

INTERSESSION ACTIVITY REPORT BY COMMISSIONER, MUSA NGARY BITAYE DURING THE INTERSESSION OF THE 43RD AND 44TH ORDINARY SESSIONS OF THE ACHPR.

1. 5th Extraordinary Session of ACHPR.

I attended the 5th Extraordinary Session of the ACHPR held in Banjul, The Gambia from the 21st to the 29th of July, 2008.

The main purpose of this Extraordinary Session was to finalise the Draft of the Revised Rules of Procedure of the ACHPR.

The commission finalised the draft of its Revised Rules of Procedure and deferred its adoption until after it meets with the African Court on Human and Peoples Rights for the purpose of harmonising the Rules of Procedure of these two organs.

The Commission found time to consider other agenda items, including consideration of communications and finalization of the draft agreement with the ILO.

After amending certain clauses touching on copyright ownership, the commission also adopted a Letter of Agreement between the Commission and the International Labour Office. It is in respect of a joint Project to undertake research on constitutional and legislative provisions for the protection of the rights of indigenous populations in Africa.

2. PROMOTIONAL MISSION TO THE REPUBLIC OF GHANA – 1ST TO 5TH SEPTEMBER, 2008

With the support of two officers of the commission, Dr. Robert Eno, Senior legal officer and Mrs. Tosin Nguher, Legal Officer, I conducted a 5 day promotion mission in the Republic of Ghana.

Unfortunately, the mission could not have time to travel outside Accra, the capital, to visit other institutions and engage other stakeholders concerned with the promotion and protection of human and peoples rights.

However, various stakeholders including government ministries, officials and institutions, the judiciary, NGOS and the Media were visited and engaged in positive dialogue.

A full report will be presented for adoption by the Commission as soon as possible.

3. WORKING METHODS WORKSHOP – OUAGADOUGOU, BURKINA FASO, 26-27 SEPTEMBER 2008

I attended the above meeting organized to look at measures to improve the working methods of the African Commission. This meeting was facilitated by Prof. EVO Dankwa, former member of the ACHPR.

4. BRAINSTORMING/CONSULTATIVE MEETING OF AU ORGANS ON THEIR WORKING RELATIONS HELD AT OUAGADOUGOU, BURKINA FASO FROM THE 28TH – 30TH SEPTEMBER, 2008

I participated in this meeting which was held pursuant to the Directive of the Executive Council of the AU (Decision Ex. CL. 236 (VIII) which, inter alia “calls upon the African Commission on Human and Peoples rights to complete, as soon as possible, the work undertaken on its relations with the various organs and institutions of the African Union”

This was the 2nd meeting of its kind organized by the Commission to implement the Decision of the Executive council of the AU. It was facilitated by Professor Dankwa.

The general objective of the meeting was to enhance the promotion and protection of human rights in Africa through closer collaboration between AU organs with human rights mandate, as well as a better coordination of their efforts and activities.

At the end of the meeting, certain collaborative mechanisms between the AU human rights mandated organs and institutions were recommended and, the commission, as the main AU human rights organ was given the responsibility to follow up their implementation.

The importance of these recommendations, in my view, warrant their reproduction in this report:

RECOMMENDATIONS

Multi-lateral Relationships

- i) The meeting agreed that the Organs should establish a mechanism where there will be regular consultations and annual meetings. These meetings shall be attended by the Heads of the Organs or persons designated by them and shall be preceded by the

meetings of Heads of the Secretariats of the different Organs. The meetings should be held on a rotational basis, and each Organ would bear the costs of its participating members. It was agreed that the first meeting will take place on the first semester of 2009. This meeting should be jointly organized by all the Organs. For this purpose a Preparatory Committee consisting of a staff member from each Organ is to be established.

Bi-lateral Relationships

- ii) The meeting agreed that Organs should establish bi-lateral relationships by appointing representatives or focal points to liaise with amongst the various Organs, for example, between:
 - i. The African Commission and the African Court,
 - ii. The African Commission and the CRC,
 - iii. The African Commission and the PSC,
 - iv. The African Commission and PAP,
 - v. The African Commission and APRM
- iii) Special Mechanisms of the African Commission should collaborate with departments/units and other relevant structures of the AU Organs dealing with similar mandate.
- iv) The policy Organs of the AU and other relevant bodies including the Assembly, Executive Council and other structures such as Ministerial Conferences and Sub-Committees should involve human rights Organs in the preparation of human rights related instruments by inviting them to their meetings.
- v) It was further agreed that to avoid duplication of activities as well as clashes in dates, all the Organs would circulate and exchange amongst themselves, their calendar of activities for the proceeding year, within the last quarter of the previous year.
- vi) It was agreed that joint missions, led by the African Commission , where appropriate, could be undertaken to Member States in coordination with Organs with human rights mandate.
- vii) It was agreed that these Organs should also encourage the exchange of information and their Annual Activity Reports.

- viii) The African Commission shall ensure the follow-up of the Recommendations made in this report.

5. AFRICA HUMAN RIGHTS DAY, 21ST OCTOBER, 2008.

This commemorative day was celebrated by the Commission in Banjul, The Gambia, by various activities including TV Panel discussions, a seminar, football tournaments, musicals and others to create awareness of the day and the work of the commission.

On the 20th of October, 2008 I took part in the seminar jointly organized by the Commission and the University of the Gambia, held in Court No1 of the High Court of The Gambia in Banjul.

Various papers were presented on human rights issues and the work of the commission.

It was well attended by students, lecturers, judges and lawyers who participated in the proceedings with questions and answers from the panelists.

On the 21st of October, 2008 I delivered a speech on behalf of the chairperson of the Commission after a match by students, human rights activists and members of the Secretariat. The speech was televised over The Gambia national television and was widely commented on by the public.

6. HUMAN RIGHTS EDUCATION WORKSHOP – 4 – 5 NOVEMBER 2008

I attended the Consultative Meeting on the use of theatre as a vehicle for human rights Education organized by the ACHPR from 4-5 November 2008 in Abuja Nigeria. The meeting which was attended by theatre practitioners and other human rights educationists was a forum to explore ways of using theatre and other mediums of arts to promote human rights in general and the work of the African Commission in particular.

7. Human Rights Education

From 4 – 5 November 2008, I attended a Consultatime Meeting on the use of theatre as a vehicle for human rights education, organised by the African

Commission in Abuja, Nigeria. The meeting brought together theatre practitioners, educationists and NGOs to brainstorm on how to use theatre as a means of promotion human rights. It was agreed at the meeting that further consultations were needed and a committee was establish to develop a strategy that will be discussed at a later meeting next year.

8. Steering Comittee Meeting

At its meeting in Manzini, Kingdom of Swaziland, the Working Group established a Steering Committee comprising the Chairperson of the Committee, Commissioner Musa Ngary Bitaye, Commissioner Soyata Maiga, Dr. Teghen Melakou and Dr. Naomi Kipuri, to work with the Secretariat to organise the four day Sensitisation Seminar on the rights of indigenous populations/communities to be held in Addis Ababa, Ethiopia.

I chaired the Steering Committee meeting from 11 – 13 August, 2008 in Banjul, The Gambia. The Committee developed the concept note, identified resource persons and participants to be invited to the Seminar, identified the themes and topics to be discussed. The Steering Committee maintained close contact with the Secretariat to ensure proper organisation of the Seminar.

9. Diplomatic training

I took part in a one day Diplomatic Training organised by the Secretariat in collaboration with the Federal Ministry of Foreign Affairs of the Federal Republic of Nigeria on 6 November 2008 in Abuja, Nigeria. The training which was organised for Staff members was also opened to members of the Commission. The training was aimed at providing staff members with basic diplomatic tips necessary to facilitate their work. Some of the topics discussed included, order of precedence, etiquette, dress code and table manners.

10. NGO Forum

On 8 November 2008, I took part in the NGO Forum where I shared with participants in the Special Interest Group on Indigenous Populations the work of the African Commission on Indigenous issues.

11. Meeting of the Working Group on Indigenous Populations, 7-9 November 2008, Abuja, Nigeria.

I attended and chaired the regular pre-session meeting of the WGIP from 7-9 November 2008, in Abuja, Nigeria. This meeting looked at among other things the activities of the Working Group for the past six months and agreed on activities for the next one year. Some of these activities include promotion activities, information and research visits, etc. On 8 November 2008, I delivered a paper at the NGO Forum on the Work of the WGIP.

**Commissioner Musa Ngary Bitaye
44TH Ordinary Session of the ACHPR,
10-24 November 2008, Abuja, Nigeria.**