

ACHPR/Res.133 (XXXXIV)08: RESOLUTION ON ELECTIONS IN AFRICA

The African Commission on Human and Peoples' Rights, meeting at its 44th Ordinary Session held in Abuja, Federal Republic of Nigeria, from 10 to 24 November 2008;

RECALLING the obligation contained in the African Charter on Human and Peoples' Rights to take the sub-regional, regional and international human rights instruments into account;

CONSCIOUS of the important progress made by the African Union through the adoption in 2002 of the declaration on the principles governing democratic elections in Africa which stipulates that « *the holding of democratic elections constitutes an important dimension in the prevention, management and resolution of conflicts* »;

ENCOURAGED by the adoption of the African Charter on democracy, elections and governance in January 2007;

CONCERNED that only one country has ratified the African Charter on democracy, elections and governance to ensure its urgent entry into force;

PREOCCUPIED by the recent developments which culminated in the failure of the electoral and transitional process in several countries of the Continent;

DEEPLY CONCERNED by the serious deterioration of the human rights situation in certain African countries before, during, and after the election periods especially in respect of the humanitarian situation;

NOTING of the escalation of political violence and internal population displacements and their negative effects on the elections;

1. **CALLS on** the States Parties to:

- **Ratify** the African Charter on democracy, election and governance; and conform to their obligations under the terms of the African Charter on Human and Peoples' Rights, the African Charter on democracy, elections and governance, the AU declaration on the principles governing democratic elections in Africa and the other regional and national guidelines in the area of elections;
- **Recognise** the right to existence of the various political parties and the right to **multiparty** democracy;

- **Guarantee** the independence of the Institution responsible for the management of elections before, during and after the holding of any election;
 - **Provide** sufficient resources for the strengthening of the national institutions responsible for elections management so as to guarantee their independence and their **ability** to exercise their mandate without fear or favour;
 - **Respect** the Rule of Law and the independence of the **judiciary** which is essential for the realization of free and fair elections in Africa.
2. **Urges** all political parties and candidates at every level of electoral process to respect the election laws and regulations including the legal process for challenging any election results.
 3. **Deplores** the emerging trends in establishing government of national unity, which in certain cases legitimize undemocratic elections.
 4. **Recommends** that, where necessary, the establishment of a government of national unity must be inclusive and reflective of the elections results.
 5. **Urges** leaders of political parties and candidates to put the general interest of the people at the center of the electoral process.