
61st ORDINARY SESSION OF THE AFRICAN COMMISSION ON HUMAN AND PEOPLES' RIGHTS

1st to 15th November 2017

Banjul, Republic of The Gambia
Introduction

1. This Report is presented on the occasion of the 61st 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; and other activities carried out under my supervision as Chairperson of the said Working Group. The period covered is from the 60th Ordinary Session held in Niamey, Niger (8th to 22nd May 2017) to the present Session.

2. For reasons beyond my control I could not attend the 60th Ordinary Session of the Commission as well as its 22nd Extra-Ordinary Session.

A. Participation in the 10th Conference of the State Parties to the Convention on the Rights of Persons with Disabilities


4. I participated as a panellist in two workshops and advocated the necessity of having a regional Protocol on the Rights of Persons with Disabilities in Africa which caters for specific African situations. It was a very well attended conference which mustered the participation of stakeholders from worldwide.


6. A taskforce consisting of Commissioners King, Soyata Maiga, Sahli-Fadel and myself as well as a number of African stakeholders, met in Algiers in the above
mentioned workshop to review the first version of the Draft Protocol which had been prepared by Dr Nhongo and Professor Olivier, the two experts commissioned to undertake that task.

7. A revised copy of that Draft would be placed on the website of the Commission and observations from the public and stakeholders would be called for. These will be considered by the taskforce in a follow up meeting in a view to submit the outcome document of the work of this taskforce to the adoption of the Commission and onward transmission to the treaty-making process of the African Union

C. Banjul, 1st October 2017 – Statement on the occasion of the International Day of Older Persons

8. On 1st October 2017, to mark the 27th Anniversary of the International Day of Older Persons (IDOP) the Working Group issued a statement which has been posted on the website of the Commission1.

D. Address on Maputo Protocol - 21 September 2017

9. In the context of the ratification of the Maputo Protocol by Mauritius, I was invited to make an address together with Commissioner Asuagbor2 at the University of Mauritius. The title of my intervention was “Compatibility of Mauritian Law with the Maputo Protocol.”

E. Collaboration with partners of the Working Group

i. Working visit of ADA to the Secretariat of the Commission

10. From 26 June to 1st July 2017, a delegation3 of Africa Disability Alliance (ADA)4 visited The Gambia and had a working session with the focal person of the Working Group I chair within the secretariat of the Commission.

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2 Commissioner Asuagbor is the Special Rapporteur on the Rights of Women in Africa.
3 The delegation comprised Mr. AK Dube, Chief Executive Officer Africa Disability Alliance; Mr. Ignatius Dube, Mr. Dube’s Personal Assistant; and Ms. Mpho Pauline Ndebele, Director Programme and International Relations.
11. The meeting was an occasion for the focal person to elaborate extensively on the mandate, actions, perspectives as well as challenges of the Working Group.

12. ADA was also enlightened on the structural and operational layers of the Commission and on how it could further its collaboration with the Working Group and the Commission as a whole in a view to mainstream the rights of persons with disabilities in the overall work of the Commission.

13. A memorandum of understanding between the Working Group and ADA is being discussed as an outcome of this working visit. It would guide the collaboration of both entities and would include a specific roadmap of the envisioned formal collaboration.

i. **Celebration of IDOP: Discussions with HelpAge and Ageing with a Smile Initiative**

14. The 2017 edition of the IDOP was subject to discussions between HelpAge\(^5\), Ageing with a Smile Initiative and the Working Group. Discussions were around the idea of having a joint celebration of the event for this edition if possible and institutionalise this practice for the coming years.

15. Unfortunately, due to scarcity of funds, the proposals contained in the concept note developed by Ageing with a Smile Initiative with the inputs of HelpAge and the Working Group could not materialise and parties agreed to look for funds and ensure that the 2018 edition of IDOP is celebrated as per the conclusions of the 2017 discussions on the issue between these three partners.

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\(^4\) The Africa Disability Alliance (ADA) is a disability-led technical agency deriving its mandate from the African continental human rights movement of organisations of persons with disabilities that constitute its membership. The ADA works on and utilise a broad range of policy tools in disability programming and implementation processes. With the headquarters in Pretoria, South Africa, and a regional office in Addis Ababa, Ethiopia, ADA has been able to provide technical assistance on disability mainstreaming to the African Union Commission, the African Commission on Human and Peoples Rights in the drafting of the Disability Protocol, the Pan African Parliament on the elaboration of the concept towards drafting a Model Law On Disability in Africa.

\(^5\) HelpAge International was represented by its International & Regional Policies Coordinator, Mrs Roseline Kihumba; and Ageing with a Smile Initiative was represented by its Secretary General Mr Balla Musa Joof.
Conclusion

16. I would like to end this report by sharing with you an initiative from the Public Utilities Regulatory Authority (PURA) of the Host Country of the Commission, The Gambia.

17. In September 2017, I received a report of a meeting between the Secretariat of the Commission and PURA in which I learnt that the latter plans to organise on 11th November 2017, an event they named “Consumer Parliament specifically targeted at challenged groups and their use of regulated entities”.

18. I found this initiative highly interesting and a very proactive way to give effect to the rights of persons with disabilities as the said activity would give a platform to persons with disabilities to voice their concerns and views on public utilities in the country.

19. I was particularly pleased with PURA’s initiative since most of the time; one of the biggest challenges of vulnerable groups remains the lack of fora to express themselves on matters affecting them.

20. I believe this initiative of PURA is worth emulating as a good practice by authorities involved with the promotion and protection of the rights of persons with disabilities in other countries.

21. I therefore support fully this initiative and wish PURA successful deliberations which I am sure the outcome would be shared with the Working Group.

22. I cannot conclude without availing myself with the occasion of the 30th anniversary of the coming into operation of the Commission to thank all stakeholders who support the work of the Working Group and mention that the latter has achieved much in discharging its mandate as per the Resolution which established it.

23. In fact, the two international instruments it was mandated to draft have been completed at the level of the Working Group and are currently in the AU treaty

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6 The Protocol on the Rights of Older Persons in Africa is treaty of the African Union since its 26th Summit held in January 2016 in Addis Ababa, Ethiopia; as for the Draft Protocol on the Rights of Persons with
making process. State Parties are therefore urged to sign, ratify or support the adoption process of the said instruments.

24. Further, the Working Group was co-tasked with drafting a Protocol on the Rights of Citizens to Social Protection and Social Security in Africa; which it is currently working on together with the Working Group on Economic, Social and Cultural Rights. This report has earlier touched on the progress on this process.

25. Thus, the unexplored field of the mandate remains the areas of systematic research, comprehensive monitoring and compilation of data and good practices regarding the rights of older persons and persons with disabilities in Africa.

26. Hopefully, the coming year would see a beginning of this part of the mandate of the Working Group.

I thank you for your kind attention.