

What is the Charter about?

The Charter (ACDEG) is a road map that sets out international standards on good governance and democracy on the African continent.

When was the Charter adopted?

The Charter was adopted in January 30, 2007 in Addis Ababa, Ethiopia by the African Union (AU) and came into force in February 15, 2012.

Which countries have ratified the Charter?

Algeria, Benin, Burkina Faso, Cameroon, Chad, Côte d'Ivoire, Comoros, Djibouti, Ethiopia, Ghana, Guinea-Bissau, Guinea, Lesotho, Liberia, Madagascar, Mali, Malawi, Mauritania, Mozambique, Namibia, Niger, Nigeria, Rwanda, Sahrawi Arab Democratic Republic, Seychelles, Sierra Leone, South Africa, South Sudan, Sudan, Togo and Zambia.

Key Highlights of the Charter

The charter seeks to promote:

- Democracy, good governance, rule of law, human and people's rights on the African continent;
- Democratic rule and constitutional changes of power through free, fair and transparent elections in Africa; and
- Representative systems of government on the African continent

Why should Citizens know about the ACDEG?

- To enable citizens to be aware of agreed principles by the AU for the promotion of good governance on the African continent;
- To enable citizens to demand for the implementation of the principles in the charter for the promotion of good governance on the African continent; and
- To enable citizens to demand from their governments to align to the principles outlined in the charter.

Where can I find more information about ACDEG?

<https://au.int/en/treaties/african-charter-democracy-elections-and-governance>

SIMPLIFIED VERSION OF THE CHARTER

The charter contains a preamble, 11 chapters and 53 articles.

PREAMBLE: AFRICAN UNION MEMBER STATES ARE COMMITTED TO:

- The objectives and principles of good governance, popular participation, rule of law, and human rights;
- The efforts of the AU and Regional Economic Communities (RECs) to promote and consolidate democracy;
- Rejection of unconstitutional changes that lead to insecurity, instability and violent conflicts;
- Advocacy that strengthens good governance processes; and
- The implementation of the African Charter on Democracy, Elections and Governance to create an environment for peace, security, development, and protection of human rights.

CHAPTER 1: DEFINITIONS

ARTICLE 1

AU Member States agree on key expressions, which include abbreviations such as:

- **"AU"** for African Union;
- **"Charter"** for African Charter on Democracy, Elections and Governance;
- **"Assembly"** for Assembly of Heads of State and Government of the AU;
- **"Commission"** for Commission of the Union;
- **"NEPAD"** for New Partnership for African Development, etc.

CHAPTERS 2-3: OBJECTIVES & PRINCIPLES

ARTICLES 2-3: Objectives and Principles of the Charter include promoting:

- Universal values and principles of democracy and respect for human rights;
- Rule of law and respect for constitutions and constitutional order;
- Regular free and fair elections and democratic change of governments;
- Separation of powers between Executive, Legislative and Judicial branches of government;
- Good governance, multiparty politics and tolerance;
- Coordination of governance policies that promote regional and continental integration;
- Sustainable development and human security;
- AU Convention on Preventing and Combatting Corruption (2003);
- Citizen participation, transparency, access to information, freedom of the press and accountability;
- Gender balance and equality in governance and development processes;
- Cooperation between national institutions, the RECs and international organisations; and
- Best practices for managing elections, political stability and good governance.

CHAPTER 4: DEMOCRACY, RULE OF LAW AND HUMAN RIGHTS

ARTICLES 4-10: State Parties have a responsibility to promote:

- Democracy, rule of law and human rights;
- Popular participation and the right of all adult citizens to vote in elections;
- Constitutional rule, especially constitutional transfer of power;
- The right to live freely and safely;
- Measures that strengthen AU institutions in areas of protection and preservation of

- human rights;
- Policies and strategies to eliminate all forms of discrimination based on political views, gender, race, ethnicity, disability, culture, the vulnerable, and other categories of marginalised people;
- 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 well-being of African people; and
- Equal protection of individual citizens, as stated in the constitution and under the law.

CHAPTER 5: CULTURE OF DEMOCRACY AND PEACE

ARTICLES 11-13: State Parties should:

- 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 democratic, transparent and accountable environment for lawful civil society organisations and citizens to thrive; and
- Ensure peace and transparency through public dialogues on political and social issues between leaders and the people.

CHAPTER 6: DEMOCRATIC INSTITUTIONS

ARTICLES 14-16: State Parties shall:

- Strengthen constitutional civilian rule over armed and security forces;
- Take legal measures to deal with those who try to remove elected representative governments;
- Cooperate with each other to deal with those who try to remove elected representative governments;

- Establish well-resourced, independent, constitutional public institutions that support democratic and constitutional processes; and
- Work together, at regional and continental levels, in building democracy by sharing experiences and best practices with other States.

CHAPTER 7: DEMOCRATIC ELECTIONS

ARTICLES 17-22: State Parties Commit to:

- Hold regular, transparent, free and fair elections;
- Establish national electoral bodies responsible for managing elections;
- Ensure timely resolution of electoral disputes;
- Allow all political parties access to state media, during elections;
- Ensure code of conduct for accepting or challenging electoral results through legal channels;
- Request AU Commission to provide advisory services to strengthen electoral institutions, if needed;
- Ensure AU electoral observer missions are impartial, transparent and made up of qualified African experts from parliaments, judiciary, civil society, academia, media, private sector, etc.; and
- Create independent and impartial national electoral observer monitoring mechanisms.

CHAPTER 8: SANCTIONS IN CASES OF UNCONSTITUTIONAL CHANGES OF GOVERNMENT

ARTICLES 23-26:

State Parties agree that change of democratically elected government by coup, mercenaries, dissidents; as well as incumbent governments that are unwilling to hand-over power, and/or make unlawful amendments that infringe on the principles of democratic

change of government are all illegal and unconstitutional. Therefore, unconstitutional changes of power will require:

- The AU Peace and Security Council to step in and maintain constitutional order;
- Suspension of the State from AU, while obliged to respect human rights; and

CHAPTER 9: POLITICAL, ECONOMIC AND SOCIAL GOVERNANCE

ARTICLES 27-43 State Parties shall:

- Strengthen parliament and legally recognised political parties;
- Promote popular participation and partnerships with civil society organisations;
- Reform justice systems/mechanisms;
- Improve public sector management and combat corruption;
- Use information communication technology (ICT) in service of good governance;
- Promote freedom of expression and of the press;
- Recognise the critical role women play in democracy and development;
- Decentralise power to democratically elected local authorities;
- Work to achieve human security and development through the MDGs/SDGs;
- Promote efficient delivery of basic social services (e.g. free basic education, health, water, etc.) for all, especially girls, rural populations, minorities and other vulnerable groups; and
- Ensure systematic civic education to encourage full participation.

CHAPTER 10: MECHANISMS FOR APPLICATION

Articles 44-45

- At the national level, states pledge to domesticate and implement the Charter through legislative, executive and administrative actions;

- At the continental level, the AU Commission shall develop implementation benchmarks, provide assistance to States and coordinate monitoring and evaluation of implementation with other key organs of the AU; and
- At the regional level, RECs will establish a framework for cooperation on implementing the Charter, encourage Member States to ratify or adhere to objectives and principles of the Charter, designate focal points for coordination, monitoring and evaluation of implementation.

CHAPTER 11: FINAL CLAUSES

ARTICLES 46-53

- The Assembly and the Peace and Security Council will determine the appropriate measures to impose on any State that violates the Charter;
- State signature, ratification and accession must be within respective State constitutional frameworks and then submitted to Chairperson of the AU Commission;
- The Charter enters into force 30 days after 15 states have ratified it;
- Every 2 years, States must submit a report on the status of implementation to the Commission;
- Proposed amendments or revisions of the Charter may be submitted to the Commission Chairperson; and
- Adoption of amendments or revisions require a consensus or 2/3 majority in the Assembly.

For an exact rendering of each Chapter and Article of the Charter, refer to the original document at the following link:

<https://au.int/en/treaties/african-charter-democracy-elections-and-governance> .



SIMPLIFIED VERSION OF THE AFRICAN CHARTER ON DEMOCRACY, ELECTIONS AND GOVERNANCE

FOR

THE PROJECT

MOBILIZING CIVIL SOCIETY SUPPORT FOR IMPLEMENTATION OF THE AFRICAN GOVERNANCE ARCHITECTURE

BEING IMPLEMENTED IN

**GHANA, MOZAMBIQUE, NIGERIA,
SIERRA LEONE, TANZANIA, UGANDA,
ZAMBIA, ZIMBABWE**

WITH

**FUNDING SUPPORT FROM
EUROPEAN COMMISSION**

