

INTER-SESSION ACTIVITY REPORT

OF THE

CHAIRPERSON OF THE FOLLOW-UP COMMITTEE ON

THE ROBBEN ISLAND GUIDELINES

INTRODUCTION

The use of torture continues to be reported in countries currently in conflict: Guinea Bissau, Somalia, Democratic Republic of Congo (DRC), Djibouti, Somaliland, Sudan, etc.

Effective prevention of torture in the face of war and strife is a Herculean task. Access to these countries for an on the spot visit is not only dangerous but invariably impracticable.

Requests by the Committee for fact-finding mission to Djibouti, Guinea Bissau, Somali, have consistently been ignored by the Governments concerned. The Committee will however take up the invitation of The Sudan to undertake a mission thereto.

Prevention of torture in countries at peace, though less hazardous, is nonetheless challenging. The Committee in its plan of action had drawn up an elaborate Regional Advocacy Programme, which it has continued to pursue vigorously from November 2007, when I took over as Chairperson. As reported in my previous Inter-Session Activity report for May to November 2008, we were able to reach law enforcement agents and other stakeholders in thirteen (13) West African countries. A follow-up programme to build on the gains of these activities, and to expand the reach of the Committee by moving to another region in the continent was designed for the current intersession.

However, I regret to say that the Committee was unable to carry out any AU sponsored programme. The Commission is again going through a dire financial situation resulting from the Budget cut on its programmes.

I am however able to report on activities carried it out with supports of partners during the intersession.

1. From 15th to 17th December 2008, I participated together with the Vice-Chair of the Robben Island Guideline follow up Committee and as resource persons, in a training of Civil Society Organisations on the Implementation of RIG in Ouagadougou, Burkina Faso. The meeting was the third of a series of training sessions organized by the Association for the Prevention of Torture (FIACAT). The three-day training seminar gathered 26 participants from 13 francophone African countries.

The programme focused mainly on monitoring places of detention and was complemented by a training visit to the central prison of Ouagadougou (MACO) on 16 December. I have several presentations on the African system on human rights promotion and protection, particularly with regards to torture. It was a good opportunity to reinforce relationship between the civil society organizations represented and the ACHPR and in particular with the RIG Committee. To conclude the visit, the RIG Committee delegations together with APT and FIACAT met with the Burkina Faso Minister of Human Rights.

2. On the 26th and 27th January 2009, I attended a workshop organized by Prisoners Rehabilitations and Welfare Action (PRAWA) in Enugu, Nigeria. The workshop sought to enhance the importance of torture investigation and documentation in the prevention of torture. Participants included legal and medical practitioners, and lecturers from Law and Medical schools. I addressed the workshop as the chairperson of the RIG and gave further visibility to the guidelines and its implementation towards the prevention of torture. This workshop had about 60 participants and it is an aspect of a project tagged “Torture Documentation and Redress Scheme” which involves follow up trainings, advocacy, facilitation of documentation and reporting of torture, as well as providing redress for victims.

3. From the 28th – 29th January 2009, I chaired a public hearing on police abuse in Ibadan city, Nigeria, organized by the Network of Police Reforms an NGO engaged in monitoring the activities of police in Nigeria. Victims publicly testified to the various violation of human rights suffered in the hands of the police whilst wrongfully detained. Torture, cruel, inhuman, degrading treatment and punishment were consistently identified as the means of extorting confessions. These testimonies were televised and reported nationwide. It was an opportunity to expose the nefarious acts of the police carried out mainly behind closed doors. At the end of the sitting, the organizing NGO will follow up with the appropriate government agency by

using the various evidence to obtain redress either through compensation or any appropriate remedy.

The organizers also held similar public hearings in two other cities in Nigeria; but I was able to attend and preside over the one held in Abuja on the 18th and 19th February 2009.

4. Following on this, another public sitting was also held in Abuja on the 18th and 19th of February 2009 by the same organization – NOPRIM. I also chaired the sitting.
5. On the 28th April 2009, I participated in a one day workshop in Abuja, Nigeria, on the “Menace of Rape in the Society”. Non-disclosure by victims was identified as a major challenge in the apprehension and punishment of violators. The workshop presented an opportunity to educate participants on the African Charter and rape, as it constitutes torture and the importance of the RIG in the prevention of torture. NGOs present were encouraged to enhance advocacy in the rural areas on the rights of rape victims.
6. With the support of the UN Human Rights, the Committee and the APT completed the publication of a *User Manual* known as the “Practical Guide for the implementation of the RIG”. The goal of the brochure is to provide national actors with suggested approach for implementing the guidelines.

RECOMMENDATION

1. To State parties – as long as war, conflict, strife are engaged to settle misunderstanding between State parties, torture CIDTP will continue to be a weapon in the hands of militant opposition. States Parties are urged to settle disputes amicably in the interest of justice and peace.
2. The Robben Island Guidelines (RIG) is in dire need of popularization; financial resources should be made available by the AU to the Committee for advocacy purposes.
3. State Parties are urged to provide forensic equipment and necessary capacity training for law enforcement officers to prevent the continued use of torture to extort confession.
4. Establishment of internal and external oversight mechanism to monitor places of detention to ensure that torture is not carried out.
5. States are urged to criminalize torture in their domestic laws.
6. States are urged to set up special funds for reparation of victims.

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