(2) He shall be Head of the Armed Forces.

(3) He shall ensure the internal and external security of the Republic.

(4) He shall accredit ambassadors and envoys extraordinary to foreign powers. The ambassadors and envoys extraordinary of foreign powers shall be accredited to him.

(5) The President of the Republic shall enact laws as provided for in Article 31 below.

(6) The President of the Republic shall refer matters to the Constitutional Council under the conditions laid down by the Constitution.

(7) He shall exercise the right of clemency after consultation with the Higher Judicial Council.

(8) He shall exercise statutory authority.

(9) He shall set up and organize the administrative services of the State.

(10) He shall appoint to civil and military posts of the State.

(11) He shall confer the decorations and honorary distinctions of the Republic.

(12) The President of the Republic may, if necessary and after consultation with the Government, the Bureaux of the National Assembly and the Senate, dissolve the National Assembly. The election of a new Assembly shall take place in accordance with the provisions of Article 15 (4)

Article 9
(5) No person shall be member of both the National Assembly and the Senate.

(6) The conditions for the election of members of the National Assembly and of the Senate, as well as the immunities, ineligibilities, incompatibilities, allowances and privileges of the members of Parliament shall be determined by law.

CHAPTER I

The National Assembly

Article 15

(1) The National Assembly shall comprise 180 (one hundred and eighty) members elected by direct and secret universal suffrage for a five-year term of office.

The number of members of the National Assembly may be modified by law.

(2) Each member of the National Assembly shall represent the entire Nation.

(3) Any imposed mandate shall be null and void.

(4) In case of serious crisis, the President of the Republic may, after consultation with the President of the Constitutional Council and Bureaux of the National Assembly to decide, by a law, to extend or abridge its term of office. In this case, the election of a new Assembly shall take place not less than 40 (forty) days and not more than 60 (sixty) days following the expiry of the extension or abridgement period.

Article 16

(1) At the beginning of each legislative year, the National Assembly shall meet as of right in ordinary session under the conditions laid down by law.
(2) Each year, the National Assembly shall hold 3 (three) ordinary sessions, each lasting not more than 30 (thirty) days.

(a) At the opening of its first ordinary session, the National Assembly shall elect its President and Bureau members.

(b) The National Assembly shall, during one of its sessions, adopt the State budget. Where such budget is not adopted before the end of the current financial year, the President of the Republic shall be empowered to extend the previous budget by one-twelfth until a new one is passed.

(3) The National Assembly shall meet in extraordinary session for not more than 15 (fifteen) days on a specific agenda and at the request of the President of the Republic or of one-third of its members.

The extraordinary session shall wind up as soon as the agenda for which it was convened is exhausted.

(1) Sittings of the National Assembly shall be public. Exceptionally, the National Assembly may hold sittings in camera at the request of the President of the Republic or of an absolute majority of its members.

(2) The National Assembly shall, in a law, draw up its standing orders.

Article 18

(1) The agenda of the National Assembly shall be drawn up by the Chairmen's conference.

(2) The Chairmen's conference shall be composed of Presidents of Parliamentary Groups, Chairmen of Committees and members of the Bureau of the National Assembly. A member of Government shall participate in the conference meeting.
- the constitutionality of the standing orders of the National Assembly and the Senate ‘prior to their implementation;

- conflict of powers between State institutions; between the State and the Regions, and between the Regions.

(2) Matters may be referred to the Constitutional Council by the President of the Republic, the President of the National Assembly, the President of the Senate, one-third of the members of the National Assembly or one-third of the Senators.

Presidents of regional executives may refer matters to the Constitutional Council whenever the interests of their Regions are at stake.

(3) Laws as well as treaties and international agreements may, prior to their enactment, be referred to the Constitutional Council by the President of the Republic, the President of the National Assembly, the President of the Senate, one-third of the members of the National Assembly, one-third of the Senators, or the Presidents of regional executives pursuant to the provisions of paragraph (2) above.

Enactment deadlines shall cease to lapse once an instrument has been referred to the Constitutional Council.

(4) The Constitutional Council shall advice in matters falling under its jurisdiction.

Article 48

(1) The Constitutional Council shall ensure the regularity of presidential elections, parliamentary elections and referendum operations. It shall proclaim the results thereof.

(2) Any challenges in respect of the regularity of one of the elections provided for in the preceding paragraph may be brought before the Constitutional Council by any candidate, political party that participated in the election in the constituency concerned or any person acting as Government agent at the election.
(2) Regional and local authorities shall be public law corporate bodies. They shall have administrative and financial autonomy in the management of regional and local interests. They shall be freely administered by councils elected under conditions laid down by law.

The duty of the councils of regional and local authorities shall be to promote the economic, social, health, educational, cultural and sports development of the said authorities.

(3) The State shall exercise supervisory powers over regional and local authorities, under conditions laid down by law.

(4) The State shall ensure the harmonious development of all the regional and local authorities on the basis of national solidarity, regional potentials and inter-regional balance.

(5) The organization, functioning and financial regulations of regional and local authorities shall be defined by law.

(6) The rules and regulations governing councils shall be defined by law.

Article 56

(1) The State shall transfer to Regions, under conditions laid down by law, jurisdiction in areas necessary for their economic, social, health, educational, cultural and sports development.

(2) The law shall define:

- the sharing of powers between the State and Regions in the areas of competence so transferred.

(3) The resources of the Regions.

(4) The land and property of each region.
Article 57

(1) The organs of the Region shall be the Regional Council and the President of the Regional Council.

The Regional Council and the President of the Regional Council shall function within the framework of powers transferred to the Region by the State.

(2) The Regional Council shall be the deliberative organ of the Region. Regional Councillors whose term of office shall be 5 (five) years shall comprise:

- divisional delegates elected by indirect universal suffrage;

- representatives of traditional rulers elected by their peers.

The Regional Council shall reflect the various sociological components of the Region.

The system of election, number, proportion by category, rules governing ineligibility, incompatibilities and emoluments of Regional Councillors shall be laid down by law.

(3) The Regional Council shall be headed by an indigene of the Region elected from among its members for the life of the Council.

The President of the Regional Council shall be the executive organ of the Region. In this capacity, he shall be the interlocutor of the State representative. He shall be assisted by a Regional Bureau elected at the same time as himself from among the members of the Council. The Regional Bureau shall reflect the sociological components of the Region.

(4) Members of Parliament of the Region shall sit in the Regional Council in an advisory capacity.

Article 58
Article 13

1. 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.

2. Every citizen shall have the right of equal access to the public service of his country;

3. Every individual shall have the right of access to public property and services in strict equality of all persons before the law.

Article 14

The right to property shall be guaranteed. It may only be encroached upon in the interest of public need or in the general interest of the community and in accordance with the provisions of appropriate laws.

Article 15

Every individual shall have the right to work under equitable and satisfactory conditions, and shall receive equal pay for equal work.

Article 16

1. Every individual shall have the right to enjoy the best attainable state of physical and mental health.

2. State parties to the present Charter shall take the necessary measures to protect the health of their people and to ensure that they receive medical attention when they are sick.

Article 17

1. Every individual shall have the right to education.
Chapter II

Duties

Article 27

1. Every individual shall have duties towards his family and society, the State and other legally recognized communities and the international community.

2. The rights and freedoms of each individual shall be exercised with due regard to the rights of others, collective security, morality and common interest.

Article 28

Every individual shall have the duty to respect and consider his fellow beings without discrimination, and to maintain relations aimed at promoting, safeguarding and reinforcing mutual respect and tolerance.

Article 29

The individual shall also have the duty:

1. to preserve the harmonious development of the family and to work for the cohesion and respect of the family; to respect his parents at all times, to maintain them in case of need; -

2. to serve his national community by placing his physical and intellectual abilities at its service;

3. not to compromise the security of the State whose national or resident he is;

4. to preserve and strengthen the national solidarity, particularly when the latter is threatened;
The Commission can only deal with a matter submitted to it after making sure that all local remedies, if they exist, have been exhausted, unless it is obvious to the Commission that the procedure of achieving these remedies would be unduly prolonged.

**Article 51**

1. The Commission may ask the States concerned to provide it with all relevant information.

2. When the Commission is considering the matter, States concerned may be represented before it and submit, written or, oral representations.

**Article 52**

After having obtained from the State concerned and from other sources all the information it deems necessary and after having tried all appropriate means to reach an amicable solution based on the respect of humane and peoples' rights, the Commission shall prepare, within a reasonable period of time from the notification referred to in Article 48, a report stating the facts and its findings. This report shall be sent to the States concerned and communicated to the Assembly of Heads of States and Government.

**Article 53**

While transmitting its report, the Commission may make to the Assembly of Heads of State and Government such recommendations as it deems useful.

**Article 54**

The Commission shall submit to each ordinary Session of the Assembly of Heads of State and Government a report on its activities.

**OTHER COMMUNICATIONS**

**Article 55**
1. Before each session, the Secretary of the Commission shall make a list of the communications other than those of States parties to the present Charter and transmit them to the members of the Commission, who shall indicate which communications should be considered by the Commission.

2. A communication shall be considered by the Commission if a simply majority of its members so decide.

Article 56

Communications relating to human and peoples' rights referred to in Article 55 received by the Commission, shall be considered if they:

1. indicate their authors even if the latter request anonymity;

2. are compatible with the Charter of the Organization of African Unity or with the present Charter,

3. are not written in disparaging or insulting language directed against the State concerned and its institutions or to the Organization of African Unity;

4. are not based exclusively, on news disseminated through the mass media;

5. are sent after exhausting local remedies, if any, unless it is obvious that this procedure is unduly prolonged;

6. are submitted within a reasonable period from the time local remedies are exhausted or from the date the Commission is seized of the matter, and

7. do not deal with cases which have been settled by these States involved in accordance with the principles of the charter of the United Nations, or the Charter of the Organization of African Unity or the
The Commission shall draw inspiration from International law on human and peoples' rights, particularly from the provisions of various African instruments on human and peoples' rights, the Charter of the United Nations, the Charter of the Organization of African Unity, the Universal Declaration of Human Rights, other instruments adopted by the United Nations and by African countries in the field of, human and peoples' rights as well as from the provisions of various instruments adopted within the Specialised Agencies of the United Nations of which the parties to the present Charter are members.

Article 61

The Commission shall also take into consideration, as subsidiary measures to determine the principles of law, other general or special international conventions, laying down rules expressly recognized by member States of the Organization of African Unity, African practices consistent with international norms on human and peoples' rights, customs generally accepted as law, general principles of law recognized by African States as well as legal precedents and doctrine.

Article 62

Each State party shall undertake to submit, every two years, from the date the present Charter comes into force, a report on the legislative or other measures taken with a view to giving effect to the rights and freedoms recognized and guaranteed by the present Charter.

Article 63

1. The present Charter shall be open to signature, ratification or adherence of the Member States of the Organization of African Unity.

2. The instruments of ratification or adherence to the present charter shall be deposited with the Secretary-General of the Organization of African Unity.

3. The present Charter shall come into force three months after the reception by the Secretary-General of the instruments of ratification or adherence of a simple majority of the Member States of the Organization of African Unity.