

ACHPR / Res. 415 (LXIV) 2019: Resolution on the Human Rights Situation in the Republic of Benin

The African Commission on Human and Peoples' Rights (the Commission), meeting at its 64th Ordinary Session held from 24 April to 14 May 2019 in Sharm El Sheikh, Arab Republic of Egypt;

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

Recalling the provisions of 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";

Recalling also the provisions of Articles 3, 4 and 17 of the African Charter on Democracy, Elections and Governance on the imperative to implement and consolidate the rule of law, democracy and democratic elections on the continent;

Reaffirming its Resolution ACHPR/Res.293 (EXT.OS/XVII) 2015 on elections in Africa which calls on States Parties to protect the fundamental rights of all citizens, including the rights to freedom of movement, assembly, association and expression as well as equal access to the media for all stakeholders and its previous resolutions on elections and participatory governance in Africa;

Recognizing that the credibility of an electoral process and the legitimacy of the elected authorities strongly depend on the effective participation of citizens in a transparent and fair process, as well as respect for their fundamental freedoms of expression, of association and of assembly;

Concerned about the wave of arrests of political activists and journalists, and the crackdown on peaceful protests by security forces prior, during and after the legislative elections, which resulted in the loss of human lives and destruction of property;

Mindful of the need to restore the rule of law and allow for the protection and full enjoyment of the rights guaranteed under the African Charter, the African Charter on Democracy, Elections and Governance and other relevant instruments which Benin has ratified;

Welcoming the statement of the Chairperson of the African Union Commission of 2nd May 2019 stressing the need for a constructive dialogue to find consensual solutions to the challenges at hand and urging all the actors concerned to show restraint and demonstrate a spirit of responsibility in the best interest of Benin.

The Commission:

1. **Condemns** the various acts of human rights violations perpetrated, including violations of the right to life and the use of lethal force by the security against peaceful protesters;
2. **Calls on** the Government to engage in a constructive dialogue with all stakeholders involved, with a view to finding mutually acceptable and lasting solutions to the issues at hand;
3. **Urges** the Government to promptly investigate the human rights violations perpetrated during the pre and post -election clashes and to bring the alleged perpetrators to justice;
4. **Calls on** the Government to make every effort to restore peace and the rule of law in order to enable the exercise of the fundamental rights and freedoms of its citizens;
5. **Invites** the African Union, ECOWAS and the international community to be attentive to the situation and to support the restoration of peace, security, law and order throughout the country.

Done in Sharm El Sheikh, Arab Republic of Egypt, on 14 May 2019