

REPORT OF THE ACTIVITIES BY COMMISSIONER MUMBA MALILA ON PROMOTIONAL ACTIVITIES DURING THE INTER SESSION PERIOD MAY TO NOVEMBER 2008

During the inter-session period between May, 2008 and November, 2008, I was engaged in a number of activities as Member of the African Commission. These included the following:

1. Extra Ordinary Session of the African Commission

In July between the 21st and the 29th July 2008, I attended and participated in the Extra Ordinary Session of the African Commission that was held in Banjul, the Gambia. That meeting dealt largely with the amended Rules of Procedure of the African Commission.

2. Meeting on Corruption and Human Rights

On 20th June 2008, I officially opened a workshop on Corruption and Human Rights held at Cresta Golf View hotel, Lusaka and organized by the Zambia Institute for Public Policy Analysis. At that meeting I also presented a paper on delays as opportunities for corruption in the public service

3. Providing fore words to books

In my capacity as Member of the African Commission, I was invited in August 2008 to write the foreword to two books on human rights for high schools in Zambia authored by Mr. Enock Mulembe, the Director of the Human Rights Commission in Zambia. I used the opportunity to state the existence of the African Commission and how it can be accessed.

4. Presentation of Paper on Normative Content of the Right to Food

On 28th August 2008, I presented a paper on the Normative Content of the Right to Food at a workshop organized by the Human Rights Foundation of Zambia at Garden House Hotel, Lusaka. In my paper I explained the meaning of the right to food, the obligation of the state, and more importantly what the right to food is not.

5. Promotional Mission to the United Republic of Tanzania

Between the 6th and the 10th October, 2008, in the company of a legal officer Mrs Aminata Jawara Manga, I undertook a promotional mission to the United Republic of Tanzania which saw us visit various institutions in both mainland and Zanzibar. This mission was largely successful.

A report of that mission is being prepared and will be presented to the Commission in due course.

6. African Human Rights Day Commemoration

I participated in a march past organized by various human rights institutions in Zambia to commemorate the African Human Rights Day on 21st October 2008. The march past was held in Lusaka. I also had an input in the key note address which was delivered by the Guest of Honor

REPORT OF THE ACTIVITIES BY THE SPECIAL RAPPORTEUR ON PRISONS AND CONDITIONS OF DETENTION IN AFRICA

During the inter-session period between May, 2008 and November, 2008, I was engaged in a number of activities as Special Rapporteur on Prisons and Conditions of Detention in Africa. These included the following:

1. Sample Visit of Prisons in Swaziland

During the 43rd Session held in May 2008 in Ezulwini, an arrangement was made for the members of the African Commission to visit and see some prisons in Swaziland. Three prisons were visited. These were Mawelawela Female Prison, a Juvenile male prison and an adult male prison. Although this was not a scheduled activity for my mechanism, it was extremely informative and eye opening for the Special Rapporteur on Prisons. It also opened up an opportunity for the Commission to return to Swaziland in the near future to tour the rest of the prisons and prepare a documentary on best practices. Appropriate contacts in this regard were established.

2. Meeting with Advocacy Director, Africa Division, Human Rights watch

On the 11th June, 2008, in Lusaka, I had a meeting with Mr. Jon Elliot, the Advocacy Director of the Africa Division of Human Rights Watch. He was interested in exploring ways in which his organization could collaborate with the African Commission. I explained the work of the Commission and the challenges being faced. We discussed in particular how his organization could offer *pro bono* work to victims of human rights violations who seek redress through the African Commission.

3. Meeting with the Open Society Foundation for South Africa

On the 24th September, 2008, in Lusaka, I met with Ms Louise Ehlers, Director of the Criminal Justice Initiative of the Open society Foundation for South Africa and Ms Louise Oliver from the Open Society Foundation for South Africa (OSF – SA).

The OSF - SA is a grant making organization, and is a member of the International Soros Foundation Network. The goal of the Criminal Justice Initiative (CJI) as a Programme of the OSF-SA is to build accountability within the criminal justice system with the intention of ensuring a more humane, efficient and accountable justice process with a particular emphasis on policing, courts and prisons. To date the CJI has supported or worked on projects ranging from sentencing, reform, bail and pretrial detention, legal aid, the monitoring of prison conditions, support for strategic litigation and civil advocacy.

The OSF-SA, in collaboration with the Law Programme at its sister organization, the Open Society Institute for Southern Africa (OSISA) is looking to extend the scope of its prisons and criminal justice work to include a more regional focus. We discussed the prospects of OSF-SA partnering with the African Commission and my mechanism in particular to redress some issues of human rights relating to prisons in Southern Africa.

4. Mission to Liberia

Between the 5th and the 10th September, 2008 as Special Rapporteur on prisons, I undertook a mission to Liberia. This was a joint mission undertaken with Commissioner Chairperson Justice Monageng, who is the Commissioner responsible for promotional activities in that country, and Commissioner Dupe Atoki, Chairperson of the Follow-up Committee on the Robben Island Guidelines.

We were accompanied by two legal officers, Dr. Feyih Ogunande and Mr. Sheik Hydera. As my primary interest in this mission was to visit and assess prison conditions, a report on prisons in Liberia is being prepared separately and will be presented to the Commission.

5. Contact with the African Correctional Services Association (ACSA)

In September 2008, I was invited to participate in the activities organized in Livingstone, Zambia to mark the launch of the African Correctional Services Association. The launch was attended by Commissioners of Prisons from all over Africa. ACSA replaced the Association that existed earlier for the eastern and southern African region.

ACSA is desirous of partnering with the African Commission in various issues to do with the rights and welfare of prisoners in Africa. ACSA is in the process of formulating a Convention to deal with prisons in Africa and will at an appropriate time count on the Commission to get the Convention ratified.

Conclusion

The inter session period was a fairly busy period for the Special Rapporteur. Many invitations to attend meetings and workshops related to prisoners' rights could unfortunately not be honored. The Special Rapporteur would however like to thank various stakeholders and cooperating partners who continued to draw his attention to various challenges in various countries and to extend invitations for these meetings.
