

AFRICAN UNION

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**REPORT ON ELECTION OF FOUR (4) MEMBERS OF THE AFRICAN
COMMISSION ON HUMAN AND PEOPLES' RIGHTS**

REPORT ON ELECTION OF FOUR (4) MEMBERS OF THE AFRICAN COMMISSION ON HUMAN AND PEOPLES' RIGHTS

1. The election of the Members of the African Commission on Human and Peoples' Rights (ACHPR) are based on the provisions of the African Charter on Human and Peoples' Rights (the Charter) as well as the Rules of Procedure of the Executive Council.
2. The ACHPR is established by Article 30 of the Charter.
3. Article 31(1) of the Charter provides that the ACHPR *"shall consist of eleven members chosen from among African personalities of the highest reputation, known for their high morality, integrity, impartiality and competence in matter of human and peoples' rights, particular consideration being given to persons having legal experiences."*
4. The members serve in their personal capacity in accordance with Article 31(2) of the Charter.
5. Article 36 of the Charter provides that members shall be appointed for a six (6) year period and shall be eligible for re-election.
6. The Commission would like to inform the Executive Council that the terms of office of the following four (4) members of the ACHPR who were elected in July 2013 for a term of six (6) years, expired in June 2019:
 - a. Mrs. Lucy ASUAGBOR (CAMEROON)
 - b. Mrs. Soyata MAIGA (MALI)
 - c. Mr. Lawrence Murugu MUTE (KENYA)
 - d. Mr. Yeung Kam John YEUNG SIK YUEN (MAURITIUS)
7. Accordingly, the Commission prepared for the elections of the vacant positions and submitted the candidatures to the Thirty Fifth Ordinary Session of the Executive Council, in Niamey, Niger.
8. It will be recalled that in view of the one summit per year, the Executive Council adopted decision EX.CL/1154(XXXV) on the Transitional Arrangements for the the Election of Members of AU Institutions within the Framework of One Ordinary Summit a Year and decided as follows:

DECIDED to postpone the following elections to 2020 to ensure that the appointment of the elected members will not be deferred:

- a. Election of Four (4) Members of the African Commission on Human and Peoples' Rights;
- b. Election of One (1) Male Member of the African Committee of Experts on the Rights and Welfare of the Child from the Islamic Republic of Mauritania;

4. REQUESTS the Commission, in view of the postponement of the elections, to retain the list of candidatures already received and to reopen the submission of more candidatures for members of the African Commission on Human and Peoples' Rights.

9. Accordingly, the Commission retained the list of candidatures received and by Note Verbal number BC/OLC/66.5/2008.19 dated 24 July 2019 reopened the submission of other candidatures.

MODALITIES FOR ELECTION

10. The Commission would like to refer to decision EX.CL/907 (XXVII) adopted by the Executive Council during the January 2016 Summit on the Modalities on the Implementation of the Criteria of Equitable Geographical and Gender Representation in AU Organs and Institutions. Paragraph 2 of the said Decision reads as follows:

- i) The regional representation, where applicable, shall be East (2), Central (2), North (2), South (2) and West (2), except in cases in which a region which has been duly informed has not presented candidates;
- ii) Where applicable, one (1) seat shall be a floating seat and will rotate among the five (5) regions;
- iii) At least one (1) member from each region should be a woman;
- iv) The modalities shall become effective immediately.

11. The Commission would like to draw the attention of Member States that at the expiry of the terms of the **Four (4) members**, the regional and gender representation of the ACHPR is as follows:

REGION	MEMBERS	GENDER	
		FEMALE	MALE
Central	1	0	1
East	2	1	1
North	2	1	1
South	1	1	0
West	1	1	0
TOTAL	7	4	3

12. In this regard, during these elections, in accordance with the Modalities on Implementation of Criteria for Equitable Geographical Representation in the African Union Organs, the following members shall be elected:

- a) **Central Region** : One (1) Female Member;
- b) **Southern Region** : One (1) Male Member;
- c) **Western Region** : One (1) Male Member.

13. In addition, the Executive Council will elect one (1) Member for the floating seat in accordance with Paragraph 2(ii) of decision EX.CL/Dec. 907(XXVIII) cited above which provides as follows:

*Where applicable, one (1) seat shall be a floating seat and **will rotate among the five (5) regions***

14. It will be recalled that the Commission through its Note Verbale referenced BC/OLC/66.5/2008.19 dated 24 July 2019 invited States Parties to the Charter to submit candidates on or before the deadline on 30 November 2019. A reminder of the election and deadline was sent to Member States through Note Verbal reference number BC/OLC/66.5/2498.19 dated 19 November, 2019.

15. The Commission would like to inform the Executive Council that the candidatures received from States Parties to the Charter are as follows:

CANDIDATURES FOR THE REGIONAL SEATS:

NO	NAME	COUNTRY	REGION	GENDER
1	Marie Louise Abomo	Cameroon	Central	F
2	Marshal Chilenga	Malawi	Southern	M
3	Bakari Sidiki Diaby	Côte d'Ivoire	Western	M
4	Ndiamé Gaye	Senegal	Western	M
5	Emmanuel Daniel Joof	Gambia	Western	M
6	Neloum Mbaigoto	Chad	Central	F
7	Mudford Zachariah Mwandenga	Zambia	Southern	M

CANDIDATURES FOR THE FLOATING SEAT:

NO	NAME	COUNTRY	REGION	GENDER
1.	Alexia Amesbury	Seychelles	Eastern	F
2.	* Lawrence Murugu Mute	Kenya	Eastern	M
3.	Paulette Oyane Ondo	Gabon	Central	F

**Candidate 2 is eligible for re-election*

**DRAFT DECISION ON THE ELECTION OF FOUR (4) MEMBERS OF THE
AFRICAN COMMISSION ON HUMAN AND PEOPLES' RIGHTS**

The Executive Council,

1. **TAKES NOTE** of the Report of the Commission on the Election of Four Members of the African Commission on Human and Peoples' Rights;
2. **ELECTS** the following members of the African Commission on Human and Peoples' Rights for a term of **six (6) years**:

NO.	NAME	COUNTRY	REGION	GENDER
1				
2				
3				
4				

3. **RECOMMENDS** the elected members of the African Commission on Human and Peoples' Rights to the Thirty Third Ordinary Session of the Assembly for appointment.

**DRAFT DECISION ON THE APPOINTMENT OF FOUR MEMBERS OF THE
AFRICAN COMMISSION ON HUMAN AND PEOPLES' RIGHTS**

The Assembly,

1. **TAKES NOTE** of the election of the Four (4) members of the African Commission on Human and Peoples' Rights
2. **APPOINTS** the following Members of the African Commission on Human and Peoples' Rights for a term of **six (6) years**:

NO	NAME	COUNTRY	REGION	GENDER
1				
2				
3				
4				

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