Introduction

1. This Report is presented on the occasion of the 54th Ordinary Session of the African Commission on Human and Peoples’ Rights (the Commission). It outlines my intersession activity as Commissioner and Chairperson of the Working Group on the Rights of Older Persons and People with Disabilities in Africa.

[A] LDCs and Interregional Seminar

2. On 30 July 2013 I attended the Interregional Seminar to facilitate the participation of Least Developed Countries (LDCs) and Small Island Developing States (SIDS) in the Human Rights Council and its Universal Periodic Review Mechanisms. The seminar was held at Le Meridien, Pointe aux Piments. The Seminar was held under the aegis of the government of the Republic of Mauritius and the Office of the High Commissioner on Human Rights of the United Nations (OHCHR).

3. Following strong advocacy by the LDCs and the SIDS, during the review process in 2011 of the Human Rights Council (Council), for the creation of a Voluntary Technical Assistance Trust Fund (Trust Fund) to provide support to resolve the difficulties they encounter to fully participate and contribute in the work of the Council, a resolution was adopted in 2012 by the Council setting out the modalities of the Trust Fund.

4. That first seminar for the capacity building of the LDCs and the SIDS which was attended by participants from 14 States, including 7 from Africa, was held with the express support of the Trust Fund.
[B] Drafting an African Protocol on People with Disabilities

5. It will be recalled that the Africa Union (AU) 36th Assembly of Heads of State and Governments, held in Lome, Togo, in 2000, declared 1999-2009 as the African Decade for Persons with Disabilities. At the meeting of African Union Ministers for Social Development in Khartoum, Sudan in 2010, the AU extended the African Decade to 2010 – 2019.

6. As part of facilitating an African mechanism for Persons with Disabilities, the Working Group on the Rights of Older Persons and People with Disabilities in Africa, with the support of the Secretariat of African Decade of Persons with Disabilities has begun the work towards drafting an African Protocol on People with Disabilities.

7. On 21 October 2013, I participated in a Working Lunch Meeting aimed at raising disability rights issues with partners and experts in the areas of disability rights for strategic and long-term engagement. This will enhance regional solidarity on disability rights and long term engagement. There is already a zero draft which has been prepared by our new Commissioner Lawrence Mute with the assistance of the African Decade which has a member in the person of Mr A.K. Dube serving on the Working Group. There are new developments ((finance wise) which may enable the Working Group to meet and engage in necessary discussions with an enlarged partnership in the course of this year.

8. The Working Group has been following up with the African Union Commission on the adoption by the Heads of State and Government and the implementation of the Draft Protocol on the Rights of Older Persons which was adopted at the 52nd Ordinary Session of the African Commission on Human and Peoples’ Rights held in Yamoussoukro, Cote D’Ivoire. You will recall that this Draft Protocol brings to life Article 18(4) of the African Charter which stipulates that “the aged and the disabled shall also have the right to special measures of protection in keeping with their physical or moral needs.” The Draft Protocol urges African
Governments to institute measures aimed at addressing the needs of older persons such as access to regular incomes; equitable distribution of resources; employment opportunities; access to appropriate health services; access to basic social services such as food, water, clothing and shelter; access to good care and support from the family, the state and private organizations; recognition of their contribution towards the care of persons with AIDS and orphans; respect and recognition of the role and contribution that older persons make to society; and a recognition of their special needs in emergency situations.

[C] Draft Protocol on the Rights of Older Persons

9. On 13 August 2013 I attended a seminar on at the invitation of the United Nations’ Open Ended Working Group on the Rights of Older Persons. It was held at the United Nations in New York and I gave an update on the African process as one of the 3 panellists. The two other panelists were from the Council of Europe and from the Inter-American Commission on Human Rights.


11. Its Recommendation II.(a) further calls upon the AU Commission and Regional Economic Communities “to proactively advocate for the ratification and implementation of the Protocol to the African Charter of Human and Peoples’ Rights on the Rights of Older Persons in Africa and accelerated implementation of the AU Framework and Plan of Action on Ageing”

COMMISSIONER YEUNG SIK YUEN

54TH ORDINARY SESSION
12. There is still therefore a process to follow on the Protocol and I hope that all stakeholders will work together to ensure that it is finally adopted by the Heads of State and Government.

13. From 18 to 20 October, as a preamble to the 54th Ordinary Session of the African Commission, was held the NGOs’ Forum at Kairaba Hotel. Also this time, a Consultative Meeting of the National Human Rights Institutions (NHRIs) was held at the Ocean Bay Hotel. I participated in a number of meetings with NGOs concerned with the rights of persons with disabilities including persons suffering from albinism. I also participated in a meeting with NGOs concerned with the protection of women’s rights, and more particularly land rights.