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**Intersession Activity Report of Commissioner Yeung Kam John Yeung Sik Yuen in his joint capacity as Commissioner and Chairperson of the Working Group on the Rights of Older Persons and People with Disabilities in Africa.**

**59<sup>th</sup> ORDINARY SESSION OF THE AFRICAN COMMISSION ON HUMAN AND PEOPLES' RIGHTS**

**21<sup>st</sup> October - 4<sup>th</sup> November 2016**

**Banjul, the Islamic Republic of The Gambia**

## **I. Introduction**

1. This Report is presented on the occasion of the 59<sup>th</sup> Ordinary Session of the African Commission on Human and Peoples' Rights (the Commission). It outlines my intersession activity as Commissioner, Chairperson of the Working Group on the Rights of Older Persons and Persons with Disabilities in Africa. The period covered is from the 58<sup>th</sup> Ordinary Session held in Banjul, the Islamic Republic of The Gambia (6 - 20 April 2016) to the present Session. I should mention that for reasons beyond my control I could not participate in the 58<sup>th</sup> Ordinary Session as well as in 20<sup>th</sup> Extra-Ordinary Session.

## **II. Activities in my capacity as Commissioner Rapporteur on specific countries/Report of the Promotion Mission to the Republic of Seychelles, 6-10 April 2015**

2. The report of the promotion mission to the Republic of Seychelles, which took place from 6 to 10 April 2015, is now published on the website of the Commission following its adoption at the 19<sup>th</sup> Extra-Ordinary Session. It should be recalled that after its adoption by the Commission, the Report was sent to the Republic of Seychelles, which has been requested to submit its observations within sixty days as per the Rules of Procedures of the Commission. The full final Report is accessible by following the link <http://www.achpr.org/news/2016/09/d231>.

## **III. Activities as Chairperson the Working Group on the Rights of Older Persons and Persons with Disabilities in Africa**

### **A. Follow up on the Draft Protocol to the African Charter on Human and Peoples' Rights relative to the Rights of Persons with Disabilities in Africa**

3. As chairperson of the Working Group which led the drafting of the Protocol to the African Charter on Human and Peoples' Rights relative to the Rights of Persons with Disabilities in Africa, I am closely following up on the fate of this Draft

document while it is going through the various stages of the treaty-making process within the African Union.

4. Thus, I have been officially informed by the Department of Social Affairs of the African Union Commission that the said Draft document is due to be examined during an Experts Validation Workshop to be held in Addis Ababa, Ethiopia from 29 to 30 November 2016.
5. As you may be aware, this Experts Validation Workshop is a major step in the treaty-making process of the African Union. The one which I mentioned above will consider and finalise the Draft document so that the latter is ready for consideration at the 2<sup>nd</sup> Meeting of the Specialised Technical Committee on Social Development, Labour and Employment and the Specialised Technical Committee on Justice and Legal Affairs in 2017.
6. The importance of taking you through these details is to indicate that the Draft Protocol has passed through critical steps in a relatively short period of time compared to other similar draft documents. And this is due to the constant follow up made by the Commission and the Working Group as well as the enthusiasm and dedication of colleagues within the Department of Social Affairs of the African Union Commission in handling this document from the first day it was transmitted to them.
7. I wish to express my appreciation to all stakeholders for all these efforts and encourage them to keep the momentum until the effective adoption of this very important Protocol by the General Assembly of Heads of States and Government of the African Union.

**B. Consultative Round Table on the Development of the Protocol on the Rights of Citizens to Social Protection and Social Security, and the Social Agenda 2063, Gaborone, Botswana, 22-24 June 2016**

8. At the beginning of this year the African Union Commission (AUC) engaged with the African Commission on Human and Peoples' Rights (ACHPR) to develop an additional Protocol to the African Charter on Human and Peoples' Rights on the Rights of Citizens to Social Protection and Social Security.
9. At its meeting of 24 February 2016 the ACHPR decided that the elaboration of the Protocol on Social Protection will be led by its Working Group on Economic, Social and Cultural Rights with the participation of the WG on the Rights of Older Persons and Persons with Disabilities (WG OP/PwDs).
10. I received an invitation from the AUC and in my capacity as Chairman of the WG OP/PwDs I attended a Consultative Roundtable on the Development of the Protocol on the Rights of Citizens to Social Protection and Social Security and the Social Agenda 2063 which was held in Gaborone, Botswana from 22 to 24 June 2016.
11. The main objectives of the Roundtable was to bring together the relevant officials working on Social Protection from the AUC, Secretary and WG Members of the ACHPR, UN partners, Regional Economic Communities (RECs) and experts in social protection, and selected Member States to discuss the key elements to be contained in the Protocol and the Social Agenda 2063. It is worth mentioning that two other members of the WG OP/PwDs, Mr Dube and Dr Nhongo also participated in the Round table.
12. This assignment from the Executive Council is on-going and I will update, as appropriate, all stakeholders on the participation of the Working Group in this process.

**C. Regional Workshop towards ratification of and reporting under the Convention on the Rights of Persons with Disabilities (CRPD) in commemoration of its 10th Anniversary**

13. I was invited as chairperson of the Working Group to participate in the Regional Workshop towards ratification of and reporting under the Convention on the Rights of Persons with Disabilities (CRPD) in commemoration of its 10<sup>th</sup> Anniversary. However, as I was unavailable to take part in this activity, I requested my colleague Commissioner King to represent the Working Group at the said meeting and she kindly accepted. Her intersession activity report mentions the said activity and I wish to thank her for having ably represented the Working Group on this occasion. I should also indicate that the Workshop was convened by the Committee on the Rights of Persons with Disabilities and co-hosted by the African Union Commission and the Office of the United Nations High Commissioner for Human Rights. It was held on the 5<sup>th</sup> September 2016 at the African Union Conference Center in Addis Ababa, Ethiopia.
14. The presentation delivered by the representative of the Working Group at the workshop dealt with “The African Union legal framework on the promotion and protection of the rights of persons living with disabilities; Linkages between the international and the regional African Union disabilities protection framework and practice”.
15. This participation of the Working Group in an activity convened by our counterparts within the United Nation system is one example of the close collaboration developed between both systems and it should be commended and encouraged.

**C. Consolidating the network of CSOs/NGOs focusing on the Rights of Older Persons and Persons with Disabilities**

16. This important aspect of the work of the Working Group is on-going and has started to give positive results. I have seen how involved partners have been in

preparing this 59<sup>th</sup> Ordinary Session as far as the mandate of the Working Group is concerned.

17. I am sure more can be and should be achieved on this aspect and I am calling upon all stakeholders to engage the Working Group so that formal partnerships and memoranda of understanding are established in order to do more and better for the protection and promotion of the Rights of Persons covered by the mandate of the Working Group. The 2017 work plan of the Working Group, once finalised, will be shared with stakeholders so that they have the opportunity to enrich it or make proposals of the activities they are in a position to support.

#### **D. Monitoring of the situation of Older Persons and Persons with Disabilities in Africa**

18. The Working Group monitors developments relative to its mandate and this guides its activities and actions where necessary. The visible outcome of the said monitoring is when the Working Group issues statements or press releases which are published on the website of the Commission.
19. In this regard, the 2017 activity plan of the Working Group includes the presentation of one report on the human rights situation of older persons in Africa and another one on the situation of persons with disabilities in Africa. I am therefore, calling upon all our partners and stakeholders to link up with the Working Group in order to make effective this project.
20. During the intersession, on the 1<sup>st</sup> October 2016, the Working Group celebrated the 26<sup>th</sup> International Day of Older Persons. On this occasion, a statement<sup>1</sup> was issued and published on the website of the Commission.

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<sup>1</sup> <http://www.achpr.org/news/2016/10/d244/>