

ACHPR/Res. 435 (EXT.OS/ XXVI1) 2020: Resolution on the Post-Election crisis in the Republic of Guinea Bissau

The African Commission on Human and Peoples' Rights (the Commission) meeting at its 27th Extraordinary Session, held from 19 February to 04 March 2020 in Banjul, The Gambia:

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

Recalling the provisions of Articles 13 and 23 of the African Charter, which provide for the right of all peoples to peace and security;

Considering the African Charter on Democracy, Elections and Governance (African Charter on Democracy) in its Articles 3, 4 and 17 (1), (2) and (4), which emphasizes the importance of consolidating the political culture of power change on the continent, based on the holding of regular, free, fair and transparent elections, conducted by competent, independent and impartial national election bodies, as well as the commitment by political stakeholders to accept the results of the election or challenge them through exclusively legal channels;

Considering the importance of peaceful, free and transparent elections and referenda, and the respect for electoral results in order to maintain peace and security in the region in particular and the continent in general;

Considering the situation of instability experienced in the Republic of Guinea Bissau as a result of the disputed results of the second round of the presidential elections;

Recalling that the deterioration in the country's political situation is reflected in the negative functioning of state institutions and, more directly, in the enjoyment of rights and guarantees by citizens, as well as in a decline in democracy;

Concerned at the insecurity that has gradually taken hold since last December and which has worsened over the last weekend of February 2020;

Deeply concerned with the actions of the Armed Forces in occupying buildings of State and Government bodies, which could compromise the regular functioning of these bodies and affect the exercise of citizens' rights and freedoms;

Recalling the relevant decisions and communiqués adopted by the Assembly of Heads of State and Government of Africa on the respect for the outcomes of the elections;

Recalling the recommendations in the press releases and appeals made by the Peace and Security Council, ECOWAS, the Community of Portuguese speaking countries (CPLP), as well as those adopted by the United Nations bodies, on the need to respect state institutions;

Recalling Resolution ACHPR/Res.32(XXIV)98 on the peace process in Guinea Bissau;

The Commission:

- i. calls on the sovereign institutions of Guinea Bissau to comply with their obligations under the African Charter on Human and Peoples' Rights, the Constitutive Act of the African Union and other relevant instruments to which the country is a State Party;
- ii. urges all political stakeholders to take all necessary steps to avoid any actions that would undermine the completion of this process;
- iii. further urges for respect for state institutions which are the guarantors of the fundamental rights and freedoms enshrined in the Constitution of the Republic of Guinea Bissau and the regional and international instruments to which it is a party;
- iv. condemns actions by military forces in the country that interfere with the normal functioning of state institutions;
- v. calls on all the relevant international, regional and national stakeholders to put their good offices at the service of the people of Guinea Bissau, so that the crisis that has taken hold in can be resolved and the people can enjoy their right to peace and security, which are so important for their economic, social and cultural development;
- vi. calls on the African Union, ECOWAS, CPLP, Portuguese-speaking African countries (PALOP) and the United Nations to start a process for the stabilisation and peaceful resolution of the crisis.

The Commission will closely monitor the human rights situation in the country.

Done in Banjul, Republic of The Gambia, on 04 March 2020.