



AFRICAN CHARTER ON DEMOCRACY, ELECTIONS & GOVERNANCE PROVISIONS

SIMPLIFIED

#KnowACDEG



Sweden
Sverige



Co-funded by
the European Union

What ACDEG is all about

The Charter serves as a comprehensive framework that defines the international standards for good governance and democratic practices across the African continent.



When was ACDEG Adopted?

ACDEG was adopted on January 30, 2007, entering into force on February 15, 2012. So far, the Charter has been signed by 46 countries, with 39 having ratified and deposited the instrument.



How CSOs can support the ACDEG Agenda

- Popularising and ensuring the uptake of ACDEG
- Advocacy, awareness raising, agenda setting in some cases, asking countries to uphold their commitment to report on ACDEG implementation
- Increasing in-country domestication and implementation of ACDEG, inform voters, build capacity (of citizens, other stakeholders, or of officials)



ACDEG seeks to

- Promote universal values and principles of democracy, popular participation, electoral and good governance, the rule of law, human rights and people's rights in Africa
- Promote representative systems of government in Africa
- Guard against the unconstitutional changes of governments that may cause insecurity, instability and violent conflict in Africa
- Promote constitutional changes and transition of power through free, fair, transparent and credible elections



Why should citizens know about ACDEG?

- Equip them with the knowledge of agreed principles by the AU for the betterment of good governance on the African continent
- Enable people to demand the implementation of ACDEG
- Enable citizens to demand the alignment of ACDEG principles with domestic laws



PREAMBLE: AU MEMBER STATES ARE COMMITTED TO:

- The laid down objectives and principles and values of electoral and good governance, upholding of human rights, popular participation by citizens and the rule of law
- The AU and Regional Economic Communities' (RECs) efforts to maintain peace, guard against unconstitutional change of government, promote and consolidate democracy and right to development
- Entrench 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
- The implementation of ACDEG, solidarity among African countries and the creation of an environment conducive for peaceful environments, security, development and protection and promotion of human rights

CHAPTER 1: DEFINITIONS

ARTICLE 1

Focuses on meanings of expressions used in the Charter.

CHAPTER 2-3: ACDEG OBJECTIVES AND PRINCIPLES



ARTICLES 2-3

- Promote adherence, by each State Party to universal values and principles of democracy and respect for human rights
- Conduct of regular, free, fair and transparent elections and democratic change of governments
- Promote and enhance adherence to the rule of law and respect for constitutions and constitutional order
- Prohibit, reject or condemn unconstitutional change of government which is a source of uprisings and serious threat to stability, peace, security and development in Africa
- Separation of powers, promoting and protecting the independence of the Judiciary
- Multiparty politics, tolerance and promotion of representative systems of government
- Coordination of governance policies that promote regional and continental integration
- Promote fight against corruption in conformity with AU 2003 Convention on Prevention and Combating Corruption
- Promote conditions that foster citizen participation, transparency, access to information, freedom of the press and accountability
- Promote gender balance and equality in governance and all developmental processes
- Enhance cooperation between the Union, the RECs and International Community on democracy and elections
- Best practices for managing credible elections and for the purpose of political stability and good governance

CHAPTER 4: DEMOCRACY, PRINCIPLE OF RULE OF LAW AND HUMAN RIGHTS



ARTICLES 4-10

- Promotion of democracy, principle of the rule of law and human rights
- Recognising popular participation through universal suffrage as the inalienable right of people
- Constitutional rule, particularly constitutional transfer and or transition of power
- Fundamental freedoms and human rights, their universality, interdependence and indivisibility
- Measures that reinforce the Organ in areas of protection, promotion and preservation of human rights and fighting impunity
- Elimination of all forms of discrimination based on political opinion, gender, ethnicity, religious, vulnerability and other categories of marginalisation
- Adoption of legislative and administrative measures guaranteeing rights of women, persons with disabilities, refugees, displaced persons, among other marginalised groups
- Respect for ethnic, cultural and religious diversity as a way of strengthening democracy and popular participation
- Policies designed and implemented to advance sustainable development and the well-being of African people
- Protection of the right to equality before the law and equal protection by the law as fundamental precondition for a just and democratic society
- Entrench the of the Constitution in the political organisation of the State

CHAPTER 5: CULTURE OF DEMOCRACY AND PEACE



ARTICLES 11-13

- Develop the necessary legislative and policy frameworks that promote a culture of democracy and peace
- Implement and carry out programmes and activities designed to promote democratic principles and practices
- State Parties to promote good governance, strengthen institutions to entrench culture of democracy and create conducive conditions for CSOs to exist and operate within the law,
- Ensure peace and transparency through political and social dialogues as well as public transparency between political leaders and the people they lead.

CHAPTER 6: DEMOCRATIC INSTITUTIONS



ARTICLES 14–16

- Strengthen and institutionalise constitutional civilian control over armed and security forces to ensure consolidation of democracy and constitutional order
- Take legislative and regulatory measures and action to deal with those who try to remove elected representative governments in accordance with the law
- State Parties to cooperate in dealing with those who try to unconstitutionally remove elected representatives
- Establish well-resourced, accountable, independent constitutional public institutions that effectively support democratic and constitutional processes
- Work together at regional and continental levels in building and consolidating democracy through best practices and inter-state sharing of experiences.

CHAPTER 7: DEMOCRATIC ELECTIONS



ARTICLES 17–22

- State Parties affirm to conducting regular, transparent, free and fair elections in accordance with the Union's Declaration on Principles Governing Democratic Elections in Africa
- Establish national electoral bodies responsible for managing elections
- Ensure timely Electoral Disputes Resolution (EDR)
- Ensure fair and equitable access by all political parties to state-controlled media during elections
- Ensure there is a binding code of conduct that include commitment for accepting or challenging electoral results through legal channels
- Request the AU Commission through Democracy and Electoral Assistance Unit to provide advisory services to reinforce electoral institutions, if need be
- State Parties expected to inform the Commission of scheduled elections and invite it to send an EOM
- Create conducive environment for independent and impartial EOMs, made up of qualified African experts from parliaments, judiciary, CSOs, academia, media, private sector, among others

CHAPTER 8: SANCTIONS IN CASES OF UNCONSTITUTIONAL CHANGES OF GOVERNMENT



ARTICLES 23–26

- State Parties agree that change of democratically elected governments by a coup or putsch, mercenaries, dissidents, as well as incumbent governments that are willing to hand-over power or make unlawful amendments that infringe on the principles of democratic change of government are all illegal and therefore unconstitutional.
- Unconstitutional change of power requires (i) the AU Peace and Security Council to step in, exercise its responsibilities and maintain constitutional order (ii) Suspension of State from its right to participate in activities of the AU
- The Peace and Security Council to lift sanctions once the situation that led to suspension is resolved

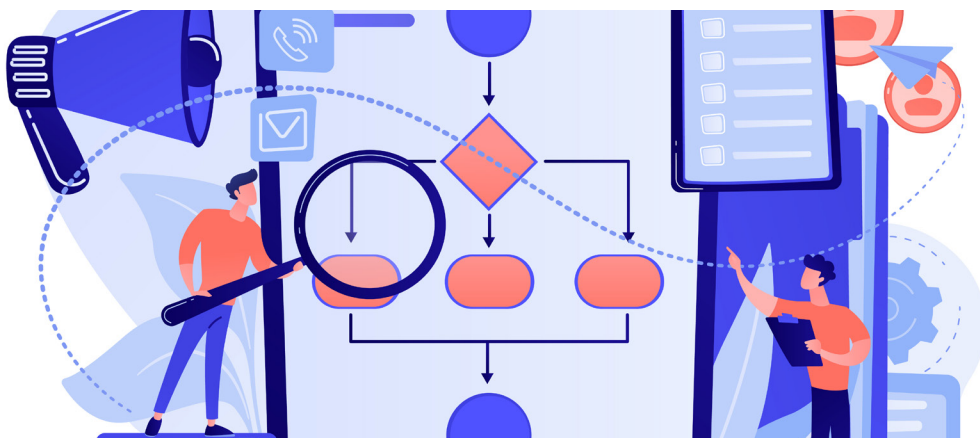
CHAPTER 9: POLITICAL, ECONOMIC AND SOCIAL GOVERNANCE



ARTICLES 27–43

- State Parties to strengthen parliament and legally recognised political parties to perform their functions
- Promote, ensure and protect strong partnerships and dialogue with CSOs and private sector
- Efficient and effective public sector management and combating of corruption
- Recognise the critical and key role women play in strengthening democracy and development and allow for their full participation
- Increase integration and effectiveness of traditional authorities in larger democratic system
- State Parties to decentralise power to democratically elected local authorities as provided in national laws
- Working to achieve human security and development through the SDGs
- Undertake to provide and enable access to efficient social service delivery
- Ensuring systematic civic education to encourage full participation of all social groups with special needs

CHAPTER 10: MECHANISMS FOR APPLICATION



ARTICLES 44–45

- At the national level, states commit to domesticate and implement ACDEG through legislative, executive and administrative actions
- At the continental level, the AU Commission commits to develop implementation benchmarks, provide assistance to states and coordinate and monitor implementation of ACEDG. The Commission to further promote creation of favourable conditions for democratic governance to thrive
- At the regional level, RECs commit to establish a framework for cooperation on the implementation of the Charter, encouraging member states to ratify, adhere to the objectives and principles

CHAPTER 11: FINAL CLAUSES



ARTICLES 46–53

- In conformity of the Constitutive Act and the Protocol Relating to Establishment of the Peace and Security Council of the African Union, the Assembly and Peace and Security shall determine the appropriate measures to impose on States that violate the Charter
- State signing, ratification and acceding should be within the respective countries' constitutional procedures
- States to submit reports on the status of implementation every 2 years
- State Parties may submit proposals of amendment or revision of the Charter
- Charter amendments or revision require 2/3 majority in the Assembly
- None of the provisions in the Charter shall affect more favourable provisions relating to democracy, elections and governance contained in national legislation of State Parties, or in any other regional, continental or international conventions

ZESN

VISION



A Zimbabwe Where a
Democratic Electoral
Environment and Processes
are Upheld

MISSION



To Promote Democratic
Elections in Zimbabwe

ESN – SA

VISION



Democratic and Peaceful
Elections in Southern Africa

MISSION



Promoting Democratic
Elections in Southern
Africa Through Networking
of Domestic Observer Groups

www.zesn.org.zw

info@zesn.net

SMS & WhatsApp: +263 733 703181



Zimbabwe Election
Support Network

@ZESNI

www.esn-sa.org

sadcesn@gmail.com

Tel: +263 24 225 0736, 791443, 798193, 791803

Mobile Number: +263 712 415 902



Election Support
Network of Southern
Africa

@ESN-SA

@esn_sa



Sweden
Sverige



Co-funded by
the European Union