INTER-SESSION ACTIVITY REPORT
(November 2017 – April 2018)

OF

HONOURABLE COMMISSIONER JAMESINA ESSIE L. KING

AS

A member of the African Commission on Human and Peoples’ Rights;

The Chairperson of the Working Group on Economic, Social and Cultural Rights in Africa;

The Chairperson of the Committee on Resolutions;

A member of the Working Group on Indigenous Populations/Communities in Africa;

AND

A member of the Working Group on Extractive Industries, the Environment and Human Rights Violations;

Presented to the 62nd Ordinary Session of the African Commission on Human and Peoples’ Rights

Nouakchott, Mauritania
25th April to 09 May 2018
INTRODUCTION

This report is prepared in accordance with Rules 23(3) and 72 of the Rules of Procedure of the African Commission on Human and Peoples’ Rights (the Commission).

I present this report in my capacities as a member of the Commission; as the Chairperson of the Working Group on Economic Social and Cultural Rights in Africa, as the Chairperson of the Committee on Resolutions, as a member of the Working Group on Indigenous Populations/Communities in Africa and as a member of the Working Group on Extractive Industries, the Environment and Human Rights Violations.

The Report covers activities carried out during the intersession period between 02 November 2017 and 24 April 2018 and is structured in two parts as follows:

- Part I – Activities undertaken in my capacity as a Member of the Commission;
- Part II – Activities undertaken in my capacity as Chairperson of the Working Group on Economic Social and Cultural Rights in Africa

I. ACTIVITIES UNDERTAKEN IN MY CAPACITY AS A MEMBER OF THE COMMISSION

- 01 – 15 November 2017, Banjul, The Gambia – Appointment as Chairperson of the Resolution’s Committee of the Commission

  1. At the 61st Ordinary Session, I was appointed Chairperson of the Resolutions Committee pursuant to Resolution ACHPR/Res. 390(LXI) 2017 of the Commission. I am grateful to my fellow Commissioners for entrusting me with the responsibility to lead the substantial work of the Commission as far as Resolutions are concerned.

Extraordinary Session of the African Commission on Human and Peoples’ Rights

2. In accordance with Rule 27 of its Rules of Procedure, the Commission held its 23rd Extraordinary Session from 13 to 22 February 2018 in Banjul, The Gambia. I participated in the activities of the said Session as highlighted in the Final Communiqué which is accessible on the website of the Commission at:

http://www.achpr.org/sessions/23rd-eos/info/communique-23eos/

➤ 12 March 208, Geneva, Switzerland – Participation in a session of the United Nations on Eritrea

3. Due to my unavailability, my colleague Commissioner Rémy Ngoy Lumbu attended the March session on the Republic of Eritrea organized by the United Nations in Geneva on my behalf.

4. The Intersession activity report of Commissioner Lumbu highlights the discussions which took place at this event and I would like to extend my gratitude to my colleague for representing the Commission in my stead at this important event.

➤ 23 April 2018, Nouakchott, Mauritania – Participation at the NGO Forum

5. I attended and participated in the NGO Forum held prior to the 62nd Ordinary Session in Nouakchott, Mauritania.

➤ 27 April 2018 – Letter sent to the Republic of Zimbabwe

6. In my capacity as Commissioner Rapporteur for Zimbabwe and together with my colleague, Commissioner Maria Teresa Manuela, the Special Rapporteur on Prisons, Conditions of Detention and Policing in Africa, we forwarded, on 27 April 2018, a letter to the President of Republic of Zimbabwe following the
amnesty granted in March 2018 to 3000 prisoners.

7. In this letter, we congratulated the country for this positive development and encouraged the Government to undertake more actions aimed at improving the human rights record of the country.

8. We also took the opportunity in this letter to request a promotion mission of the Commission to the country with a view towards evaluating the level of implementation of the Charter by the Republic of Zimbabwe and to reopen the constructive dialogue between the country and the Commission. It should be recalled that the last country visit of the Commission was in 2002.

➢ 25 April to 09 May 2018, Nouakchott, Mauritania – State Reporting

9. As Commissioner responsible for the human rights situation in the Republic of Eritrea, I want to take this opportunity to commend the Republic of Eritrea for submitting its initial and combined State Report on the implementation of the African Charter, which was long overdue. I hope the State will continue to engage with the Commission and will fulfil their reporting obligation in a timely manner in accordance with Article 62 of the African Charter on Human and Peoples’ Rights (the African Charter).

II. Activities undertaken in my capacity as Chairperson of the Working Group on Economic, Social and Cultural Rights in Africa

➢ 24 April 2018, Nouakchott, Mauritania – Meeting of the Working Group on the development of the Guidelines on the implementation of the right to water in Africa

10. This meeting reviewed the Draft Guidelines on the Implementation of the Right to Water in Africa. This document will be posted on the website for comments and suggestions from stakeholders, which will improve the document before its presentation and adoption by the Commission.
11. The need to build a broad consensus on the document seeks to enable its implementation without hindrance because all stakeholders would have participated in its elaboration and would understand its substance, which they would have accepted to give full effect.

12. I, therefore, take this opportunity to thank the members of the Working Group who have tirelessly worked on this document up to now; especially the lead expert Ms. Helene Ramos dos Santos.

- Development of a Protocol to the African Charter on Human and Peoples’ Rights on the Rights of Citizens to Social Protection and Social Security

13. The Second Draft of the Protocol to the African Charter on Human and Peoples’ Rights on the Rights of Citizens to Social Protection and Social Security is ready in the original draft language (English) and is currently under translation into the other working languages of the African Union. This aims at completing its adoption process at the level of the Working Groups within the Commission working on its elaboration.

14. After the adoption of the First Draft at the joint meeting held in Algiers (Algeria) on 16 and 17 July 2017 on which I reported on in my last intersession activity report, this Second Draft is the result of further consultations amongst members of the task force and the drafters of the document during the intersession.

15. Plans are that the current Second Draft of the Protocol would be considered and adopted by the Commission after incorporating comments and inputs from the public. It is our expectation that this process would be finalised by late 2018 so that the Draft Protocol can be submitted to the treaty-making process of the African Union as soon as possible due to the critical nature of
this envisioned treaty.

➢ **30 March 2018, Nouakchott, Mauritania – Panel Discussion on Social Protection as a Human Rights Imperative in Africa**

16. In light of the ongoing development of the Draft Protocol to the African Charter on Human and Peoples’ Rights on the Rights of Citizens to Social Protection and Social Security, I moderated a Panel Discussion at the 62nd Ordinary Session on the topic of Social Protection as a Human Rights Imperative. The aim was to continue to raise awareness about Social Protection and the need for a Protocol that speaks to it.

➢ **Reactions to developments relative to economic, social and cultural rights in Africa**

17. During the intersession, my special mandate associated itself with two initiatives of other special mandates holders, country Commissioner Rapporteur and the African Committee of Experts on the Rights and Welfare of the Child.

18. Thus, I joined the press release issued on 1st March 2018 by my colleague Commissioner Lucy Asuagbor, Country Rapporteur for Nigeria.

19. The press release was relative to the alleged abduction of schoolgirls in Yobe State, Federal Republic of Nigeria. The press release which strongly condemned the abduction is available in its full version on:


20. I equally associated my special mandate to the Urgent Appeal to the Government of Uganda which was a joint action of the Commission and the
African Committee of Experts on the Rights and Welfare of the Child on reports of child labour in the gold mines sector. On reports of the use of child labour in the Gold mines. The special mandates involved at the level of the Commission are the one I am responsible for and the Working Group on Extractive Industries, Environment and Human Rights Violations, chaired by my colleague Commissioner Solomon Dersso.

- **Other undertakings or actions**

  21. In February 2018, I contributed to a publication from our partner, The Dullah Omar Institute which will soon be released and shared with the public in due course. My contribution to the said publication shared my views on the work of the Commission relating to the status of implementation of economic, social and cultural rights in Africa.

**III. Conclusion**

  22. In conclusion, I wish to continue to remind State Parties that freedom, equality, justice and dignity of all individuals on the continent cannot be attained without the full enjoyment and protection of economic, social and cultural rights enshrined in the Charter.

  23. I, therefore, want to urge State Parties to demonstrate their commitment to the effective enjoyment of these rights by taking timely, concrete and practical interventions, including the mobilization and utilization of resources for achieving economic, social and cultural rights for everyone without discrimination.

  24. I also wish to commend those State Parties whose efforts have led to improved quality of life of their citizens in the areas of health, education, housing, food, water and employment and will encourage sharing of these best practices to advance the A.U’s Agenda 2063, envisaging a prosperous Africa based on
inclusive growth, sustainable development where there is a high standard of living, quality of life and well-being for all citizens.

Thank You!