

**Report of the Commonwealth Expert Team**

**CAMEROON  
LEGISLATIVE AND MUNICIPAL ELECTIONS**

30 September 2013



**The Commonwealth**

# CAMEROON LEGISLATIVE AND MUNICIPAL ELECTIONS

## 30 September 2013

### Table of Contents

<b>LETTER OF TRANSMITTAL</b> .....	<b>iv</b>
<b>CHAPTER ONE</b> .....	<b>1</b>
INTRODUCTION .....	1
<b>CHAPTER TWO</b> .....	<b>3</b>
POLITICAL BACKGROUND .....	3
Recent Political Developments .....	3
The Candidates .....	4
Political Parties .....	5
Commonwealth Engagement and Issues .....	5
<b>CHAPTER THREE</b> .....	<b>8</b>
CONSTITUTIONAL AND LEGAL FRAMEWORK FOR ELECTIONS .....	8
Constitutional Background .....	8
Terms of Office and Voting System .....	8
Election of Members of the National Assembly .....	8
Election of Municipal Councillors .....	11
Election Administration .....	13
Elections Cameroon (ELECAM) .....	13
Recommendations .....	15
<b>CHAPTER FOUR</b> .....	<b>16</b>
ELECTION CAMPAIGN AND MEDIA .....	16
Election Campaign .....	16
Observations .....	17
Recommendations .....	18
Media .....	19
Recommendations .....	21
<b>CHAPTER FIVE</b> .....	<b>22</b>
VOTING, COUNTING AND RESULTS .....	22
Voters' register .....	22
Polling stations .....	22
Voting process .....	23
Counting .....	24
Observations .....	25
Recommendations .....	27

<b>CHAPTER SIX .....</b>	<b>29</b>
<b>CONCLUSIONS AND RECOMMENDATIONS .....</b>	<b>29</b>
Conclusions.....	29
Recommendations.....	31
<b>Annex I: Commonwealth News Release.....</b>	<b>35</b>
<b>Annex II: Biographies of CET Members.....</b>	<b>36</b>
<b>Annex III: Deployment Plan.....</b>	<b>37</b>
<b>Annex IV: List of Organisations Consulted .....</b>	<b>38</b>



The Commonwealth

**COMMONWEALTH EXPERT TEAM**  
**Cameroon Legislative and Municipal Elections**  
**30 September 2013**

6 October 2013

Dear Secretary-General,

Following your invitation to observe the 30 September Legislative and Municipal Elections in Cameroon, we have completed our final report and are pleased to forward it to you.

The 30 September 2013 legislative and municipal elections constituted the third election to be organised by ELECAM since becoming operational and taking over the material organisation of elections in Cameroon. You may recall that ELECAM was set up following consistent Commonwealth engagement with the President of Cameroon on the need for an independent electoral management body. I am happy to report that this continued collaboration has resulted in ELECAM's increasing ability to manage the election process. The credibility of ELECAM has been enhanced and this has been recognised by a variety of stakeholders the Team has met with.

The election campaign and polling day were largely peaceful with commendable effort to meet benchmarks for democratic elections. The introduction of the new unified Electoral Code demonstrates significant progress in Cameroon's democratic dispensation. Evidence of this progress was observed at every stage of the election process.

The new biometric registration marked a substantial improvement in the transparency and credibility of the electoral process. We noted that this has brought about better management of the voters' register and voter operations.

Some improvements remain to be made and in that regard the President of ELECAM expressed that he would welcome further Commonwealth engagement with the institution for the better management of elections in the future. I would strongly recommend that the Commonwealth responds favourably to this request.

The Commonwealth Expert Team, in all cases, met with excellent cooperation from government officials, ELECAM, the Ministry of Territorial Administration and Decentralisation (MINATD), political party representatives, the National Human Rights Institution, civil society, media, Commonwealth High Commissioners, UNDP, the European Union and international and domestic observer groups.

2/...


We were, in particular, honoured to have been received by the President of the Republic, H.E. Mr Paul Biya, the Prime Minister, H.E. Philémon Yang, and by Dr Joseph Dion Ngute, Minister Delegate in Charge of Relations with the Commonwealth.

The President of ELECAM was kind enough to give us a considerable amount of time and to answer our many questions.

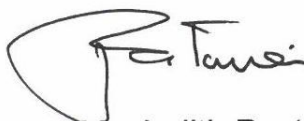
We would like to express our most sincere gratitude to all our interlocutors and hope that our work will make some contribution towards the consolidation of democracy in Cameroon.

We wish to thank you for having given us the opportunity to observe these elections and for the excellent support provided by the Secretariat staff team.

Yours sincerely



**Irfan Abdool Rahman**  
Chairperson



**Ms Judith Pestaina**

# CHAPTER ONE

## INTRODUCTION

At the invitation of the Chairman of Elections Cameroon, the Commonwealth Secretary-General, Mr Kamalesh Sharma, constituted an Expert Team for the 2013 Cameroon Legislative and Municipal Elections. The Team was led by Irfan Abdool Rahman, Electoral Commissioner from Mauritius, who was joined by Judith Pestaina, Political Adviser from the Commonwealth of Dominica. The Expert Team was supported by a two-member staff team from the Commonwealth Secretariat (see **Annex I** for press release and **Annex II** for biographies of the Team).

### Terms of Reference

The Terms of Reference for the Team were as follows:

*'The Team will conduct an analysis of the general conduct and framework for the elections, considering the preparations as well as the polling, counting and results, and the overall electoral environment. The Team is expected to meet with relevant national and international stakeholders, notably government bodies responsible for organising the elections, representatives of political parties, civil society and the diplomatic corps.'*

*The Team is to act impartially and independently. It has no executive role; its function is not to supervise but to observe the process to the extent possible and to assess whether it has been conducted according to the standards for democratic elections to which Cameroon has committed itself, with reference to national election-related legislation and relevant regional, Commonwealth and other international commitments. The Team is to submit its report to the Commonwealth Secretary-General.'*

### Activities

The Expert Team was present in Cameroon from 22 September 2013. During five days of briefings, the Team met with Elections Cameroon (ELECAM), the Ministry of Territorial Administration and Decentralisation (MINATD), political party representatives, the National Human Rights Institution, civil society, media, Commonwealth High Commissioners, the United Nations Development Programme (UNDP) in Cameroon, the European Union and international and domestic observer groups.

The Expert Team was deployed around the country from 28 September, reporting from three regions: Centre, Littoral and North West (see **Annex III**). During the deployment phase, experts met with election officials and polling staff at the council, divisional and regional levels. Observers also met security officials, political party representatives, domestic and international observers during deployment.

The Team's Report was completed in Yaoundé and thereafter transmitted to the Commonwealth Secretary-General.

## CHAPTER TWO

### POLITICAL BACKGROUND

#### Recent Political Developments

The 30 September 2013 legislative and municipal elections constituted the third election to be organised by ELECAM since becoming operational and taking over the organisation, management and supervision of elections in Cameroon.

The legislative and municipal elections followed three significant political developments. First was the overhaul of the electoral register which was widely perceived as outdated and unrepresentative of the electorate. In 2012, ELECAM registered voters anew while introducing biometric registration and voter cards, a long-standing demand from opposition parties and the international community. Voter registration using biometric verification captured some 5.5 million voters, fewer than the estimated 7.5 million voters registered for the 2011 presidential election. There was optimism that the new register would help reduce some voting irregularities.

Second, was the establishment of the Senate, following Cameroon's first-ever senatorial elections held on 14 April 2013. The election of senators, who under the Constitution, are chosen by indirect suffrage, and elected by an electoral college, was aimed at consolidating its democracy. This election was organised following the publication of Decree No. 2013/056 of 27 February 2013 convening the Electoral College and in keeping with the provisions of Law No.2012/001 of 19 April 2012 relating to the Electoral Code.

The senatorial election constituted the second election to be organised by ELECAM since becoming operational and taking over the organisation, management and supervision of elections in Cameroon, the first being the presidential election in October 2011.

Municipal councillors elected 70 out of 100 senators (seven for each region), with the remaining 30 appointed by the President of Cameroon. Cameroon People's Democratic Movement (CPDM) swept the Senate elections, taking 56 of the 70 seats contested in the new Upper House. The main opposition party Social Democratic Front (SDF) won 14 seats in the Senate.

On 8 May 2013, President Biya, appointed Cameroon's 30 remaining senators, ending speculation surrounding his choices and paving the way for the Upper House's first session, held on 14 May. His appointments included nine former ministers, ten traditional leaders and three women. Twenty-six of the appointed senators were widely perceived to be associated with the ruling party.



Mr Marcel Niat Njifenji, a Senator from the West Region, was elected to head the Upper House on 12 June. The 1996 Constitution provides that should the office of President become vacant, the President of the Senate shall, as of right, act as Interim President of the Republic until a new President is elected. Mr Niat Njifenji, 79, from the Bamileke ethnic group, is one of the 30 senators (out of 100) directly appointed by President Biya in May 2013. Eighty six senators from the ruling party CPDM voted for Mr Njifenji. The Team was informed that Mr Njifenji was President Biya's preferred candidate.

The third significant political development was the postponement of parliamentary elections. During an extraordinary session of the National Assembly on 4 May 2013, Cameroon's parliamentarians voted for their term to be extended to 21 July 2013. This was the third time that the National Assembly's five year term was extended. The term officially ended in August 2012 and was extended by six months (until February 2013), then by three months (until May 2013), followed by another two months (until July 2013).

In 2012, the five-year mandate of municipal councillors, also due to end in August 2012, was extended by one year. The official reason for the extension was the need to overhaul the electoral register, which was widely perceived as outdated and unrepresentative of the electorate. However, since the registration process could not be completed in time for a vote in July 2012, the mandate of municipal councillors was extended to the end of March 2013. Following deferral of both legislative and municipal elections, the President announced on 2 July 2013 that both sets of elections would be held jointly on 30 September 2013.

## **The Candidates**

For the 2013 Legislative Elections, candidates from 29 registered political parties competed for 180 seats in the National Assembly.

For the 2013 Municipal Elections, candidates from 35 registered political parties competed for a seat on the 360 councils.

There were 212 lists for the legislative and 751 lists for the municipal elections, with the number of candidates in each legislative list ranging from 1 to 7 and for each municipal list from 25 to 61 candidates.

There were 5,445,777 registered voters from 7,008,704 potential voters<sup>1</sup> out of an estimated population of 20.7 million. There were 22,540 polling stations located across the ten regions of the country. Each polling station catered for a maximum of 500 voters.

<sup>1</sup> ELECAM figures 23 September 2013

## Political Parties

There are more than 250 recognised political parties in Cameroon. The following were the main political parties contesting the 30 September elections:

- **Cameroon People's Democratic Movement (CPDM)**  
CPDM is the ruling political party in Cameroon. The Cameroon National Union party dominated Cameroon politics since Independence in 1960 and was transformed into CPDM in 1985. The National President of CPDM is Paul Biya, the President of Cameroon.
- **Social Democratic Front (SDF)**  
SDF is the main opposition party in Cameroon. It is led by Ni John Fru Ndi and receives significant support from the Anglophone population in the country. SDF was launched in Bamenda on 26 May 1990.
- **Cameroon Democratic Union (CDU)**  
CDU was founded by Adamou Ndam Njoya, a former Minister of National Education under President Ahmadou Ahidjo. The CDU boycotted the March 1992 parliamentary election, along with SDF, due to the government's failure to meet opposition demands, which included the establishment of an independent electoral commission to oversee the election.
- **National Union for Democracy and Progress (NUDP)**  
NUDP draws its main support from the north of the country. It was established in the early 1990s and won the second largest number of seats in the 1992 parliamentary election. NUDP's National President Maigari Bello Bouba is currently serving as Minister of State in the government. NUPD supported President Biya in the October 2011 presidential election.
- **Cameroon Renaissance Movement (CRM)**  
CRM, a new coalition of several opposition parties led by a prominent lawyer in Cameroon, Maurice Kamto, was established in 2012. Maurice Kamto was instrumental in the negotiations to resolve the territorial dispute with Nigeria over the Bakassi peninsula in the early 2000s. His decisive contribution led to his appointment as Minister Delegate to the Minister of Justice in 2004. He resigned in November 2011. The party is newly established but it is perceived as an emerging political opposition force.

## Commonwealth Engagement and Issues

The Government of Cameroon committed to comply with the Harare Declaration when it joined the Commonwealth in 1995.

When visiting Cameroon in 2001 and 2004, former Commonwealth Secretary-General Sir Don McKinnon raised concerns with President Biya with regard to the management of the electoral process, human rights and the rule of law as well as the independence of the judiciary.

Commonwealth engagement was subsequently led by two Special Envoys - Hon Christine Stewart, former Canadian Secretary of State for Foreign Affairs for Africa and Latin America, from 2002 to 2004, and the Rt. Hon Joe Clark, former Prime Minister of Canada, from 2004 to 2007.

The Special Envoys facilitated the Commonwealth's engagement on the following priority areas: election management; human rights and fundamental freedoms; judiciary and penitentiary administration; and decentralisation of the administration.

The Commonwealth deployed an Assessment Team to the 2007 Legislative Elections, rather than a full Commonwealth Observer Group (COG), due to the fact that many of the key findings and recommendations from the 2004 COG report had not been implemented, including the need to establish an independent election commission.

Some of the key concerns highlighted by the 2007 Assessment Team included: the State's control of the electoral process at all levels; absence of an independent election management body; and low rate of voter registration.

The Commonwealth was also present for the 2002 Municipal and Legislative Elections, and the 1997 Presidential Election. Sustained Commonwealth engagement resulted in the passing of legislation to establish the first independent election management body in Cameroon, ELECAM, in December 2008.

Prior to the establishment of ELECAM, the Ministry of Territorial Administration and Decentralisation (MINATD) had the overall responsibility for organising elections in Cameroon, while the National Elections Observatory (NEO) was charged with supervising and controlling elections and referenda. The 2004 COG report highlighted ambiguity about the extent of NEO's enforcement capacities, particularly in light of its explicit mandate to "supervise and control" elections, when it was quite clear that MINATD officials in fact controlled the conduct of elections.

In July 2009, the Commonwealth deployed a Needs Assessment Team to Cameroon to consult with ELECAM on potential areas for Commonwealth support. Possible areas of support identified by the team included voter registration, expert advice on developing a general operational plan and budget for organising the 2011 elections.

Secretary-General Kamallesh Sharma attended the 50th Independence anniversary celebrations in 2010, and during his visit he also held bilateral talks with President Paul Biya and senior government officials.

The Commonwealth deployed a Commonwealth Expert Team to the October 2011 presidential elections. The team observed, *inter alia*, that the election was credible and some of the benchmarks for democratic elections had been met. The Team noted that, though more could have been done to level the playing field, the election represented progress towards the strengthening of the democratic processes in the country.

The Commonwealth, through its Good Offices mandate, in response to a request from the Government of Cameroon for technical assistance, worked with the Ministry of Justice to apply information and communication technology (ICT) for the development of a database of detainees, which was installed in Yaoundé Central Prison in September 2011.

The Commonwealth Deputy Secretary-General, Mrs Mmasekgoa Masire-Mwamba, visited Cameroon in July 2013 to attend the International Colloquium on Civil Education and National Integration and, during her visit, met with national stakeholders, including the Chairman of ELECAM.

## **CHAPTER THREE**

### **CONSTITUTIONAL AND LEGAL FRAMEWORK FOR ELECTIONS**

The legal framework governing the legislative and municipal elections is Law No. 2012/001 of 19 April 2012 relating to the Electoral Code, some provisions of which were amended by Law No 2012/017 of 21 December 2012. There is now a unified electoral code which lays down provisions governing the election of members of the National Assembly and municipal councillors. The new framework makes for a more transparent electoral process and provides for a central role for ELECAM in the organisation and supervision of elections.

#### **Constitutional Background**

The Constitution of the Republic of Cameroon provides for the election of a National Assembly comprising of 180 (one hundred and eighty) members, elected by direct and secret universal suffrage for a five year term.

The Constitution lays down the powers of the Executive, the Legislature and the Judiciary. It provides that legislative power shall reside with Parliament, which is composed of the National Assembly and the Senate. Members of the National Assembly and Senators are elected for a five-year term and they are eligible for re-election. The first senatorial elections took place in April 2013.

In accordance with Article 19 of the Constitution, laws are passed by a simple majority of members of the National Assembly. The President may ask for a second reading before any law is enacted, whereupon bills shall be passed by an absolute majority of members of the National Assembly.

The Constitution provides for the extension of the term of the National Assembly 'in case of serious crisis'. In this event, the election of a new Assembly takes place not less than 40 (forty) days and not more than 60 (sixty) days following the expiry of the extension period.

#### **Terms of Office and Voting System**

##### **Election of Members of the National Assembly**

Members of the National Assembly are elected for a term of five (5) years by universal suffrage and secret ballot through a mixed single round ballot, comprising a majority system and a proportional representation system. However in constituencies having

only one seat, voting shall be for a single candidate. They are eligible for re-election in accordance with the provisions of the Electoral Code.

All seats in the National Assembly are renewed every five (5) years and elections are held not later than forty (40) days prior to the expiry of the term of office of members of the National Assembly.

The National Assembly has one hundred and eighty (180) members. Voting shall be for a list of candidates without voters indicating any preference of candidates. There is no transfer of candidates from one list to another. The lists in question are submitted by each political party in a given constituency; they must be complete and have the same number of candidates chosen from its members as there are seats to be filled.

A division constitutes an electoral constituency with one or more seats to be filled. However, some electoral constituencies are delimited by presidential decree on specific grounds. As such, a decree by the President of the Republic fixes the number of members representing each constituency.

### **Qualification of Candidates**

Any Cameroonian citizen, of either sex, who enjoys the right to vote and is entered on the voters' registers, aged 23 (twenty-three) years at the date of the election and who can read and write English or French, can be nominated as a candidate for election to the National Assembly.

### **Nomination of Candidates**

The nomination of candidates shall be made within fifteen (15) days from the convening of the electorate, and should be made on nomination papers in triplicate, bearing the signature of candidates and submitted to the council branch office of ELECAM, which issues a receipt.

The particulars of nominations of candidates are as follows:

- Full name, date and place of birth, parentage, occupation and residence of the candidate;
- The name of the list and political party sponsoring such list;
- The emblem selected for the purpose of printing ballot papers or of identifying the party;
- The name of the representative of the list, whether he/she is a candidate or not and residence of candidates;
- Evidence of consideration of the sociological components of the electoral constituency in drawing up the list;
- Evidence of consideration of gender in drawing up the list;
- Any emblem comprising all the three colours: green, red and yellow, is forbidden.

The documents to be attached to the nomination paper are as follows:

- A copy of his/her birth certificate, not more than 3 (three) months old and not a copy of the birth certificate;
- A certificate of nationality;
- A criminal record (Bulletin No. 3), not more than 3 (three) months old;
- A declaration by which the substantive or alternate candidate testifies, on his/her honour, that his/her name appears only on that list and that he/she is not the object of any of the disqualifications provided for by the law;
- A tax certificate or a tax exemption certificate;
- An attestation of registration on an electoral register;
- The original receipt of payment of deposit;
- An attestation by which the political party sponsors the person as candidate.

### **Deposit**

The deposit fee for members of the National Assembly is CFA 1,000,000, to be jointly paid by the candidate and his/her alternate into the Public Treasury.

### **Rejection of list**

Incomplete lists, lists not containing the documents referred to and lists including candidates who are not members of the party concerned are rejected.

The decision to accept or reject a list of candidates may be challenged before the competent administrative court by the candidate, representative of the list concerned or of any other list or by an elector whose name appears on the register of the council concerned.

Such complaints must be filed by a simple petition within five days following the publication of the lists of candidates.

ELECAM rejected lists of some political parties on the basis that they did not comply with the relevant provisions in the law in relation to gender consideration in drawing up the list. This was perceived as an indicator of ELECAM's increased assertiveness in supervising the electoral process.

### **Announcement of Results**

In the Electoral Code it is stipulated that the Constitutional Council announces election results within a maximum period of 20 days from the date of closure of polls. In the absence of the Constitutional Council, the responsibility to announce the results would lie with the Supreme Court. However on 30 September 2013 the President announced that the Constitutional Council would be established after the proclamation of the results.

## **Election Disputes**

Section 132 (2) of the Electoral Code provides that the Constitutional Council shall rule on all petitions filed by any candidate, any political party which took part in the election or any person serving as a representative of the administration for the election, requesting the total or partial cancellation of election operations.

The Electoral Code in Section 133 (1) states that all petitions filed pursuant to the provisions of Section 132 above must reach the Constitutional Council within no more than 72 hours of the close of the poll.

## **Election of Municipal Councillors**

Candidates are elected for a term of five (5) years by universal suffrage and secret ballot. The election takes place twenty (20) days before the expiry of the term of office of municipal councillors who are elected through a mixed single round ballot, comprising a majority and proportional representation system.

However, the President may, by decree, extend the term of office of municipal councillors for a period not exceeding eighteen months, after consultation with the Government and the Senate.

Each council shall constitute an electoral constituency.

Voting shall be for a list of candidates without voters indicating any preference. Candidates cannot be transferred from one list to another.

The number of municipal councillors shall be fixed as follows:

- Councils with less than 50,000 (fifty thousand) inhabitants: 25 (twenty-five) councillors;
- Councils with from 50,000 (fifty thousand) to 100,000 (one hundred thousand) inhabitants : 31 (thirty-one) councillors;
- Councils with from 100,001 (one hundred thousand and one) to 200,000 (two hundred thousand) inhabitants: 35 (thirty-five) councillors;
- Councils with from 200,001 (two hundred thousand and one) to 300,000 (three hundred thousand) inhabitants: 41 (forty-one) councillors;
- Councils with more than 300,000 (three hundred thousand) inhabitants: 61 (sixty-one) councillors.

## **Nominations and qualification of candidates**

Provisions relating to nomination and qualification of candidates for municipal elections are broadly similar to those for the National Assembly, with the exception of residence qualification in the area of the council concerned for a municipal council candidate.



## **Deposit**

The deposit for Municipal Councillors is CFA 50,000 (fifty thousand), to be paid into the Public Treasury by each candidate.

## **Rejection of lists**

Provisions relating to rejection of lists for municipal elections are broadly similar to those for the National Assembly.

## **Announcement of Results**

In the Electoral Code it is stipulated that the Council Supervisory Commission shall proclaim the result of municipal elections in the constituency concerned within 72 hours following the close of the polls.

## **Election Disputes**

Section 194 (1) of the Electoral Code states that, "Any elector, candidate or person acting in the capacity of a government election officer may petition for the cancellation of elections in the council concerned before the competent administrative court." Subsection 2 of the same section specifies that, "Disputes shall be a simple petition filed within five days following the proclamation of results by the Council Supervisory Commission."

## **Voter Registration**

Voter registration procedures apply to both legislative and municipal elections. Voter registration had been re-opened since 22 May 2013, and ended officially on 2 July 2013 following a Presidential Decree. The registration process was expected to take three (3) months and a further three (3) months were expected for election preparation.

The following were the conditions that potential voters had to meet for inclusion in the voters' register:

- Must be a Cameroon citizen in the country or in the Diaspora;
- Must have Cameroonian nationality by birth or must have been naturalised as a Cameroonian, or should have been resident in an administrative unit for at least six months;
- Must be twenty years of age;

A voter would be disqualified as a result of the following:

- the conviction of a felony even by default;
- the sentence of a term of imprisonment without suspension, of more than three months;

- the sentence of a term of imprisonment with a suspension of more than six months;
- being the subject of a warrant of arrest;
- being an undischarged bankrupt who has been so adjudged by a Cameroonian court or a foreign judgment enforceable in Cameroon;
- being an insane person or person of unsound mind.

Once a potential voter met the set conditions, he or she was entered into the voter register and a permanent registration card was issued in his or her name. The distribution of registration cards was the responsibility of ELECAM.

A National Identity Card was the required identification for voting, and was mandatory pursuant to Law N°. 90/042 of 19 December 1990 establishing the National Identity Card.

A registered voter should be issued with a voter's card that indicates his or her 'full name, date and place of birth, filiation, occupation, residence or place of abode. Voters were provided with a receipt upon registering, and given a date to collect their voter's card. Every voter whose name appears on the voters' register shall be issued with a biometric voter's card which shall bear his/her full name, date and place of birth, name of parents, photograph, fingerprint, occupation, domicile and residence. The voter's card shall be permanent. However where voters' cards are renewed or new names are entered on the voters' register, the new voter's card shall be distributed within a period of 40 days before polling day.

The voter's card distribution exercise continued through ELECAM council branches. Voters were required to go to council branches in person, taking along his/her National Identity Card or his/her registration receipt to obtain his/her voter's card.

## **Election Administration**

### **Elections Cameroon (ELECAM)**

The legislative and municipal elections constituted the third election to be organised by ELECAM since becoming operational and taking over the organisation, management and supervision of elections in Cameroon.

ELECAM was established following demands from political parties, civil society and the Commonwealth's engagement with the leadership of Cameroon for a number of years. While the law establishing ELECAM was passed in 2006, it was not until 30 December 2008 that President Biya appointed its initial 12 members (by Decree No.2008/463 of December 30, 2008).

The initial appointment of ELECAM members was met with scepticism from national stakeholders who questioned the relationship between the appointees and the ruling

party. Calls for the government to withdraw the appointees went unheeded. The government's response was that any appointees who were once members of the CPDM had relinquished their membership upon their appointment.

On 7 July 2011 President Biya, appointed six new members to the Electoral Board, following a March 2011 Bill to expand the Board from 12 to 18 members. This was seen as an attempt to enhance the legitimacy of ELECAM. However, only two of the new members—Pierre Titi Nwel and Christopher Tiku Tambe—were endorsed by the SDF.

### **Election Campaign**

The new Electoral Code also makes provision for regulations in relation to election campaign for both legislative and municipal elections and gives ELECAM an enhanced role in that regard.

This is dealt with in more detail in Chapter Four - Election Campaign and Media.

### **Observations**

The introduction of the new Electoral Code indicates significant progress in Cameroon's democratic dispensation. Evidence of this progress was observed at every stage of the election process.

The Team observed that the requirements and the timeframe for nomination of candidates did not encourage participation by potential candidates. Many interlocutors the Team met highlighted the challenges that this posed.

It had been reported to the Team that the substantial deposit fee for candidature was tantamount to excluding potential candidates who simply did not have the financial means to meet such a requirement.

ELECAM rejected lists of some political parties on the basis that they did not comply with the relevant provisions in the law in relation to gender consideration in drawing up the list. This was perceived as an indicator of ELECAM's increased assertiveness in supervising the electoral process.

Biometric registration brought about better management of the voters' register. This resulted in smooth registration operations at polling stations and no instances of double voting were observed. The new registration methodology marked a substantial improvement in the transparency and credibility of the electoral process.

It was reported to the Team that not all voters received their voters' cards. In addition, some members of political parties claimed that multiple cards were issued to some voters. Registration cards that were not delivered were sent to polling stations to be collected on polling day. These shortcomings need to be addressed in future elections.

The Team notes that the right to vote is reserved to persons over the age of 20, though the age of majority in Cameroon is 18 years.

The significant improvement in the management of elections by ELECAM has led to increased confidence in the institution. The Team considers that the management of 30 September 2013 elections has further strengthened ELECAM's credibility.

## **Recommendations**

Consideration may be given to simplifying and extending the timelines of nomination procedures for more effective participation in the elections.

Consideration may be given to lowering the voting age to 18, as a measure to further engage the youth in the political and electoral process.

Consideration may be given to the establishment of an election tribunal as a dispute resolution mechanism, to deal with all infringements of the Electoral Code and regulations promptly and transparently.

In order to consolidate ELECAM by enhancing its neutrality and independence, consideration may be given to reviewing the mode of appointment of its members to engender broad support and public and political confidence in the institution.

Measures should be implemented to enable ELECAM to build on the strong platform provided by the new biometric registration exercise.

Measures should be put in place as quickly as possible to reduce the delay in the distribution of biometric voter cards to registered voters so that they are not disenfranchised.

## **CHAPTER FOUR**

### **ELECTION CAMPAIGN AND MEDIA**

#### **Election Campaign**

##### **Framework Provisions**

The new unified Electoral Code adopted in 2012 provides guidelines for the campaigns run by political parties and candidates in relation to legislative and municipal elections. ELECAM has now been entrusted with responsibility for the administration and supervision of campaigns which previously fell under the remit of MINATD.

Section 87 of the Electoral Code stipulates that the election campaign shall open on the 15<sup>th</sup> (fifteenth) day preceding the election and close at midnight on the eve of polling day. Candidates may prepare promotional material at their own expense or that of the party presenting their candidates. The maximum size of posters prepared for the election campaign is determined by the Director General of Elections.

Section 89 also stipulates that campaign material is to be submitted to ELECAM for prior endorsement. Endorsement can be withheld where a document is tantamount to a call to violence or undermines national territorial integrity, the Republican form of the State, State sovereignty, national unity or incites hatred against a State official or a citizen or a body of citizens.

Section 91 makes provisions for council authorities to make available to every candidate or list of candidates a space for the display of posters and other campaign material.

Section 92 specifies that all election material shall be withdrawn from circulation on election day. Responsibility for supervision and enforcement of these provisions rests with ELECAM.

Whilst the Electoral Code assigns more responsibility for campaign supervision to ELECAM, the administrative authorities retain overall responsibility for freedom of association and assembly. Section 93 provides for the organisation of meetings and rallies by political parties which must obtain permission from the administrative authorities to hold a meeting at least 24 hours prior to a meeting. This may be denied on the grounds of public order.

A Code of Conduct for Stakeholders in the Election Process was promoted by ELECAM, with the aim of guaranteeing a smooth election process. It contains rules stakeholders are obliged to follow prior to, during and after the elections.

## **Funding of political parties**

Funding for political parties for the purpose of campaigning is provided by law. Details of funding are contained in Decree 00000184/A/MINIFI/MINADT of 13 September 2013. For legislative elections a sum of CFA 850,000,000 was provided. Half of this amount was paid to political parties before the elections and the other half would be given after the elections. For municipal elections a sum of CFA 850,000,000 was provided to political parties. Here again half of this amount was paid to political parties before the elections and the balance would be given after the elections.

## **Observations**

The inclusion of campaign management provisions in the Electoral Code is a welcome measure. This is a step towards an increasingly coherent and holistic electoral framework. The empowerment of ELECAM in the administration of the campaign and sanctioning of breaches also marked a positive step towards transparency and independence of the electoral process.

The Team takes note of ELECAM's role in endorsing campaign material as well as the exhaustive listing of grounds on which ELECAM may deny endorsement, although the power to grant permits for meetings and rallies remains within the remit of MINADT. ELECAM informed the team that it endorsed all campaigning material presented during the 30 September elections.

Opposition parties and civil society organisations reported that administrative authorities retain wide discretion as to whether a meeting and/or rally is authorised and that the "law and order" grounds for prohibition were broadly interpreted.

It was alleged that the lines between law and order concerns and political considerations were often blurred and that authorities seemed to take a particularly restrictive approach in relation to applications for meetings and party activities in areas where support for the ruling party was high. This resulted in preventing political parties from having equal access to electors in certain areas.

Despite the adoption of the Code of Conduct, instances of parties damaging one another's campaign material were reported. It was also felt that ELECAM should have played a more proactive role in sanctioning breaches of campaign provisions and that more needed to be done to encourage fair play among political parties during campaigns. In this regard consideration to be given to the education and awareness raising of party cadres.

Electoral Code provisions that all campaigning should cease at midnight on the eve of poll were broadly observed. However in some polling stations visited, party representatives and candidates were seen talking to voters and political party banners were still displayed in the vicinity of some polling stations the Team visited on election day.

The Team observed rallies in Yaoundé and Bamenda organised by CPDM and SDF respectively. Both rallies were peaceful and proceeded without restriction. The CPDM rally appeared to be substantially more resourced.

Provision of funding for campaigning was acknowledged as an important step to ensure fairness and a level playing field in the election process. However, many parties complained to the Team that funding was either insufficient, was received late and, in some instances, had not been received up to polling day.

As a result, many parties were unable to organise rallies or provide support for travel and subsistence allowance to their agents on polling day. Scarcity of funds prompted some political parties to resort to “door to door” campaigning.

Opposition parties also claimed that the use of the state apparatus by the ruling party to campaign and the absence of a clear electoral calendar gave the ruling party an unfair advantage in campaigning effectively.

It was also reported that one week ahead of the elections, village chiefs were granted a government stipend. Allegedly, this measure was taken to secure rural populations’ allegiance to the ruling party since traditional Chiefs carry substantial patronage in villages.

A number of stakeholders expressed concerns about the apparent apathy towards the campaign by the population at large and among the youth in particular. There is a widespread perception that candidates often lacked knowledge and capacity to communicate effectively on electoral agendas and policy proposals. This led to poor confidence in candidates by the electorate, resulting in voter apathy in some areas.

The team also noted the substantial efforts by ELECAM, the National Human Rights Institution and civil society organisations to educate voters on the electoral process.

## **Recommendations**

Consideration should be given to reviewing provisions for authorisation of meetings and rallies to ensure limitations to freedom of association and assembly are legitimate and reasonable, and that the grounds for disqualification should be the exception rather than the rule, in line with international best practice.

Consideration should be given to further education and training of officials tasked with granting authorisation for freedom of assembly and association to ensure that they are aware of their obligations in that regard.

Consideration should be given to the setting up of an appeal mechanism in respect of the above.

Consideration should be given to the adoption of measures to encourage fair play among political parties during campaigns in accordance with the established Code of Conduct for Election Stakeholders in Cameroon.

It is essential that the Code of Conduct for Election Stakeholders in Cameroon, which is an important vehicle to promote the development of a culture of tolerance, receives continued endorsement from party leaders and other stakeholders.

The authority to enforce the Code in cases of breaches should be given to an election tribunal which should be empowered to provide redress during the election campaign.

The proposed election tribunal should have powers to investigate complaints relating to incumbency and should deal with complaints expeditiously.

There needs to be more effective regulations to deal with the use of state resources for campaign purposes, thereby helping to create a more level playing field for the elections.

Consideration should be given to the development of political education programmes and communication skills training to enhance participation in the electoral process and professionalism of the political leadership, especially at the local level.

Consideration should be given to empowering and providing technical assistance to ELECAM to strengthen dialogue between political parties in Cameroon.

Efforts to educate voters and encourage greater engagement in the electoral process, especially of young people as observers and commentators, should be sustained.

## **Media**

There is one public television station in Cameroon, 17 private television stations, 15 public radio stations and approximately 60 private radio stations. No figures on audience reach were available from the Ministry of Communication, but radio is considered to be the most popular way of receiving information, followed by television and print media. Internet is also a growing vehicle of information in Cameroon.

Cameroonians also have access to ten private rural radio stations and 30 community radio stations. The community radio stations are not permitted to broadcast political content.

According to the Ministry of Communication there are more than 200 newspapers that publish regularly in the country. Major newspaper publications include the state-owned English language daily *The Cameroon Tribune*, as well as French language dailies *Le Messager*, *La Nouvelle Expression*, *Mutations*, *Le Jour* and *Actu*. Internet is an increasingly prominent medium of political communication, though its reach is still



limited. There are only about 750,000 internet users in a population of more than 20.7 million people.

Laws which govern media include the following: Law N°. 90/052 (1990) on social communication; Law N°. 96 (1996) on freedom of communication; Decree N°. 2000/158 (2000) on creating and running media outlets; Decree N°. 91/287 (1991) on the National Communication Council; Decree N°. 92/030 (1992) on access by political parties to media; and Decision N°. 10 (2003) about encrypting radio and TV signals.

The Ministry of Communications and MINATD are charged with different aspects of regulating the print, radio and television industries, while the National Communications Council (NCC) also plays a consultative and regulatory role. The NCC was established in 1990 and operationalised in 1992, and as recently endowed with consultation and regulatory powers by Presidential Decree of 3 January 2012. No independent media regulator currently exists.

## **Observations**

Media played a significant role in the 30 September 2013 elections. ELECAM used television as a platform to educate the public on the electoral process including registration and voting. The Team was impressed with ELECAM's efforts to educate voters through the use of media, particularly video material and television programmes and adverts.

National television broadcasts specific slots dedicated to campaigns. Private televisions increasingly carried political messages relating to the campaign. Political parties were offered access to free air time on private televisions as advertisers recognised the audience potential of political related broadcasting.

Training of journalists was also a key feature of the media landscape in the legislative and municipal elections. The NCC published a handbook for journalists during elections, highlighting relevant legislation, responsibilities of journalists during elections, direct involvement of journalists in the campaign, considerations relating to community radios, regulations in relation to air time, provisions in relation to campaigning and provisions relating to announcement of election results and electoral disputes. The Commission on Human Rights and Freedoms, National Human Rights Institution (NHRI) for Cameroon also provided training for journalists in relation to the campaign.

The Ministry of Communication substantially regulated political communication flow. It set conditions for authorisation of all broadcast of political programmes by private audio-visual institutions. Applications for authorisation had to feature the name of the broadcasting organisation, the name of the programme and the names and qualifications of the members of the production team. They also had to state whether the programmes would be live or recorded.

For the first time, all programmes of a political nature were suspended during election time by ministerial decree, invoking the Freedom of Mass Communication Law of 1990. This was criticised by stakeholders as a limitation on freedom of expression.

A number of political parties and stakeholders lamented the unequal access to media platforms during the campaign. Allegedly, the ruling party featured more prominently in state media.

Equitable access to the media by opposition parties remains an area of concern. The Team was informed that State media did not meet their obligation to treat all political parties and candidates equitably.

Moreover, the media sector remains under resourced both in terms of financial capacity and professional skills. This affects both the reach and quality of campaign reporting, especially as far as opposition parties are concerned.

As observed in previous elections, the use of social media remains limited.

## **Recommendations**

The team recommends that consideration be given to the establishment of an independent media regulator to monitor media access and coverage during elections.

Reform of the regulatory framework for the media sector should continue, with assistance of the National Communication Council and the support of the Commonwealth Journalists Association.

In its coverage, state owned media (both electronic and print) should provide equitable access to political parties and candidates, particularly in news bulletins and current affairs programmes.

## CHAPTER FIVE

### VOTING, COUNTING AND RESULTS

The legal framework governing the legislative and municipal election is the Electoral Code, Law No. 2012/017 of 21 December 2012 which amended and supplemented some provisions of Law No. 2012/001 of 19 April 2012.

The Electoral Code lays down *inter alia*, specific provisions in relation to the body responsible for the organisation, management and supervision of all elections and referenda operations. It also lays down provisions for the election of the President of the Republic, Senators, members of the National Assembly, municipal councillors and the holding of referenda.

Elections shall be held by universal suffrage and by equal and secret ballot.

The organisation, management and supervision of elections and referenda operations rests with ELECAM.

#### **Voters' register**

Voters' registers are drawn up and kept in every council and a voters' register is drawn up for each polling station. Every newly registered voter is issued with a receipt bearing the date, place and registration number. The voters' register contains the full name, date and place of birth, residence and photograph of every voter.

No person can have his/her name entered more than once in the voters' register. Where the name of a voter appears more than once, any duplicate registrations of the voter shall be struck off the register.

Every voter whose name appears on the voters' register shall be issued with a biometric voter's card which shall bear his/her full name, date and place of birth, name of parents, photograph, fingerprint, occupation, domicile and residence. The voter's card shall be permanent. However where voters' cards are renewed or new names are entered on the voters' register, the new voter's card shall be distributed within a period of 40 days before polling day.

#### **Polling stations**

The Director General of Elections draws up the list of polling stations for every council and such list specifies the area covered by each polling station. Each polling station is allocated a maximum of 500 registered voters. Polling stations are located in public

premises and premises opened to the public. The list of polling stations must be forwarded by ELECAM to its Council Branches for posting at least eight days before polling day. Each polling station is under the management and responsibility of a Chairperson of the Local Polling Commission, who is appointed by ELECAM.

The Chairperson is assisted by the representative of the "administration" and representatives of political parties contesting the election in the constituency. There are 22,540 polling stations and 5,445,777 registered voters.

The poll starts at 08:00 and closes at 18:00. The Chairperson of the polling station publicly opens the ballot box and ascertains that it is empty. The ballot box is then sealed in the presence of the other members of the Local Polling Commission. No person is allowed to vote at the polling station unless his/her name appears in the voters' register at that polling station. However, the Chairperson and members of the commission are allowed to vote in the polling station where they are posted "by derogation" upon providing their voter's card and the relevant entries made to that effect on the voters' register.

## **Voting process**

The voter checks his/her name on the list affixed outside the polling station. The voter then enters the polling station and submits his/her voter's card and national identity card to the chairperson of the polling station to verify his/her name on the register. The voter then collects the ballot papers for the legislative election and a blue opaque envelope. Thereafter the voter goes to the booth, selects the ballot paper of his/her choice and places it in the envelope. The remaining ballot papers which he/she does not use are placed in a black bag attached to the booth. The voter then casts the envelope containing the ballot paper of his/her choice in a transparent box labelled "Elections Legislatives 2013".

The voter then goes to the table where ballot papers for the municipal elections are placed. He/she goes through the same process and goes into the booth where he/she places the ballot paper of his/her choice in a khaki coloured envelope. He/she then places the envelope containing the ballot paper of his/her choice into a transparent box labelled "Elections Municipales 2013".

The voter would then have his/her right thumb dipped in an ink pad and thereafter he/she affixes his/her signature and fingerprint in the relevant column of the voters' register.

The ELECAM Guidelines for Local Polling Commissions provide that, in addition to affixing his/her signature and fingerprint, the voter should also dip his/her finger into indelible ink or, where appropriate, have his/her nail marked with indelible ink.

There is a discrepancy between the Electoral Code and the aforementioned guidelines in that the Electoral Code does not provide for the finger to be dipped in ink for evidencing the vote.

## **Counting**

At 18:00 the Chairperson of the Local Polling Commission formally declares the close of polls. If a voter is within the premises of the polling station or is waiting to enter the polling station, he/she shall be allowed to cast his/her vote. The report of the commission must mention the time when the voting actually ended.

The Electoral Code provides for vote counting and tallying to take place in each polling station immediately after the close of polls. The seals of the ballot box of the legislative elections are broken in the presence of the party representatives and other members of the Local Polling Commission; the same exercise is repeated for the municipal elections ballot box.

In both instances, the envelopes are counted and placed on the table and the operation is done by a member of the Local Polling Commission, assisted by appointed scrutineers, two for each type of election. One of the scrutineers then takes the ballot paper out of each envelope, unfolds it and hands the ballot paper over to the other scrutineer who then reads aloud the name of the party appearing on the ballot paper. Another member of the Local Polling Commission draws columns on a chalk board and each time the name of a party is called, the vote is recorded in the column reserved for the party.

After the final tally is over, the votes recorded in respect of each party are recorded on the counting sheet, which is signed by each member of the Local Polling Commission. Where an envelope contains more than one ballot paper of two different parties, the ballot papers shall be declared invalid. Moreover, if there is more than one ballot paper for the same party in the envelope, such ballot paper will be counted as one vote.

After the counting process, the Election Report is filled and is made in as many copies as there are members of the Polling Commission, plus two. The Election Report must be signed by all members of the Polling Commission and a copy of the report is handed over to each member who has signed the document. The Chairperson of the Local Polling Commission then hands in the signed copy of the Election Report to the Council Branch of ELECAM within 48 hours, and also forwards a copy to the local administration. A copy of the report shall be forwarded, within 48 (forty-eight) hours following the close of the poll to the Chairperson of the Divisional Supervisory Commission or to the Chairperson of the Council Supervisory Commission, where necessary.

## Observations

ELECAM demonstrated increased ability to organise and manage the election process and should be commended for their concerted efforts. The Chairman of ELECAM and his staff across Cameroon approached their duties with diligence and dedication.

In the polling stations visited, the polls opened on time, election material was in place and sufficient in number. Overall, the process was well administered, including the procedures at the close of poll.

Though there were still concerns that the ELECAM senior leadership and appointed polling station chairs were affiliated to the ruling party, the Electoral Code provided for representation of political parties in the polling station commissions ensuring pluralistic, independent and transparent proceedings, especially in relation to the counting process.

A relatively high voter turn-out of around 60%-70% on polling day was observed. In areas where the Team was deployed, a high number of women voters as well as women polling officials were observed. Younger voters, on the other hand, appeared to be under-represented in some polling stations observed, though this also varied according to location. Polling staff were representative of all ages.

It was reported to the Team that although there was an extensive campaign by ELECAM for voter registration, this was not followed by an equally robust card distribution campaign. The announcement that national identity cards could be used to vote once a voter was on the electoral register may have contributed to voters not collecting their card. In addition, some members of political parties claimed that multiple cards were issued to some voters. Registration cards that were not delivered were sent to polling stations and were supposed to be collected on polling day. These remained in the custody of polling station officials after the polls closed.

In one instance, it was reported that a voter in possession of both his national ID card and voter's card had not been registered on the electoral roll.

At one polling station, the Team was informed that seventy (70) security officers whose names were on the voters' register of that specific polling station turned up to vote. They were however turned away when it was discovered that their voter card had the wrong code and some of them were also below the voting age. The matter was reported to ELECAM and they were not allowed to vote.

ELECAM conducted extensive training of polling staff and adopted recruitment strategies to ensure the abilities of polling staff were adequate to the task involved for example in chairing a polling station commission.

Despite these measures, inconsistencies were observed in some polling stations in relation to the application of guidelines for the poll.

The Team also noted that in some instances, the relationship between the Chairpersons of Local Polling Commission appointed by ELECAM and political party agents was complex. Roles and responsibilities were not always clearly defined. It was observed that party agents at times misunderstood their role and overstepped boundaries in relation to tasks which should have been performed by the Chairperson.

In instances where two polling booths were provided, this sometimes led to confusion among voters, especially where more than one voter was present in the polling station at the same time. In polling stations where polling booths were clearly labelled, voting proceeded more smoothly.

While some polling stations were accessible to mobility impaired persons, it was not clear whether arrangements for the people with intellectual disabilities were put in place. At one polling station, the Team observed that the Chairperson accompanied one disabled voter into the polling booth without ascertaining from him whether he had a person of his choice to assist him. This was a clear breach of Section 105 of the Electoral Code, which states clearly that a voter suffering from an infirmity may enlist the assistance of a voter of his choice.

Older voters, pregnant voters and voters with disabilities were invited to move ahead of the queue in some polling stations observed. ELECAM produced video and written materials to encourage disabled people to vote, which is commendable. However not all voting stations were easily accessible; for example it was observed that a severely mobility impaired voter had to cast her vote at a polling station located on the first floor.

In most of the polling stations the Team visited, evidencing the vote varied, with some voters being required to sign, affix their fingerprint as well as dip their small finger into indelible ink or have their nail marked with the same. In some polling stations, this procedure was simply not followed. Upon enquiring why voters had to affix their fingerprint as well as dip their small finger into the indelible ink, the Team was informed that this was because the ink on the stamp pad was not indelible. In two polling stations visited, voters were instructed to affix their fingerprint and sign the voters' register before casting their vote.

For some voters, the use of multiple ballot papers appeared to be confusing and remains a cause for concern. In the majority of polling stations observed, voters did not pick up ballot papers themselves as provided for in the law but rather were handed ballot papers by party agents who were members of the Local Polling Commissions. In a number of instances, the Team observed that voters did not dispose of unused ballot papers in the waste disposal bag but took them away. This poses a risk of electoral fraud as voters may present unused ballot papers as evidence of voting to political party agents in return for financial gain.

Inside polling stations, it was observed that voters were free to express their will and officials were open in their interaction with voters and observers.

However, in some polling stations it was observed that polling staff did not give clear and audible instructions consistently to voters and at times these were given by party agents as opposed to the chairperson. In some instances, polling staff appeared to be frustrated with voters who had difficulties with the process, and reprimanded voters as opposed to supporting them.

The high number of domestic observers was noted. The team commends civil society organisations and the National Human Rights Institution for their efforts to field and train observers. The Team also commends the international community for their provision of the necessary support for the mounting of a comprehensive domestic observation exercise throughout the country.

Counting and announcing results was transparent and public. However it was painstakingly slow and reporting sheets and counting sheets appeared to be overly complex. The need for their completion considerably slowed down the counting process. It was observed that counting sheets and reports were placed in envelopes but these envelopes were not always sealed before transmission to the ELECAM Council branch offices.

ELECAM Council branch offices were situated in each district. The ones observed appeared to have long waiting times for chairpersons of polling stations to deliver envelopes containing election results and little or no security arrangements were in place to ensure security of transmission of the results.

There was discreet police presence in most polling stations observed, with the exception of Bamenda. The team was informed that there was no need for policing because of the prevailing peaceful atmosphere in the region.

Election Day itself was largely peaceful, with only isolated incidents reported.

## **Recommendations**

Polling station staff as well as security personnel, domestic observers and other persons involved in the management of the election should be allowed to vote before election day to ensure they can exercise their right to vote.

Measures should be put in place as quickly as possible to reduce the delay in the distribution of biometric voter cards to registered voters so that they are not disenfranchised.

Consideration should be given to the adoption of more transparent and consultative procedures in the appointment of Local Polling Commissions.



Consideration should be given to further training of polling station Chairpersons and political party agents to ensure a thorough application of the provisions of the Electoral Code and guidelines for Local Polling Commissions. This would also ensure that they have a better understanding of their roles.

Consideration should be given to the use of a single ballot paper as recommended in the 2011 Commonwealth Expert Report.

Consideration should be given to the procurement of a better quality ink and the use of indelible ink should be made mandatory in the Electoral Code so as to avoid multiple voting. This should be applied consistently across polling stations.

Having regard to the multi-layered structure of the count and results process and delay in the announcement of the results, consideration should be given to the affixing of election results outside each polling station after the counting has been completed at the polling station. This will help reduce suspicion and promote transparency.

Consideration should be given to the streamlining of voting results reporting procedures to ensure count and tally operations are as smooth and transparent as possible.

There is a compelling case for the responsibility for the accreditation of observers to be entrusted to ELECAM.

Efforts to educate voters and encourage greater engagement in the electoral process, especially of young people as observers and commentators, should be sustained.

Consideration should be given to further ensure accessibility of all polling stations.

## CHAPTER SIX

### CONCLUSIONS AND RECOMMENDATIONS

Our conclusions and recommendations are based on our observations of the elections process and meetings with stakeholders prior to and after the elections.

We are happy to have been given the opportunity to contribute to this process and we hope that our recommendations will be helpful in sustaining the current democratic fabric in Cameroon as it moves forward from these elections.

#### Conclusions

- The election campaign and polling day were largely peaceful which is commendable;
- There was discreet police presence which attested to the prevailing peaceful climate during conduct of the polls;
- Voters were free to express their will and officials were open in their interaction with voters and observers;
- The introduction of the new Electoral Code demonstrates significant progress in Cameroon's democratic dispensation. Evidence of this progress was observed at every stage of the election process;
- ELECAM demonstrated increased ability to organise and manage the election process and should be commended for their concerted efforts. Their management of the 30 September elections led to increased confidence in the ELECAM and further strengthened its credibility;
- Biometric registration brought about better management of the voters' register. This resulted in smooth registration operations at polling stations and no instances of double voting were observed. The new registration methodology marked a substantial improvement in the transparency and credibility of the electoral process;
- There remain some shortcomings in relation to the distribution and collection of biometric voters' cards which need to be addressed for future elections;
- The Team notes that the right to vote is reserved to persons over the age of 20, though the age of majority in Cameroon is 18 years;

- The team noted the substantial efforts made by ELECAM and civil society organisations to educate voters on the electoral process;
- There was a relatively high voter turn-out on polling day. In areas where the Team was deployed, there was a high number of women voters as well as women polling officials. Younger voters, on the other hand, appeared to be under-represented in some polling stations observed, though this also varied according to location. Polling staff were representative of all ages;
- The Team noted the high level of awareness on the rights of persons with disability among election stakeholders. Despite this, on polling day it was observed that not all polling stations were accessible;
- The presence of party representatives in Local Polling Commissions and domestic observers added to the transparency of the election process;
- All procedures for the opening and closing of the poll were generally observed and polling officials were, by and large, conversant with the process;
- In the majority of polling stations observed, voters did not pick up ballot papers themselves as provided for in the law but rather were handed ballot papers by party agents who were members of the Local Polling Commissions. Furthermore, the use of multiple ballot papers, in some cases, appeared to be confusing to voters;
- The Team observed that the procedures for the application of the ink were not consistent and there was a discrepancy between the Electoral Code and the guidelines for Local Polling Commissions in evidencing the vote;
- The count was slow but highly transparent;
- The Team observed that there was inadequate security for the transmission of election results from polling stations to ELECAM council branches;
- In relation to the electoral campaign, three key issues emerged. Firstly, while funding was made available to political parties for campaigning, these funds were insufficient and were not made available in time to enable use by political parties for their campaign. Secondly, opposition parties reported that obtaining authorisation for meetings and rallies remained challenging. Lastly, opposition parties deemed that the absence of a defined electoral calendar put them at a disadvantage in campaigning effectively;

- Equitable access to the media by opposition parties remains an area of concern. State media did not meet their obligation to treat all political parties and candidates equitably;
- Moreover the media sector remains under resourced both in terms of financial capacity and professional skills. This affects both the reach and quality of campaign reporting, especially as far as opposition parties are concerned;
- The Team commends the international community for their provision of the necessary support for the mounting of a comprehensive domestic observation exercise throughout the country;
- The team commends civil society organisations and the National Human Rights Institution for their efforts to educate voters and encourage participation, especially of young people as well as their engagement with the electoral process as observers and commentators;
- The Team welcomes the elaboration of a Code of Conduct for all stakeholders for these elections.

## **Recommendations**

### **Electoral Framework**

1. Consideration may be given to simplifying and extending the timelines of nomination procedures to effective participation in the elections;
2. Consideration may be given to simplifying and extending the timelines of nomination procedures for more effective participation in the elections;
3. Consideration may be given to lowering the amount of deposit for candidatures to enable broader participation or to require each nomination to be supported by a number of voters on the electoral list of the constituency concerned to be determined by ELECAM;
4. In order to consolidate ELECAM by enhancing its neutrality and independence, consideration may be given to reviewing the mode of appointment of its members to engender broad support and public and political confidence in the institution;
5. Consideration may be given to lowering the voting age from 20 to 18 as a measure to further engage the youth in the political and electoral process;
6. Consideration may be given to the establishment of an election tribunal as a dispute resolution mechanism to deal with all infringements of the Electoral Code and regulations, promptly and transparently;

7. Measures should be implemented to enable ELECAM to build on the strong platform provided by the new biometric registration exercise;
8. Measures should be put in place as quickly as possible to reduce the delay in the distribution of biometric voter cards to registered voters so that they are not disenfranchised.

### **Management of elections**

1. Polling station staff as well as security personnel, domestic observers and other persons involved in the management of the election may be allowed to vote before election day to ensure they can exercise their right to vote;
2. Consideration should be given to further training of polling station Chairpersons and political party agents to ensure thorough application of the provisions of the Electoral Code and guidelines for Local Polling Commissions. This would also ensure that they have a better understanding of their roles as they are clearly defined;
3. Consideration should be given to the use of a single ballot paper as recommended in the 2011 Commonwealth Expert Report;
4. Consideration should be given to the procurement of a better quality ink and the use of indelible ink should be made mandatory in the Electoral Code so as to avoid multiple voting. This should be applied consistently across polling stations;
5. Having regard to the multi-layered structure of the count and results process and delay in the announcement of the results, consideration should be given to the affixing of election results outside each polling station after the counting has been completed at the polling station. This will help reduce suspicion and promote transparency;
6. Consideration should be given to the streamlining of voting results reporting procedures to ensure count and tally operations are as smooth and transparent as possible;
7. Efforts to educate voters and encourage greater engagement in the electoral process, especially of young people as observers and commentators, should be sustained;
8. Consideration may be given to entrust the responsibility for the accreditation of observers to ELECAM.

## **Campaigns**

1. Consideration should be given to the adoption of measures to encourage fair play among political parties during campaigns in accordance with the established Code of Conduct for Election Stakeholders in Cameroon;
2. It is essential that the Code of Conduct for Election Stakeholders in Cameroon, which is an important vehicle to promote the development of a culture of tolerance, receives continued endorsement from party leaders and other stakeholders;
3. The authority to enforce the Code in cases of breaches should be given to the proposed election tribunal, which should be empowered to provide redress during the election campaign; The proposed election tribunal should have powers to investigate complaints relating to incumbency and should deal with complaints expeditiously;
4. Consideration should be given to empowering and providing technical assistance to ELECAM to strengthen dialogue between political parties in Cameroon;
5. Consideration should be given to the development of political education programmes and communication skills training to enhance participation in the electoral process and professionalism of the political leadership, especially at the local level;
6. Consideration should be given to reviewing provisions for authorisation of meetings and rallies to ensure limitations to freedom of association and assembly are legitimate and reasonable, and that the grounds for disqualification should be the exception rather than the rule, in line with international best practice;
7. Consideration may be given to further education and training of officials tasked with granting authorisation for freedom of assembly and association to ensure that they are aware of their obligations in that regard;
8. Consideration may be given to the setting up of an appeal mechanism in respect of the above;
9. Consideration may be given to the adoption of more effective regulations to deal with the use of state resources for campaign purposes, thereby helping to create a more level playing field for the elections.

## **Media**

1. In its coverage, state owned media (both electronic and print) should provide equitable access to political parties and candidates, particularly in news bulletins and current affairs programmes;

2. Reform of the regulatory framework for the media sector should continue, with assistance of the National Communication Council and the support of the Commonwealth Journalists Association;
3. The team recommends that consideration be given to the establishment of an independent media regulator to monitor media access and coverage during elections.

## **Annex I: Commonwealth News Release**

### **Commonwealth to observe Cameroon elections 23 September 2013**

A Commonwealth Expert Team will observe the Legislative and Municipal Elections in Cameroon, scheduled to take place on 30 September 2013, Commonwealth Secretary-General Kamallesh Sharma announced today.

The Secretary-General constituted the team at the invitation of Elections Cameroon, the body responsible for managing elections in the country.

The Expert Team's mandate is to observe and consider all aspects of the electoral process with a view to assessing compliance with the standards for democratic elections to which Cameroon has committed itself. Commonwealth Expert Teams act impartially and independently and conduct themselves according to the standards expressed in the International Declaration of Principles for Election Observation, to which the Commonwealth is a signatory.

The Commonwealth Expert Team will arrive in Yaoundé on 23 September and will remain in the country until 6 October. The team will be supported by staff from the Commonwealth Secretariat.

The Team comprises of:

Mr Irfan Abdool Rahman (Chair)  
Electoral Commissioner  
Mauritius

Ms Judith Pestaina  
Political Advisor  
Dominica

#### **Media contacts:**

##### In Cameroon

Diane Mensah-Bonsu  
Interim Political Affairs Officer  
Political Affairs Division  
Commonwealth Secretariat  
Tel: + 44 (0)755 337 6314  
Email: [d.mensah-bonsu@commonwealth.int](mailto:d.mensah-bonsu@commonwealth.int)

##### In London

Julius Mucunguzi  
Communications Officer  
Communications & Public Affairs Division  
Commonwealth Secretariat  
Tel: +44 (0)20 7747 6382  
Mobile: +44 (0)789 459 3517  
Email: [j.mucunguzi@commonwealth.int](mailto:j.mucunguzi@commonwealth.int)



## **Annex II: Biographies of CET Members**

### **Mr Irfan Abdool Rahman (Mauritius)**

Mr Irfan Abdool-Rahman has been the Electoral Commissioner of Mauritius since January 1998 and before that was a Returning Officer for 12 years. He worked previously as Crown Counsel in the Attorney-General's Office, a Senior District Magistrate and an Intermediate Court Magistrate. Mr Abdool Rahman has been a member of several observer missions and has acted as an Election Consultant for various international and regional organisations. He is a Council Member of International Institute for Democracy and Electoral Assistance (IDEA).

### **Judith Pestaina (Commonwealth of Dominica)**

Mrs Judith Pestaina is a former Permanent Secretary of the Ministry of External Affairs of the Commonwealth of Dominica, having been the first woman to be appointed a Permanent Secretary in the Public Service. She was also the first Director of the Women's Bureau and served as Permanent Secretary of Education, Chief Personnel Officer and Cabinet Secretary. She was the first Correspondant National of l'Agence de Cooperation Culturelle et Technique (ACCT), now la Francophonie, when Dominica became a member of that organisation.

From 1997 to 2003, she worked as Special Adviser, Political Affairs, in the Commonwealth Secretariat and has observed numerous elections as a member of Commonwealth Observer Groups and the Caribbean Community (CARICOM) in several Commonwealth countries, including Cameroon.

### **Commonwealth Secretariat Support Staff**

Diane Mensah-Bonsu, Staff Team Leader

Diana Copper

### Annex III: Deployment Plan

<b>TEAM</b>	<b>REGIONS</b>	<b>NAME</b>
1	Yaoundé (Centre)	Chair - Mr Irfan Abdool Rahman (Mauritius)  Diane Mensah-Bonsu
2	Bamenda (North West)	Judith Pestaina (Commonwealth of Dominica)
3	Douala (Littoral)	Diana Copper

## **Annex IV: List of Organisations Consulted**

Cameroon Bar Association  
Elections Cameroon (ELECAM)  
Ministry of External Relations  
Ministry of Territorial Administration and Decentralisation (MINATD)  
National Commission for Human Rights and Freedoms

### **International Community**

European Union (EU)  
United National Development Programme (UNDP)  
Commonwealth High Commissions:  
- Canada  
- Nigeria  
- South Africa  
- United Kingdom

### **Political Parties**

Cameroon Democratic Union (CDU)  
Cameroon People's Democratic Party (CPDM)  
Cameroon Renaissance Movement (CRM)  
Social Democratic Front (SDF)

### **Observer Missions**

African Union  
Economic Community of Central African States (ECCAS)  
Organisation International de la francophonie (OIF)

### **Civil Society**

Cameroon Youth and Student's Forum for Peace  
Investment Watch Cameroon  
Planoscam  
Transparency International

### **Media**

Cameroon Tribune  
Cameroon Radio Television  
National Communication Council

### **Declaration of Principles for International Election Observation**

The Commonwealth Secretariat is a signatory to both the Declaration of Principles for International Election Observation and the associated Code of Conduct for International Election Observation Missions, which were commemorated on 27 October 2005 at the United Nations in New York.

Commonwealth Observation missions are organised and conducted in accordance with the Declaration and Commonwealth Observers undertake their duties in accordance with the Code of Conduct.