



**CHARTER OF THE
ASSOCIATION OF AFRICAN ELECTION
AUTHORITIES**

CHARTER

Preamble

We, Election Authorities of the Africa continent, without derogating from the independence of each election authority:

1. Inspired by the African Charter on Democracy, Election and Governance and a renewed commitment and dedication to democracy in Africa and the noble purpose of creating, expanding, strengthening, and sustaining a democratic order in Africa;
2. Reaffirming the Association's renewed commitment and dedication to democracy in Africa and the noble purpose of creating, expanding, strengthening and sustaining a democratic order;
3. Recognising that the electoral process and the periodic holding of free and fair elections constitute critical components in the evolution of a democratic culture and democratic systems and the consolidation of democratic ideals enshrined in the Universal Declarations of Human Rights;
4. Desirous of contributing to the promotion of democracy as a political system of responsible and accountable government by inculcating democratic values and instilling democratic behaviour;
5. Aware of the challenges faced by African government institutions concerned with the administration, supervision, conduct and observation of electoral processes;
6. Mindful of the need for a concerted effort to minimize the vulnerability of the democratic process in Africa;
7. Committed to very close cooperation and consultation and to the establishment of linkages to ensure the development and safeguarding of a vibrant democratic culture and electoral process; and
8. Having decided to establish an Association of African Election Authorities, constituting an indispensable requisite to meet the challenges of the democratization process and to ensure relations of cooperation among members; have agreed as follows:

Chapter I Establishment and Objectives

1. Establishment

- 1.1. Through this Charter, Election Authorities establish an organisation to be known as the Association of African Election Authorities, herein referred to as the Association;
- 1.2. The Association shall be a continental organisation and shall have legal personality with capacity and power to enter into contracts, acquire, own or dispose of movable or immovable property and to sue and be sued;

- 1.3. The Association shall be a non-political, autonomous and independent entity with a close working relationship with the African Union and other related institutions; and
- 1.4. The Headquarters of the Association shall be determined by the General Assembly.

2. *Objectives*

The Overall Objective of the Association shall be to:

- 2.1. Promote democratic, credible and peaceful elections

The Specific Objectives are to:

- 2.2. Provide Assistance to Election Management Bodies (EMBs) at continental, regional and national levels in the discharge of their mandate
- 2.3. Facilitate peaceful resolutions of election related conflicts and disputes
- 2.4. Provide advisory services in the area of electoral reforms with Member States
- 2.5. Establish relationships with like-minded organizations across the world

Chapter II Membership

3. The Association shall consist of Election Authorities of the African continent, which subscribe to the Charter:
 - 3.1. Any election authority wishing to become a member of the Association will notify the Secretary General, in writing, of its willingness to be bound by the Charter. The Secretary General shall circulate the notification to other members;
 - 3.2. Membership fees shall be \$5000;
 - 3.3. Membership fees shall be paid during the first quarter of every year;
 - 3.4. Members shall include the AAEA membership dues in their respective annual budgets;
 - 3.5. Members who fail to pay their membership fees may still participate in the meetings of the Association but would not have voting rights; and
 - 3.6. Members shall pay the cost of their participation in General Assembly meetings. However, those who cannot pay may apply to the AAEA for assistance.

4. Termination of Membership

- 4.1. Any member of the Association may leave the Association after due notification in writing of its decision to the Secretary General who shall inform the General Assembly;
- 4.2. The Secretary General shall present such letter of resignation to the first Assembly held after receipt of such letter for consideration; and
- 4.3. The amount paid in respect of any fees by the Member Commission concerned shall be forfeited to the Association.

Chapter III Organs and their Functions

5. The Association shall have the following organs:

- 5.1. The General Assembly;
- 5.2. The Executive Committee; and
- 5.3. The Secretariat.

6. The General Assembly

- 6.1. The General Assembly shall be the supreme policy-making organ of the Association. It shall be composed of all its members.
- 6.2. The General Assembly shall meet at least once every year and at other times as the Executive Committee may determine.
- 6.3. The General Assembly shall elect its own President who shall be the Chairperson of the EMB hosting the General Assembly.
- 6.4. The Deputy President and the five members of the Executive Committee shall be elected by the General Assembly for two year term renewable once.
- 6.5. The General Assembly shall establish its own rules of procedure.
- 6.6. Members shall pay the cost of their participation in General Assembly meeting.
- 6.7. The quorum of the Assembly shall be one-third the current membership.
- 6.8. Amendments to this Charter shall be adopted by at least two-thirds of the members present and voting.
- 6.9. Other decisions of the General Assembly shall be adopted by consensus, failing a consensus, by a simple majority of those present and voting.
- 6.10. Each Member shall have only one vote. In the event of a tie, the Chairperson shall have a casting vote.

6.11. Functions Of General Assembly

- 6.11.1. The General Assembly shall consider issues of common interest and adopt decisions in accordance with the provisions of this Charter and its own rules of procedure. It shall in particular:
- 6.11.2. Consider proposals or questions of common interest submitted by its members, the Executive Committee or the Secretariat;
- 6.11.3. Adopt policies and approve the programme of work of the Association and the Secretariat;
- 6.11.4. Receive and consider any report submitted for consideration; and
- 6.11.5. Perform other functions that are conducive or supportive to the afore-going and in furtherance of its objectives.

7. The Executive Committee

- 7.1. The Executive Committee shall be accountable to the General Assembly.
- 7.2. The Executive Committee shall be composed of the President, Vice-President and the five members elected by the General Assembly representing the different regions of the continent.

7.3. Functions of the Executive Committee

The Executive Committee shall be responsible for:

- 7.3.1. Acting on any matter referred to it by the General Assembly and for making recommendations to the General Assembly in conformity with the present Charter;
- 7.3.2. Ensuring the correct implementation of decisions of the General Assembly with support from the Secretariat.
- 7.3.3. Considering proposals from members and the Secretariat regarding the implementation of the decisions of the General Assembly;
- 7.3.4. Approving the annual budget of the Association and the Audit reports on the execution of the said budget;
- 7.3.5. Approving the internal rules and regulations of the Secretariat;
- 7.3.6. Determining control mechanisms for supervising the financial activity of the Secretariat;
- 7.3.7. Performing any other function arising from the present Charter and from the recommendations and decisions of the General Assembly.
- 7.3.8. The Executive Committee shall meet once a year and shall hold extraordinary meetings when convened by the Chairperson.
- 7.3.9. The Executive Committee shall establish its own rules of procedure.

8. The Permanent Secretariat

- 8.1. The Secretariat is the permanent organ of the Association. It shall perform functions assigned to it in the present Charter and shall carry out the duties entrusted to it by the General Assembly and the Executive Committee.
- 8.2. The Permanent Secretariat shall consist of the Coordinator of the Secretariat and other such technical personnel as may be necessary for the execution of the functions entrusted to it and as per the organogram.
- 8.3. The Executive Committee holds the power and authority in the recruitment of all the staff of the Secretariat.
- 8.4. The Secretariat shall be responsible for the administration and implementation of decisions of the General Assembly of the Association and shall inter alia:
 - 8.4.1. Serve as the Headquarters of the Association;
 - 8.4.2. The Executive Secretary shall be the Chief Executive Officer of the Association; He/she shall represent the Association in its relations with the officials of member institutions and other regional electoral associations as well as with other international and regional organisations.
 - 8.4.3. During the temporary absence or disability of the President of the Executive Committee, the most senior official of the Executive Secretariat shall perform his/her full duties.
 - 8.4.4. The President of the Executive Committee shall create such departments at the Secretariat as may be necessary to fulfil its duties; and request for appropriate personnel for the Secretariat.
 - 8.4.5. Submit reports on the Association's activities to the Executive Committee and or the General Assembly;
 - 8.4.6. Be responsible for the preparation and arrangements of meetings of the General Assembly and the Executive Committee;
 - 8.4.7. Prepare recommendations concerning the work of the Association for consideration by the appropriate organs of the Association;
 - 8.4.8. Prepare surveys, studies, information and guidance on legal and political matters of common concern to and essential to the general wellbeing of member;
 - 8.4.9. Prepare draft proposals and agreements on matters arising from the decisions and recommendations of the General Assembly and the Executive Committee;
 - 8.4.10. Prepare programme budget of the Association and, upon the approval of the Executive Committee, submit the same to the General Assembly;
 - 8.4.11. Serve as the custodian of the Association's documents;
 - 8.4.12. Establish relations of cooperation, in accordance with decisions reached by the General Assembly and the Executive Committee, with other

- regional and international electoral organizations or any other organizations which are concerned with electoral processes;
- 8.4.13. Notify members of the dates of meetings of the General Assembly;
- 8.4.14. Prepare and circulate minutes of the General Assembly meetings and any other relevant documents;
- 8.4.15. Facilitate and coordinate cooperation among members; and
- 8.4.16. Perform such other functions as may from time to time be determined by the General Assembly or the Executive Committee.
- 8.4.17. The Executive Committee has the power to recommend to the host EMB the removal of the Secretary General on grounds of proven misbehaviour, incapacity, neglect of duty or other like cause, after he/she has had an opportunity to make representations to the Executive Committee against such an action. The host EMB shall recommend a suitable replacement. The Executive Committee shall meet on the matter and inform the General Assembly accordingly.**
- 8.4.18. The President of the Executive Committee shall present to the General Assembly audited financial statement.
- 8.4.19. The accounts of the Association shall be audited by an external auditor.

Chapter IV Miscellaneous Provisions

9. The Members of the Association agree to:
- 9.1. Implement the recommendations and decisions adopted by the General Assembly;
- 9.2. Render to the Association and its officers the assistance needed in the execution of their duties as defined by the present Charter;
- 9.3. Keep the Association informed of progress made in the implementation of the recommendations and decisions adopted by the General Assembly; and
- 9.4. Make appropriate contributions for the functioning of the Association.
10. The Charter shall not affect the rights and obligations of the members of the Association arising out of agreements which they have already concluded.
11. Any agreement already concluded or which may be concluded in the future between a Member and any other organisation shall not be binding on the Association.
12. Members of the Association who wish to establish closer relations of cooperation than those provided for in the Charter may conclude agreements to that effect, provided that they are not in violation of the letter and spirit of the Charter.
13. The Association may establish and maintain relations with other regional and international electoral organisations.

14. AAEA partners shall include the following:

- African Union Commission
- Funding Agencies
- International and Regional Electoral Networks
- Any other category as may be determined by the General Assembly

15. African Union Commission shall be a key partner of the AAEA

16. Observers

The Executive Committee may invite other organisations which are not members of the Association to participate in the deliberations of the General Assembly as observers.

17. Amendments to the Charter and Dispute Resolution

- 17.1. Any member of the Association may make proposals for the amendment of the present Charter to the Secretary General.
- 17.2. Proposed amendments to the Charter must be circulated to Association members at least two months prior to the meeting of the General Assembly.
- 17.3. Amendments to the Charter shall come into force upon approval by the General Assembly by two-thirds of members present and voting; and
- 17.4. Any dispute regarding the interpretation of the present Charter shall be determined by a two-thirds decision of those attending the General Assembly.

18. Dissolution of the Association

- 18.1. This Association may be dissolved by a resolution of the General Assembly supported by two-thirds of its members; and
- 18.2. Upon such dissolution, the Executive Committee shall further decide concerning the disposal of the assets and the payment of liabilities of the Association. Assets shall be transferred to the Democracy and Electoral Assistance Unit within the African Union Commission (AUC).

19. Gifts, donations and contributions

The Secretary General may accept, on behalf of the Association, any gifts, contributions, or requests to the Association, subject to the approval of the Executive Committee

20. Financial Matters

The budget of the Association shall be financed by:

- 20.1. The contributions of the members, as determined by the present Charter;

- 20.2. Gifts and bequests received with the agreement of the Executive Committee;
- 20.3. Funds solicited by the Secretary General, on behalf of and with the approval of the Executive Committee; from external sources;
- 20.4. Funds generated by activities of the Association;
- 20.5. Grants and donations from local and international organisations, foundations and charitable institutions;
- 20.6. Grants and donations from governments; and
- 20.7. Any other sources approved by the Executive Committee.
- 20.8. The financial year of the Association shall commence on the 1st of January and end on the 31st December of each calendar year.

21. Languages

- 21.1. The present Charter has been prepared in four copies, in the English, French, Arabic and Portuguese languages, all of which are equally authentic. In the event of inconsistency between any of the versions, the English version shall prevail.
- 21.2. The working languages of the Association shall be the working languages of the African Union (English, French, Arabic and Portuguese).

Chapter V Transitional Provisions

22. The location of the Headquarters of the Association will be decided by the General Assembly;
23. The present Charter shall come into force immediately after its adoption by the constituent General Assembly.
24. Pending the formal establishment of the Secretariat and the election of the organs of the Association, the Democracy and the Electoral Assistance Unit of the African Union Commission shall continue to serve as the Secretariat of the Association.
25. A statement of assets and liabilities of the Association should be presented to the next General Assembly.