



AFRICAN CHARTER ON DEMOCRACY, ELECTIONS & GOVERNANCE PROVISIONS

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#KnowACDEG



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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 it Adopted?

Adopted on January 30, 2007, entering into force on February 15, 2012, 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:

- Democracy, good governance, the rule of law, human rights and people's rights in Africa
- Representative systems of government in Africa
- Democratic rule and 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 of good governance, human rights, popular participation and the rule of law
- The AU and Regional Economic Communities (RECs) efforts to promote and consolidate democracy
- Rejection of unconstitutional changes or transition of power that may result in uprisings, instability and violent conflicts
- Advocacy initiatives that reinforce good governance processes
- The implementation of ACDEG and the creation of an environment conducive for peace, 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: OBJECTIVES AND PRINCIPLES



ARTICLES 2-3

- Promote adherence to universal values and principles of democracy and respect for human rights.
- Regular, free, fair and transparent elections and democratic change of governments.
- Promote the rule of law and respect for constitutions and constitutional order.
- Prohibit, reject or condemn unconstitutional change of government.
- Separation of powers, promoting and protecting the independence of the Judiciary.
- Multiparty politics and tolerance.
- Coordination of governance policies that promote regional and continental integration.
- 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 developmental processes.
- Cooperation between national institutions, the RECs and international organisations.
- Best practices for managing elections, political stability and good governance.

CHAPTER 4: DEMOCRACY, RULE OF LAW AND HUMAN RIGHTS



ARTICLES 4-10

- Democracy, the rule of law and human rights
- Popular participation and universal suffrage in elections
- Constitutional rule, particularly constitutional transfer or transition of power
- Fundamental freedoms and human rights, their universality and indivisibility
- Measures that reinforce AU institutions in areas of protection, promotion and preservation of human rights
- 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
- Equal protection of individual citizens as stated in the constitutions under the law

CHAPTER 5: CULTURE OF DEMOCRACY AND PEACE



ARTICLES 11-13

- Develop legislative and policy frameworks that promote a culture of democracy and peace
- Implement and carry out programmes, activities and civic education that create an enabling environment for democracy, transparency and accountability for lawful CSOs and citizens to thrive
- Ensure peace and transparency through public dialogues on political and social issues between leaders and the people they lead.

CHAPTER 6: DEMOCRATIC INSTITUTIONS



ARTICLES 14–16

- Strengthen constitutional civilian rule over armed and security forces
- Take legal measures and action to deal with those who try to remove elected representative governments
- Cooperation in dealing with those who try to remove elected representatives
- Establish well-resourced, independent constitutional public institutions that support democratic and constitutional processes
- Work together at regional and continental levels in building democracy through best practices and inter-state sharing of experiences.

CHAPTER 7: DEMOCRATIC ELECTIONS



ARTICLES 17–22

- Conducting regular, transparent, free and fair elections
- Establish national electoral bodies responsible for managing elections
- Ensure timely Electoral Disputes Resolution (EDR)
- All political parties to access state media during elections
- Ensure there is a binding code of conduct for accepting or challenging electoral results through legal channels
- Request the AU Commission to provide advisory services to reinforce electoral institutions, if need be
- Ensure AU EOMs are impartial, transparent and made up of qualified African experts from parliaments, judiciary, CSOs, academia, media, private sector, among others
- Creation of independent and impartial national election observer monitoring mechanisms

CHAPTER 8: SANCTIONS IN CASES OF UNCONSTITUTIONAL CHANGES OF GOVERNMENT



ARTICLES 23–26

- Change of democratically elected governments by a coup or putsch, mercenaries, dissidents, as well as incumbent governments that are unwilling to hand-over power or make unlawful amendments that infringe on the principles of democratic change of government are all illegal and unconstitutional.
- Unconstitutional change of power requires (i) the AU Peace and Security Council to step in and maintain constitutional order (ii) Suspension of State from the AU.

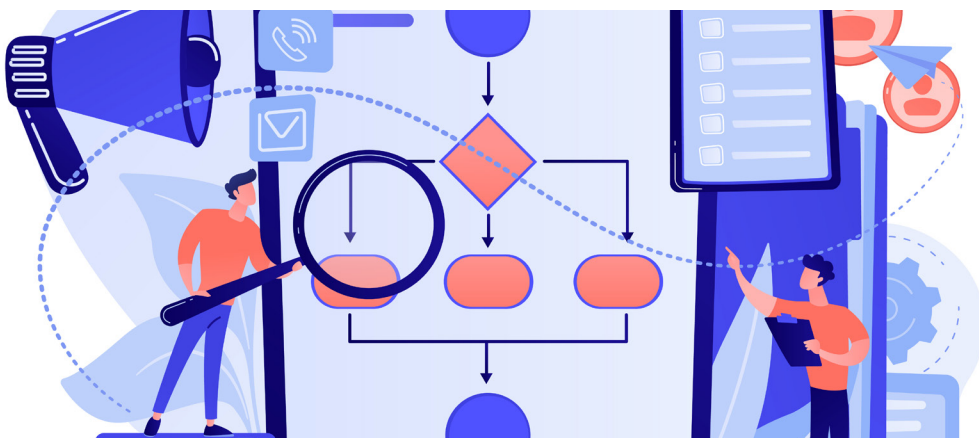
CHAPTER 9: POLITICAL, ECONOMIC AND SOCIAL GOVERNANCE



ARTICLES 27–43

- Strengthen parliament and legally recognised political parties to perform their functions.
- Promote and protect popular participation and partnerships with CSOs.
- Regular reform of justice systems and mechanisms
- Efficient and effective public sector management and combating of corruption.
- Use Information Communication and Technology (ICT) in the service of good governance.
- Promote and protect freedom of expression and of the press.
- Recognise the critical and key role women play in democracy and development.
- Decentralisation of power to democratically elected local authorities.
- Working to achieve human security and development through the SDGs.
- Promote efficiency in social service delivery
- Ensuring systematic civic education to encourage full participation by all.

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.
- 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 44–45

- Assembly and Peace and Security to determine the appropriate measures to impose on States that violate the Charter.
- State signing, ratification and acceding should be within the respective countries' constitutional framework.
- States to submit reports on the status of implementation every 2 years.
- Charter amendments or revision require 2/3 majority in the Assembly.

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