

ACHPR/Res.232 (EXT.OS/XIII) 2013: RESOLUTIONS ON ELECTIONS IN AFRICA

The African Commission on Human and Peoples' Rights, meeting at its 13th Extra-Ordinary Session, held in Banjul, The Gambia, from 19 to 25 February 2013;

Recalling its mandate to promote human and peoples' rights under the African Charter on Human and Peoples' Rights (the African Charter);

Recalling further Article 13(1) of the African Charter which stipulates that *"every citizen shall have the right to participate freely in the government of his country, either directly or through freely chosen representatives in accordance with the provisions of the law;"*

Considering the African Charter on Democracy, Elections and Governance which emphasizes the importance of entrenching in the Continent, a political culture of change of power based on the holding of regular, free, fair and transparent elections conducted by competent, independent and impartial national electoral bodies;

Bearing in mind its previous Resolutions on the Electoral Process and Participatory Governance in Africa;

Emphasizing the importance of peaceful, free, fair and transparent elections and referenda, in addition to full respect of the results, to the maintenance of peace and security in the region;

Noting that elections will be held in the Republic of Kenya, the Republic of Mali and the Republic of Tunisia, and also that a referendum on the constitution will be held in the Republic of Zimbabwe in 2013;

Deeply concerned by the serious deterioration of the human rights situation in certain African countries before, during, and after the election periods and the irregularities surrounding electoral processes that can lead to the breakdown of democracy;

Calls upon State Parties to the African Charter holding elections in 2013 to:

1. Respect their obligations under the African Charter, in addition to other regional and international human rights conventions, and take all necessary measures to preserve and protect the credibility of the electoral process;
2. Ensure that all parties participating in the elections, in particular the opposition parties, are allowed to conduct their campaign freely;
3. Ensure that citizens exercise their right to vote in a peaceful environment free of intimidation and violence;

4. Urge political parties to ensure that their supporters do not engage in, or incite, acts of violence either before, during or after the elections;
5. Allow the participation of election observers to observe the entire electoral process;
6. Respect the independence of the institution responsible for the management of elections and provide sufficient resources to strengthen them;
7. Take all measures to prevent, investigate and prosecute human rights violations which occur during the election period, and provide adequate redress to victims.

Reiterates its appeal to all State Parties who have not done so, to ratify the African Charter on Democracy, Elections and Governance and to ensure its effective implementation without delay.

Done in Banjul, The Gambia, 25 February 2013