lacks "Substantive Equality" principles.
HE Proclamation	Single provision on disability.	No definitions for "Reasonable Accommodation"; lacks redress mechanisms.
Copyright Law	Restrictive.	Conflicts with the Marrakesh Treaty, perpetuating the "Book Famine."
Optional Protocol	Not Ratified.	Denies students access to international forums for rights violations.

3.2. Integrated Practical Findings

- **The "Book Famine":** Massive lack of accessible ICT and digital materials. Most teaching relies on traditional, inaccessible print.
- **Institutional Ineffectiveness:** The "Focal Point" is placed under the Ministry of Women and Social Affairs, signaling a lingering Medical/Charity Model rather than a human rights approach.
- **Attitudinal Barriers:** Lack of awareness among university staff and students; curricula remain rigid and exclusionary for STEM fields.

4. The "Human Rights Model" Framework

- **The "Book Famine":** Massive lack of accessible ICT and digital materials. Most teaching relies on traditional, inaccessible print.
- **Institutional Ineffectiveness:** The "Focal Point" is placed under the Ministry of Women and Social Affairs, signaling a lingering Medical/Charity Model rather than a human rights approach.
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5. Conclusion

- Ethiopia's commitment is currently in a "nascent stage."
- The rights of students with disabilities remain subject to the "will and whims" of officials.
- True inclusion requires moving from a welfare-based intervention to a legally guaranteed, rights-based system.

6. Recommendations

- **Legislative Reform:** Amend the Constitution and Higher Education Proclamation to explicitly define and guarantee inclusive education and substantive equality.
- **Ratify the Optional Protocol:** Allow for international accountability.
- **Domesticate the Marrakesh Treaty:** Modify copyright laws to allow universities to convert materials into accessible formats.
- **Institutional Restructuring:** Move the CRPD focal point to the Ministry of Justice or the Ethiopian Human Rights Commission.
- **Digital Inclusion:** Earmark specific budgets for ICT infrastructure and Web Content Accessibility Guidelines (WCAG) compliance.