

**ACHPR/Res.213 (LI) 2012: RESOLUTION ON THE
UNCONSTITUTIONAL CHANGE OF GOVERNMENTS**

The African Commission on Human and Peoples' Rights (African Commission), at its 51st Ordinary Session held from 18 April to 2 May 2012 in Banjul, The Gambia;

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

Considering that one of the objectives of the African Union as stipulated in Article 3(f) of its Constitutive Act is to "promote peace, security, and stability on the continent";

Considering Article 4 of the Constitutive Act of the African Union which stipulates as a rule the respect for democratic principles, good governance, popular participation, the rule of law and human rights;

Noting the provisions of the African Charter on Democracy, Elections and Governance, and the ECOWAS Protocol on Democracy and Good Governance;

Further recalling the relevant provisions of the Algiers Decision AHG/142 (XXXV) of July 1999, the Lomé Declaration of July 2000 and the Protocol Relating to the Establishment of the Peace and Security Council of the African Union on the unconstitutional change of government;

Concerned by the unconstitutional change of governments, a situation which constitutes a threat to democracy, peace and security on the continent;

Deeply concerned by the recent military takeovers in Mali on 22 March 2012 and in Guinea-Bissau on 12 April 2012 by military juntas, acts that are in violation of the right to participate freely in the government of one's country, either directly or through freely chosen representatives as stipulated in Article 13 of the African Charter on Human and Peoples' Rights;

Further concerned by the serious humanitarian consequences and human rights violations, in particular the killings and arbitrary arrests which are as a result of the unconstitutional change of governments;

Strongly condemns the attempts at instituting autocratic regimes and the unconstitutional change of governments on the continent, acts which it considers to be a serious threat to stability, peace, security and development;

Deplors the setbacks recorded in Mali and Guinea-Bissau, compared with the significant strides made in fostering democracy and the rule of law on the continent in recent years;

Urges all African States to comply fully with the provisions of the African Charter on Democracy, Elections and Governance;

Calls on African Governments to engage political and social dialogue with a view to promoting democratic practices and consolidating the culture of democracy and peace on the continent;

Urges the African Union and the international community to ensure that democratic governance is respected on the continent;

Further calls on all Member States of the African Union that have not done so to ratify and implement the African Charter on Democracy, Elections and Governance.

Done in Banjul, 2 May 2012