

ACHPR/Res.307 (EXT.OS/ XVIII) 2015: Resolution on the Development of Guidelines on Access to Information and Elections in Africa

The African Commission on Human and Peoples' Rights meeting at its 18th Extra-Ordinary Session held in Nairobi, Kenya from 29 July to 07 August 2015;

Recalling its mandate to promote human and peoples' rights in accordance with Article 45 of the African Charter on Human and Peoples' Rights (the African Charter);

Recalling further Article 13(1) of the African Charter which provides 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;'

Underscoring its previous resolutions on elections and participatory governance in Africa, in particular: Resolutions ACHPR/Res.23(XIX)1996; ACHPR/Res.184(EXT.OS/IX)2011; ACHPR/Res.232(EXT.OS/XIII)2013; ACHPR/Res.239(EXT.OS/XIV)2013; ACHPR/Res.272(LV) 2014; and ACHPR Res. ACHPR/Res.293(EXT.OS/xvii)2015;

Reaffirming the importance of peaceful, free, fair and transparent elections and referenda, for the maintenance of peace and security in Africa;

Recognizing the right of access to information as enshrined in Article 9 of the African Charter, as further elaborated by Resolution ACHPR/Res.62 (XXXII) 02 on the adoption of the Declaration of Principles on Freedom of Expression in Africa of 2002;

Mindful of the importance of the right of access to information as an essential tool for strengthening democracy, good governance and citizen participation in public affairs, which are in themselves, indispensable to the creation of a conducive environment for free, fair and transparent elections;

Cognizant that the African Charter on Democracy, Elections and Governance recognizes the need to promote best practices in the management of regular, transparent, free and fair elections for the purposes of political stability and good governance in Africa;

Concerned that there exists no regional standard on the role of access to information in the electoral process, as a means of

guaranteeing the credibility of elections in Member States and the overall strengthening of democratic governance in Africa;

The Commission:

- i. Calls on the Special Rapporteur on Freedom of Expression and Access to Information (the Special Rapporteur) to develop Guidelines on Access to Information and Elections;
- ii. Requests the Special Rapporteur to report on the progress;
- iii. Urges Member States, civil society and other stakeholders, to collaborate with the Special Rapporteur by contributing to the process of drafting the Guidelines.

Adopted, on 07 August 2015, during the 18th Extra-Ordinary Session, in Nairobi, Republic of Kenya