

**ACHPR/Res. 238 (EXT.OS/XIV) 2013: RESOLUTION ON THE POLITICAL SITUATION IN THE REPUBLIC OF MALI**

***The African Commission on Human and Peoples' Rights (the Commission), meeting at its 14<sup>th</sup> Extraordinary Session held from 20 to 24 July 2013 in Nairobi, Kenya:***

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

**Further recalling** the obligations of the Republic of Mali under the African Charter and other regional and international human rights instruments ratified by Mali;

**Recalling** Article 13(1) of the African Charter which stipulates that *"every citizen shall have the right to participate freely in the government of his country, either directly or through freely chosen representatives in accordance with the provisions of the law"*;

**Considering** the African Charter on Democracy, Elections and Governance which underscores the need to establish on the continent a culture of political change of power based on the holding of free, fair and transparent elections organised by competent, independent and impartial national electoral institutions;

**Reaffirming** its commitment to promoting democracy in Africa and recognising that good governance, transparency and respect for human rights are fundamental principles that contribute to peace and development in Africa;

**Bearing in mind** its previous resolutions on the human rights situation in northern Mali and the relevant decisions on Mali of the AU Peace and Security Council and the Economic Community of West African States (ECOWAS);

**Noting** the Ouagadougou agreement of 18 June 2013 between the transitional Government of National Unity of the Republic of Mali and the National Movement for the Liberation of Azawad and the High Council for the Unity of Azawad, as well as the consensus among the Malian authorities and political parties regarding the holding of the presidential election on 28 July 2013;

**Deeply concerned** by the atmosphere of insecurity on the eve of the presidential election which is marked by recent

violence in the Kidal region between the Tuareg community and the Songhai and other communities, as well as the loss of human lives and destruction of property;

**Particularly concerned** by the abduction on 20 July 2013, in Tessalit in the Kidal region, of six people including 5 electoral officers and one local elected official by armed groups;

**Strongly condemns** the acts of violence and violations of human rights in the Kidal region, as well as the abduction of individuals;

**Urges** the transitional Government to take the necessary measures to put an end to human rights violations and acts of violence, and to ensure the security of the population throughout its territory;

**Further urges** the Malian authorities to take the necessary measures to put an end to impunity, including by ensuring that the perpetrators and accomplices of these acts of violence are brought to justice;

**Calls on** the Malian authorities to take the necessary measures to ensure the necessary conditions for all Malian citizens, including refugees and internally displaced persons, to exercise their political right to vote and elect the leaders of their choice;

**Further calls on** the Malian Government to take the necessary measures to preserve social peace towards creating the necessary conditions for credible, free, transparent and peaceful elections;

**Urges** all the parties to respect and effectively implement the Ouagadougou agreement of 18 June 2013 between the transitional Government of National Unity of the Republic of Mali and the National Movement for the Liberation of Azawad and the High Council for the Unity of Azawad;

**Calls on** the Economic Community of West African States (ECOWAS), the African Union (AU) and the international community to closely monitor political developments in Mali and to support the efforts of the Government and other Malian political stakeholders towards ensuring the smooth conduct of the polls;

**Further calls on** all political stakeholders to engage in constructive dialogue, to exercise restraint, and to respect the results of the polls towards restoring lasting peace and

security, as well as trust and national unity in the Republic of Mali.

**Nairobi, Kenya, 24 July 2013**