

Report of the Commonwealth Expert Team

**CAMEROON
PRESIDENTIAL ELECTION**

9 October 2011



COMMONWEALTH SECRETARIAT

CAMEROON PRESIDENTIAL ELECTION

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| | |
|--|-----------|
| Chapter One..... | 1 |
| INTRODUCTION..... | 1 |
| Chapter 2..... | 3 |
| POLITICAL BACKGROUND..... | 3 |
| Brief historical context..... | 3 |
| Recent political developments..... | 3 |
| The presidential candidates | 4 |
| Chapter 3..... | 6 |
| THE ELECTORAL FRAMEWORK AND ELECTION ADMINISTRATION..... | 6 |
| The Legal Framework for the Elections | 6 |
| Constitutional background | 6 |
| Election Administration..... | 7 |
| Appointment of Electoral Board members and the Director General..... | 7 |
| Electoral Commissions..... | 8 |
| Voter Registration..... | 8 |
| Candidate Eligibility and Nomination..... | 10 |
| Issues and Recommendations..... | 10 |
| Chapter 4..... | 13 |
| ELECTION CAMPAIGN AND MEDIA..... | 13 |
| Election Campaign | 13 |
| Media coverage and the election | 14 |
| Media Freedom..... | 14 |
| State-owned Media and the Campaign..... | 15 |
| Barriers to Editorial Freedom..... | 15 |
| Public Interest in the Campaign Process..... | 16 |
| Issues and Recommendations..... | 16 |

| | |
|---|-----------|
| Chapter 5 | 19 |
| VOTING, COUNTING AND RESULTS | 19 |
| Background | 19 |
| Observations on Polling Day..... | 19 |
| Issues and Recommendations..... | 21 |
| Chapter 6 | 25 |
| CONCLUSIONS AND RECOMMENDATIONS | 25 |
| Conclusions | 25 |
| Recommendations | 26 |
| Annex 1 | 31 |
| Commonwealth News Release and Biographies of the Team | 31 |
| Annex II..... | 35 |
| DEPLOYMENT PLAN..... | 35 |
| Annex III | 37 |
| Post-election Press Release | 37 |
| Annex IV | 41 |
| List of Private Radio Stations Operating in Cameroon..... | 41 |



COMMONWEALTH EXPERT TEAM
Cameroon Presidential Election
9 October 2011

15 October 2011

Dear Secretary General

Following your invitation to observe the 9 October Presidential Election in Cameroon, we have completed our final report and are pleased to forward it to you.

This was a largely peaceful election with some of the key benchmarks for democratic elections provided for, including freedom of association, expression, as well as universal suffrage and the right to vote. We noted the high expectations that accompanied this election, given that it was the first to be conducted by Elections Cameroon (ELECAM) since its establishment and subsequent appointment in 2008. We laud its establishment as a significant first step.

We recognise that some improvements have indeed been made in the overall management of this election as compared to previous ones, however there remain some major issues and concerns which we address in our report. Our major concern was that more could have been done to level the playing field, and to increase public confidence in the entire electoral process. Allegations of the abuse of incumbency continue to colour the electoral landscape in Cameroon.

Though we acknowledge that it is indeed in its embryonic phase, we felt also that ELECAM could do more to affirm its independence and to address the legal, administrative and logistical constraints it faced in managing this election. This had an adverse impact on the level of public confidence in its performance. It is vital that ELECAM inspires the confidence of the people of Cameroon as it looks ahead to the 2012 legislative elections, and further afield to future elections.

A particular challenge was the management of voter registration. We hope that further refinements will be adopted to overcome the problems which emerged in this election and led to the unfortunate disenfranchisement of some voters.

As we depart Cameroon, we hope that our recommendations will contribute to the further consolidation of democracy in Cameroon. It is our firm belief that any shortcomings highlighted in this report can be addressed through appropriate support. To this end, the Commonwealth Secretariat and other pan-Commonwealth institutions are urged to respond positively to these recommendations and to strengthen on-going engagement with Cameroon.

The people of Cameroon must continue to play a central role in this process and we wish them well for the future.

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

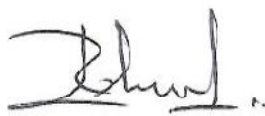
Yours sincerely

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Chapter One

INTRODUCTION

At the invitation of the Minister of External Relations of Cameroon, the Commonwealth Secretary-General, Mr Kamalesh Sharma, constituted an Expert Team for the 2011 Cameroon Presidential Election. The Team was led by Mr Frederick Mitchell MP, Former Foreign Minister of The Bahamas, and comprised six experts in total. The Expert Team was supported by a four-member staff team from the Commonwealth Secretariat (see **Annex 1** for press release and 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 3 October 2011. During four days of briefings, the Team met with Elections Cameroon (ELECAM), political party representatives, civil society groups, media, Commonwealth High Commissioners, the United Nations Development Programme (UNDP) in Cameroon and international and domestic observer groups.

The Expert Team was deployed around the country from 7 October, reporting from five regions: Centre, Littoral, North West, Extreme North and East (see **Annex 2**). 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.

On the basis of the Team's findings, the Chairperson issued a post-election Press Release on 12 October 2011 (**Annex 3**). The Team's Report was completed in Yaoundé and thereafter transmitted to the Commonwealth Secretary-General.

Chapter 2

POLITICAL BACKGROUND

Brief historical context

East Cameroon achieved independence on 1 January 1960 as the Republic of Cameroon, and on 1 October 1961 the Southern part of British Cameroon reunited with the East, while the North opted for unification with Nigeria. Both Cameroons then formed the Federal Republic of Cameroon with Mr Ahmadou Ahidjo Babatoura as President of the Federation in 1961.

Mr Ahidjo banned all political parties except his own in 1966, effectively turning Cameroon into a single party state. He merged most of the political parties in West and East Cameroon to form the Cameroon National Union (UNC). In 1972, a new constitution replaced the federation with a unitary state (the constitution has since been revised¹). On 4 November 1982, Mr Ahidjo, who was serving his fifth presidential term, resigned as President and was constitutionally succeeded by his Prime Minister, Mr Paul Biya.

Mr Biya reconstituted the UNC as the Cameroon People's Democratic Movement (CPDM) or Rassemblement Démocratique du Peuple Camerounais (RDPC) following a coup attempt in April 1984.

The 9 October 2011 presidential election was the fourth since the restoration of multiparty elections in Cameroon in 1992.

Recent political developments

Three significant events have marked Cameroon's political landscape since the 2004 presidential election and the 2007 legislative elections. First among these was the establishment of an independent election management body in 2006 – Elections Cameroon (ELECAM). This body was established following demands from various stakeholders including opposition political parties and civil society representatives. While the law establishing ELECAM was passed in

¹ Law N°. 96/6 of 18 January 1996 to revise the Constitution of 2 June 1972 as amended and supplemented by Law N°. 2008/001 of 14 April 2008 – hereafter referred to as the 1996 law as amended.

2006², it was not until 30 December 2008 that President Biya appointed its initial 12 members (by Decree N°. 2008/463 of 30 December, 2008).

The appointment of ELECAM members was met with significant scepticism and criticism from both domestic and international actors who were of the view that the affiliation of some of the appointees to the ruling CPDM party marred their independence. Notably, these members publicly declared that they had renounced their membership of the ruling party. It was within this context that civil society, opposition political parties and other stakeholders called for the expansion of the Electoral Board of ELECAM to include people with no links to political parties. The Electoral Board was thus expanded from 12 to 18 members on 7 July 2011 following a March 2011 Bill. The 9 October 2011 presidential election was therefore the first to be organised by an independent election management body.

The second event that would influence the 2011 presidential election occurred in April 2008 when the National Assembly passed an amendment to the Constitution abolishing presidential term limits. This enabled Mr Biya to run for a fourth term in office in the 2011 presidential election.

In February 2008, Cameroon experienced a major riot which claimed a number of lives; this was the third significant development since the 2004 and 2007 elections. The riots started as a protest against rising fuel and food prices, but were reported to have taken on a political dimension in certain parts of the country. Aside from the fatalities, there were reported incidents of looting and vandalising of property in Douala, Yaoundé and Bamenda.

The presidential candidates

Of the 243 registered political parties³, 52 submitted presidential candidate nominees to ELECAM, ahead of the elections in September 2011. ELECAM approved 23 of these nominations and advanced several reasons for the rejection of the 29 cases such as failure to pay the requisite fee and unsigned nominations. Candidates whose applications were rejected had the right to appeal to the Supreme Court.

The 23 approved presidential candidates who contested the elections were as follows (in alphabetical order):

- Atangana Nsoe Simon Pierre - Grand Cameroun (GC)
- Anicet Georges Ekane - Mouvement Africain pour la Nouvelle Indépendance et la Démocratie (MANIDEM)
- Ayah Paul Abine - People Action Party (PAP)
- Bile Olivier - Union for Fraternity and Prosperity

² Law N°. 2006/011 of 29 December 2006 to set up and lay down the organisation and functioning of Elections Cameroon (ELECAM), as amended as supplemented by Law N°. 2008/005 of 29 June 2008, Law N°. 2010/005 of 13 April 2010, and by Law N°. 2011/001 of 6 May 2011 – hereafter referred to as the 2006 law as amended.

³ According to documents provided by ELECAM

- Biya Paul - Cameroon People's Democratic Movement (CPDM)/ French: Rassemblement Démocratique du Peuple Camerounais (RDPC)
- Dang Esther - Branch for the Integral Reconstruction of Cameroon (BRIC)
- Dzongang Albert - La Dynamique Nationale pour la Renaissance
- Ekindi Jean-Jacques - Progressive Movement (MP)
- Feuzeu Isaac - Mouvement pour l'Emergence et le Reveil du Citoyen (MERCi)
- Fone Daniel Soh - Parti Socialiste Unifié (PSU)
- Fru Ndi Ni John - Social Democratic Front (SDF)
- Garga Haman Adjii - Alliance for Democracy and Development (ADD)
- Hameni Bieleu Victorin - Union of Democratic Forces of Cameroon (UDFC)
- Kamga Hubert - Union of African Population (UAP)
- Lontouo Marcus - Cameroon National Congress (CNC)
- Momo Jean de Dieu - Patriotes Démocrates pour le Développement du Cameroun (PDDC)
- Muna Acho Bernard - Alliance of Progressive Forces (APF)
- Ndam Njoya Adamou - Cameroon Democratic Union (CDU)
- Ngo Fritz - Ecological Movement (ME)
- Njeuga Jean - Cameroon United Front (FUC)
- Nyamndi Dobgima George - Social Liberal Congress (SLC)
- Tabi Owono Joachim - Action for Meritocracy and Equal Opportunities (AMEC)
- Walla Edith Kahbang - Cameroon People's Party (CPP)

Of the 23 parties with presidential candidates, five parties were represented in the National Assembly: CPDM (153 seats); SDF (16 seats); National Union for Democracy and Progress (six seats); UDC (four seats); and MP (one seat).

The SDF is the largest opposition party. Its presidential candidate, Mr Fru Ndi, who founded the party in 1990, finished second in 2004 with around 17% of the votes. Ahead of the elections, some of the opposition parties threw their weight behind the ruling party's candidate, Mr Paul Biya; they included the National Union for Democracy and Progress (NUDP) and the Parti Socialiste Unifié (PSU).

Chapter 3

THE ELECTORAL FRAMEWORK AND ELECTION ADMINISTRATION

The Legal Framework for the Elections

The legal framework governing Presidential Elections in Cameroon consists of various laws – including the 1996 Constitution of the Republic of Cameroon and subsequent amendments – which relate to the vacancy and election to the Presidency.

Law N°. 2006/11 of 29 December 2006 (as amended in 2008 and 2010) governs the establishment, organisation and functioning of Elections Cameroon (ELECAM). The law provides that ELECAM be an independent body charged with the responsibility of organising, managing and supervising all electoral operations and referendums. ELECAM was established to replace all the institutions that previously managed elections in Cameroon, notably, the Ministry of Territorial Administration and Decentralisation (MINATD) and the National Elections Observatory (NEO).

Constitutional background

The Constitution of the Republic of Cameroon provides for the election of the President by a majority of votes cast through direct, equal and secret universal suffrage. The President of the Republic is elected for a seven-year term. In April 2008, the Constitution was amended to remove term limits on re-election to the office of the presidency.

The Constitution describes the powers of the executive, the legislature and the judiciary. It provides that legislative power shall reside with the Parliament, which is composed of the National Assembly and the Senate. The National Assembly and the Senate are elected for a five-year term and members are eligible for re-election. However at the time of writing this report, the Senate was yet to be established. Parliament votes on laws and the President enacts them by decree.

The Constitution provides for a Constitutional Council which at the time of writing this report was also not yet established. In the meantime the Supreme Court has been assigned the role of the Constitutional Council in addition to its own ordinary judicial functions.

Specifically, the functions of the Constitutional Council in relation to elections as outlined in Articles 46 to 52 of the Constitution are as follows:

- To ensure the regularity of presidential and parliamentary elections, and referendums.

- To address claims or disputes regarding the regularity of the elections which are referred to it by the following: any candidate or political party participating in the election in the constituency concerned; any person acting as 'government agent at the election'; the President the Republic; the President of the National Assembly; or one-third of the members of the National Assembly
- To adopt and proclaim the results of the election.

According to Article 50 of the Constitution, rulings of the Constitutional Council are legally binding and not subject to appeal. Concern has been expressed that the powers of the Constitutional Council to announce election results detract from the powers of ELECAM as an independent electoral management body.

Election Administration

The 2006 law (as amended) establishing ELECAM provides that it shall be an 'independent' body and a 'moral entity' with 'managerial autonomy'. According to the Law, ELECAM's duty is to 'organise, manage and supervise elections and referendums.' In this respect, 'it shall be vested with the requisite powers to perform its duties'. ELECAM was established following the recommendation made by the Commonwealth Observer Group for the Cameroon Presidential Election in 2004 that Cameroon should have an independent election management body.

ELECAM functions through the Electoral Board (EB) and the General Directorate of Elections (GDE). The EB is comprised of 18 members (including a chairperson, the incumbent Dr Fonkam Azu'u) and performs mainly supervisory duties, while the GDE (headed by a Director-General) actually manages and organises elections. According to ELECAM's website, the EB is the 'policy-making organ' while the DGE is the 'executive organ'.

Section 18 of the 2006 law as amended affirms that 'the General Directorate of Elections shall be responsible for the organisation and management of the poll under the supervision of the Electoral Board'. Section 6 distinguishes this from the role of the EB which is to 'ensure compliance with the electoral law for all stakeholders for the purpose of guaranteeing regular, impartial, free, fair, transparent and credible polls'.

Appointment of Electoral Board members and the Director General

According to the 2006 law as amended, members of the EB shall be appointed from 'independent personalities of Cameroon' 'reputed for their stature, moral uprightness, intellectual honesty, patriotism, neutrality and impartiality'. They are appointed by Presidential decree 'upon consultation with political parties represented in the National Assembly and civil society'.

The tenure of EB members is four years, renewable as appropriate, and expires in the following situations: non-renewal of mandate, resignation, and death. The mandate of members may also be terminated in the following cases: physical incapacity, serious misconduct (notably the breach of oath), and where a penalty is imposed for a felony.

The Director General of the GDE and his or her deputy are also appointed by Presidential decree for a five-year term 'renewable as appropriate upon consultations with the electoral

board'. His or her appointment may be terminated in similar circumstances as that of board members.

Section 2 of the 2006 law as amended prohibits ELECAM members from seeking or receiving 'instructions or orders from a public or private authority during the performance of their duties'. Section 3 provides that ELECAM members are immune from prosecution, investigation, arrest or detention in the performance of their duties, and save in cases of *in flagrante delicto*⁴, shall not be prosecuted during their tenure in office.

The Yaoundé based headquarters of ELECAM is the central office for managing the elections. ELECAM branches are responsible for election management duties at the local level, and are directly answerable to the Director General of Elections.

These branches comprise:

10 Regional Delegations
58 Divisional Branches
360 Council Branches

Electoral Commissions

The 2006 law as amended provides for the following Commissions (chaired by representatives of ELECAM) which are charged with responsibility for various aspects of the electoral process:

- Commission for the Revision of the Register of Electors
- Commission for Supervising the Establishment and Distribution of Registration Cards
- Local Polling Commissions
- Divisional Supervisory Joint Commissions
- Council Supervisory Commissions
- National Commission for the Final Counting of Votes

Voter Registration

The registration process commenced in August 2010 and officially ended on 31 August 2011, as required by law under Section 37 of the 1992 law as amended. To register on the voters' lists, Cameroonians had to go to the office of the ELECAM Council Branch in their electoral constituencies or contact the Joint Revision Commissions conducting mobile registration within institutions, markets, neighbourhoods and villages. In this election the voters list was inherited in part from the previous parliamentary election in 2007. Voters who registered after 2007 were added to the list with the use of new software provided by the United Nations Development Programme (UNDP).

The software is currently owned by ELECAM and was used in the registration of an additional 2.7 million voters to the pre-existing 5,067,000. The total number of voters at the closure of the

⁴ In 'blazing offence' - caught in the act of breaking the law

voter registration was said by ELECAM to be 7,525,122, a number which still needed to be consolidated. Voters needed to meet a set of criteria in order for them to be included in the voter register and for their registration cards to be issued.

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

- 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.
- 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 [*sic*] 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. However, upon observation it was noticed that not all voters received their 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 and some were collected on polling day.

The introduction of Law N°. 2011/013 on 13 July 2011 provided for Diaspora voting, and under Section 2 (1), Cameroonians residing abroad would be entered on the registers of electors opened at diplomatic representations and consular posts in their countries of residence or attachment.

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. To encourage Cameroonians of voting age to register ahead of the upcoming elections, the government waived the fee for obtaining these cards for the 2011 voter registration process.

According to Section 32 of the 1992 Act as amended, a registered voter should be issued with a voter's card that must indicate his or her 'full name, date and place of birth, filiation [*sic*], occupation, residence or place of abode'. In practice, and for the 2011 election, voters were provided with a receipt upon registering, and given a date to collect their voter's card.

Candidate Eligibility and Nomination

Any citizen of Cameroon not younger than 35 may be eligible for nomination to the position of President as long as he or she possesses complete citizen rights.

The law requires any person aspiring to stand in a presidential election to declare his/her candidature through a declaration bearing his/her authenticated signature. Such a candidate may either be nominated by a political party, or stand as an independent.

An independent candidate must be presented by at least 300 dignitaries from all regions with 30 signatures from each region by Members of Parliament or the Chamber of Commerce and Agriculture, Municipal Councillors or First Class Chiefs.

Nomination papers must be submitted to ELECAM - the body responsible for approving candidates and publishing the final lists of candidates contesting presidential (and other) elections.

According to Section 55 of the 1992 Act as amended governing Presidential elections, candidates were to submit their nomination papers to ELECAM within five days following the convening of the electorate (that is, the announcement of the election date). For this election, the election date was announced on 4 September 2011, following much public speculation on whether or not the election would be held in the first place.

Some political parties complained that their candidates barely had time to prepare their submissions. Under Section 54 (2), candidature documents must include certified copies of birth certificates not more than three months old, national identity cards, non-conviction certificates, tax clearance certificates, a residence certificate showing that prospective candidates had resided in the country for upwards of five years, and a certificate attesting to the payment of the required deposit (CFA 5,000,000). As noted earlier, of the 52 presidential aspirants, only 23 were approved by ELECAM.

Issues and Recommendations

Prior to the establishment of ELECAM, elections were organised, managed and supervised by the MINATD and NEO. The establishment of ELECAM was therefore a significant first step in the democratisation process in Cameroon.

However, our assessment from the information gathered from some stakeholders was that not everyone had the same level of confidence in ELECAM despite its statutory mandate to discharge its functions impartially and independently. We found out that the suspicion and low confidence levels emanated from the fact that the initial appointments comprised former members of the ruling party.

ELECAM was also constrained in its performance by the prevailing legal framework, which it inherited from previous elections: for instance, in our discussions with some members of the Electoral Board, we were informed that certain procedural aspects of the elections such as the use of multiple ballot papers which we found to be cumbersome, costly and potentially inimical

to the transparent conduct of the elections, could not be addressed by ELECAM as it was established by law.

ELECAM needs to do more to demonstrate its neutrality and inspire the confidence of the electorate in future elections. In this connection, it would be helpful if the following steps were taken in earnest to enhance the institutional autonomy of ELECAM:

Review and reform of electoral laws

- There are a significant number of laws governing elections in Cameroon. For this election, MINATD published a compilation of excerpts of the five that are directly relevant to presidential elections⁵. This provided some clarity and ease of access to the legal framework. We hope that ahead of future elections, a complete and comprehensive review of the various electoral laws will be undertaken with a view to commencing a consultative process of electoral reform which captures some of the recommendations in this report, addresses conflicting and unclear provisions, and produces an improved compilation of Cameroon's electoral laws.

We note that the establishment of ELECAM itself, through Law N° 2006/011 of 29 December 2006, presents a strong foundation for electoral reform that can be built upon.

Autonomy, independence and impartiality of ELECAM

- ELECAM should have the sole responsibility of handling the electoral process. This should include the hearing of disputes with right of appeal to the Constitutional Council; announcement of the results; and accreditation of observers. This would address the institutional overlaps in responsibilities which the team found to impinge on the autonomy of ELECAM. It is the Team's recommendation that the remaining vestiges of electoral functions should be progressively transferred from MINATD and other institutions to ELECAM.

Filling the gaps in the electoral framework

- We echo the recommendations of the 2004 Commonwealth Observer Group in urging the establishment of the Senate and the Constitutional Council, which have constitutional roles to play where there is a vacancy in the office of the presidency, and during the hearing of electoral disputes respectively⁶; additionally, we urge the review of whether the Constitutional Council should have original jurisdiction to hear election petitions or whether its jurisdiction should be appellate by way of review.

⁵ The five laws are: Law N°. 96/6 of 18 January 1996; Law N°. 92-10 of 17 September 1992; Law N°. 2006/011 of 29 December 2006; Law N°. 2004/004 of 21 April 2004; and Law No. 2011/013 of 13 July 2011 (and relevant amendments and supplementary laws)

⁶ Report of the Commonwealth Observer Group: Cameroon Presidential Election, 11 October 2004, page 44

The issue of an inaccurate voter list

- There should be a new voter registration list completed in time for the next elections in the country. The list of registered voters ought to be available online and in hard copy, readily and easily available in readable print. The master list of all voters province-wide and nationwide should be readily available to voters at will. It should be made clear that once a registered voter's name is on the list, the voter does not require any further document other than the official identification to vote in the election.

Constrained election timetable

- A timetable should be designed that allows sufficient time for pre-election activities such as voter registration, candidate nomination, inspection of the voter register and campaigning. For example, candidates must be given sufficient time to prepare and present their documents.

Nomination of independent candidates for president

- The 1992 law (as amended) which governs the conditions for presidential elections⁷ stipulates that any candidate vying for Independent status must produce 300 legalised signatures from the electoral college (voters) who should be members of the National Assembly, Consular Chambers, Councilors, and First Class Chiefs (special high profile voters) from all the Provinces, making 30 per Province. This law currently makes the conditions for running as an independent candidate onerous and should be amended to allow the signatures of ordinary voters nationwide to support prospective independent candidates to run for office, thereby ensuring a more inclusive process.

⁷ Law N°. 92-10 of 17 September 1992 to lay down conditions governing the vacancy of and election to the Presidency of the Republic as amended and supplemented by law N°. 97/020 of 9 September 1997 and Law N°. 2011/2 of 6 May 2011

Chapter 4

ELECTION CAMPAIGN AND MEDIA

Election Campaign

The 1992 law as amended provides guidelines for the election campaigns of Presidential candidates. While the general management of the elections is conducted by ELECAM, campaigning material and its distribution is controlled by MINATD.

Two copies of circulars, manifestos and posters of the candidates meant for campaigns must be submitted to MINATD to obtain permission (described in the law as a visa) for their use. It is instructive to note that the request for a visa can be withheld if in the judgment of the Minister, the campaign material appeals to violence, undermines national unity and territorial integrity or incites hatred against public authorities or citizens or a body of citizens. Section 66 (4) states that: 'No approval shall be accorded after the twelfth day preceding the poll'. The visa shall indicate the colour and initials assigned to each candidate. The law provides for sanctions, including criminal proceedings for any breach of these guidelines.

Under Section 69 of the 1992 law as amended, the Administration shall allocate sites for the display of posters around every polling station and near sub-divisional, district and council offices, and it is required to allocate equal space to each candidate.

With regard to campaign rallies themselves, Section 72 provides for election meetings to be held without prior authorisation, but section 73 also stipulates that the Administration could prohibit a meeting if it is of the view that such a meeting could threaten public law and order.

The Team was informed by ELECAM that each political party received a sum of CFA 30,000,000 for their campaigns, disbursed in two halves. A sum of CFA 15,000,000 was granted at the onset of their campaigns, with the balance provided upon proof that there was evidence of some presidential campaign activity. One major opposition party complained that the allocation was not sufficient to run an effective campaign.

The official campaign period for the 2011 Presidential election commenced on 25 September 2011 and lasted until 8 October 2011. Some opposition parties complained that the ruling party began its campaign before the official start. The Cameroon Radio and Television (CRTV) announced the launch of President Biya's campaign website on 13 September 2011, 12 days before the official start date.

There were reports of campaign disruptions, for example by John Fru Ndi, the SDF presidential candidate, who complained that his campaign schedules on 4 October were disrupted when his

flight could not take off on schedule to the rally site because a no-flight order was imposed on Cameroon airspace to accommodate the ruling party candidate's campaign.

The SDF also alleged that officials had travelled to their home constituencies to help boost the electoral prospects of the ruling party candidate in the election, leaving government offices under-resourced.

The Team observed two rallies in the capital Yaoundé, organised by the CPDM and the SDF. Both rallies were peaceful and appeared to proceed without restraint.

Media coverage and the election

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 regulatory role. No independent media regulator currently exists.

There is one public television station in Cameroon, eight private television stations, 15 public radio stations and 54 private radio stations (see **Annex 4**). 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.

Cameroonians also have access to ten private rural radio stations and 18 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 Messenger*, *La Nouvelle Expression*, *Mutations*, *Le Jour* and *Actu*. Several interlocutors considered internet news to be an elite way of accessing information. There are only about 749,600 internet users in a population of more than 19 million people⁸.

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 crypting radio and TV signals.

Media Freedom

Cameroon has a plethora of French and English media outlets where a variety of opinions about the elections and the various presidential candidates were expressed, including some sharply critical insight. However, a variety of stakeholders noted to the Team the ruling party's ongoing domination of news coverage during the campaign period, especially in state-owned media.

⁸ <https://www.cia.gov/library/publications/the-world-factbook/geos/cm.html>

This was contrary to efforts set out to prohibit such a disparity, including those in ELECAM's Code of Conduct for Election Stakeholders in Cameroon.

The Code of Conduct specifically discouraged media from 'any partial treatment of the various political actors before, during and after elections', as well as publishing results of opinion polls or provisional results of elections. The Ministry of Communication was in charge of issuing accreditation to journalists who wanted to cover the ruling party candidate's activities on the campaign trail, though no such accreditation was required to cover opposition candidates.

It was clear from a variety of forms of media coverage that the ruling party dominated reportage with detailed as well as lengthy coverage dedicated to its candidate's activities. This included physical advertising such as posters and billboards in regional centres across the country. Officials from the SDF told the Team that their access to advertising space had been limited after the space was purchased months before the election by the ruling party, and their campaign activities across the country obstructed by the movement of the ruling party candidate. The Team noted that much of the advertising that focused on the ruling party's candidate remained on display during election day and beyond, even though according to ELECAM it was supposed to be removed by midnight on 8 October 2011.

State-owned Media and the Campaign

Unbalanced coverage in favour of the ruling party was attributed by stakeholders to the party's capability of organising events attractive to newsmakers, as well as facilitating trips for journalists to accompany them on the campaign trail. State-owned media outlets like the newspaper *The Cameroon Tribune* and radio and television broadcaster CRTV expressed to the Team that they were dedicated to covering the competing political parties equally during the campaign period. However, the line between independent journalism and state-financed coverage of the campaign was unclear to stakeholders. They alleged that subsidised travel for journalists and government resources were used to bolster the campaign activities of the ruling party. They alleged further that the ruling party had undue influence over editorial content.

Barriers to Editorial Freedom

Poor pay for journalists and unclear distinctions around professional status make the industry susceptible to lowered standards like bribe-taking or biased reporting. Not all journalists who work in Cameroon are accredited or belong to organisations like the Cameroon Union of Journalists (CUJ) or Cameroon Association of English Speaking Journalists (CAMASEJ). Standards of accuracy and factualism in reportage vary widely in media outlets, and the Centre for Conflict Resolution Journalism (CCRJ) has noted that 'newspaper content in the independent press is largely political commentary that makes scanty [*sic*] use of factual material', and says the problem derives in part from a lack of training for those involved in the industry.

Another barrier facing journalists is the prospect of intimidation or being targeted legally for critical reportage. During the campaign it was reported that an editor from a private newspaper was detained by military police in the wake of an August 2010 story about alleged

embezzlement by a tax collector. Other opposition candidates also reportedly found their activities limited, according to news reports and a diplomatic source.

A release by international non-governmental organization, *Reporters Without Borders*, on the state of media freedom during the campaign commented on clearly unbalanced coverage in favour of the ruling party, and said that 'decriminalisation of media offences' was needed to remove the threat of imprisonment for reporters.

A government official acknowledged the need for an independent media regulatory body, as well as a review of the law concerning press freedom. The official said that while press freedom and democracy are likened to each other, the broad press freedom in Cameroon still has a weak impact on the political process. Another government official said that ELECAM should be in charge of issuing press accreditation during the campaign period, and not the Ministry of Communication.

Public Interest in the Campaign Process

It should be noted that there appeared to be a large interest by some Cameroonians in consuming news related to the political process. This stood in contradistinction to stakeholders' assessment of a pervasive sense of public apathy. There were also efforts to sensitise journalists to fair and responsible coverage of the elections process, such as a training seminar organised by one non-governmental organisation during the election period.

On the streets of Yaoundé, the Team observed people crowding around newsstands that carried dozens of French and English newspapers. At one, there were more than 50 tabloid-style newspapers on display, almost all focused on election-related matters. Small battery-powered radios were used in areas without electricity for people to gather the news.

One promising development noted by interlocutors was the beginning of television debates featuring members of different political groups. But while there was evidence of some lively public debate on the airwaves and in newsprint, the prospect of spreading news or organising political activities through means such as social networking websites seemed to be an underdeveloped concept. For example, while the ruling party candidate and some opposition candidates used tools like Twitter or Facebook to publicise their campaigns, the practice was not universal. One media report by Dibussi Tande, analysing social networking use in the campaign, said 'the SDF seems to be a very reluctant player on the social media scene, if at all'. The same report said 'none of the campaigns seem to have incorporated mobile phone communication which allows them to share ideas and gather critical data'.

Issues and Recommendations

We appreciate the natural advantages that may accrue to an incumbent government. However, the magnitude of resources that to us appeared to have been deployed by the ruling CPDM party during the election campaign and its overwhelming advantage of incumbency challenged the notion of a level playing field in the entire process.

It is therefore important that the existing laws on campaign financing and media coverage during the campaign period be reviewed and properly enforced with the aim of strengthening accountability and transparency.

The use of visas to regulate the allocation of space and sites for the display of election posters and manifestos raised concerns about having to seek permission to campaign and the possibility of the Minister of Territorial Administration and Decentralisation rejecting the request on a partisan basis.

Election Campaign

- We recommend that ELECAM should be empowered to formulate campaign regulations to assure equitable political coverage for all parties at election time. Such campaign regulations shall be enforceable on both State and private radio and TV stations. This arrangement will make any further role of the Ministry of Communication in this area redundant.
- MINATD continued to retain some legal responsibilities for the election. Taking advantage of its fore-knowledge as to the date of election, the ruling party was allegedly able to purchase virtually all billboard spaces, resulting in a disproportionate display of the posters of the ruling presidential candidate and drowning out room for competition. We recommend that the allocation of billboards for posters needs to be reviewed to assure equitable access to all parties and appropriate sanctions be imposed for any willful breach of the established rules in this respect.
- The Ministry of Communications is yet to set up a credible level playing field with regard to access to electronic media and television among all presidential aspirants. Equity and balance in the level and allocation of funds supplied by the state for the campaigns demands review. We recommend that the current provisions should be revisited to ensure that state funding of campaigns is provided at a realistic level, which allows for competition on an equal footing.

Media

- During the election period the Ministry of Communication was in charge of granting accreditation to journalists who wished to cover the ruling party's candidate. We recommend that all election accreditation should be done through an independent body such as ELECAM.
- Journalists report a climate of legal intimidation or the possibility of incarceration in the course of their work. No independent media regulatory body exists, that does not answer to the head of state or is part of government. We recommend that the government consider creating such a body, as well as seriously evaluating laws that criminalise the work of journalists.
- Members of the media hold the view that there are widely varying standards of factualism and accuracy in reportage. We recommend that increased training should be

offered on covering election campaigns fairly and responsibly. A body such as ELECAM may consider partnering or leading such training, or working with organisations like the Union of Cameroon Journalists.

- Critics allege that state-owned media are used by the ruling party as a tool during election campaigns. We recommend the establishment of an independent media regulator to monitor the content on state-owned outlets and release findings on possible biases or uneven coverage.
- Different media outlets do not have the logistical manpower or internal training of staff to thoroughly cover a nation-wide campaign. We recommend that media outlets examine the use of technology in order to leverage their resources with other outlets in Cameroon and access training from other jurisdictions on reporting practices.

Chapter 5

VOTING, COUNTING AND RESULTS

Background

The polling stations are determined in accordance with the provisions of the 1992 Law as amended which state that each polling station should be allocated a maximum of 500 registered voters. The overall management of the polling stations is the responsibility of individual polling station presidents who are appointed and trained by the regional office of ELECAM. Each president oversees the allocation of duties, the setting up of equipment and the entire process of voting and counting. The president is assisted by a representative of the government administration in the particular area (the Administration) and representatives of political parties. According to the Team's observation, on polling day political party representatives were responsible for the issuing of ballot papers and two scrutineers were chosen from among them to assist in the counting of votes.

ELECAM reported that the voters' register had 7,525,122 voters including 25,000 who were to vote at diplomatic missions abroad.

Observations on Polling Day

Voting

Polling stations were supposed to open at 0800, however, in some cases the opening was delayed due to a lack of preparedness. The pre-voting preparations included the opening of the polling station to staff; the posting of the voters' list on the wall or an improvised stand outside the polling station; and the organisation of the internal layout of the polling station which included positioning the voting booth and providing the ballot box and other electoral materials.

Duties were allocated to polling staff in a similar manner at most stations: the president was responsible for the voter register, the representative of the Administration had the counting forms and ink, and the party representatives issued ballot papers. The empty ballot boxes were sealed in the presence of all polling station staff.

Some voters first checked their names on the voters' list posted outside the station and then entered the polling station, while others went straight into the station without checking their names on the list outside. Each voter then submitted his or her registration card to the president in his or her role as the voter register officer, to verify his or her name on the register. The voters that did not have their registration cards used their national identity cards

to verify their names. In certain instances voters had their registration cards or proof of registration but their names could not be found on the voters' register and therefore could not vote. The voter then proceeded to the party representatives who gave him or her the twenty-three ballot papers and an envelope. The voter went into the polling booth, selected the ballot paper of his or her choice before placing it in the envelope provided. Surplus ballots were disposed of in a garbage bag located either in the booth or close to it. The voter then cast his or her vote by putting the envelope in the ballot box, had his or her right thumb dipped on an ink pad and placed the inked thumb on the back of the registration card. Some voters then had their thumb nail inked whereas others did not.

In certain instances, the voters would be asked to make a cross against their names on the voter register and in others they would be asked to sign next to their names in the column provided. Voting was required to end at 1800 and at most observed polling stations the queues were not long and most voters had voted by closing time.

On the whole, Election Day was peaceful, generally transparent and the inclusion of large numbers of women in local polling commissions was commendable. However, at the polling stations where counting was observed by the Team, voter turnout was low.

Counting

The stipulated closing procedure at polling stations was not always followed. In some instances the procedure for the transition from a polling to a counting station lacked the ceremonial announcement of the closing of voting and the commencement of counting. In some instances the doors were not closed so members of the public were able to come in to witness the counting process. The president opened the ballot box and counted the number of envelopes while the participants observed. The two scrutineers then took their positions to prepare for the counting of the ballot papers. In some instances however, only one scrutineer picked out the ballot paper from the envelope and announced the name of the candidate, while in other instances one scrutineer picked the ballot paper to hand to another who then announced the candidate. The spoiled ballots reflected by empty envelopes were set aside and counted.

The representative of the Administration or member of the polling station team designated for this role, drew columns on a chalkboard that were then used for recording the results as announced during counting. The votes were allocated to each candidate as the scrutineer called out the party and/or candidate's name while showing the ballot paper to the participants. The final tally was done, recorded in the result forms, and signed by each member of the election staff. Political party representatives received the result forms for their respective parties and so did the representative of the Administration.

Two result forms and two counting forms were then taken to the ELECAM council office where one form was kept for record purposes and the other was sent to the regional office.

Results Process

The election results were to go through various stages of the fifteen day result process that would lead to the final proclamation by the Supreme Court. The first stage was for the election staff at the polling station to sign the results forms for the particular station. Then two copies of

the results were to be sent to the council office within 48 hours: one copy was to be kept by the president of the council while the second was to be sent to the regional director who would then send it to the national office of ELECAM in Yaoundé. At that stage of the process, no official declaration would be made and results would not be revealed to the public with the exception of those participating at each polling through observation. The council office would then send the results with the ballot papers to the Divisional Commission for further processing which included checking and verification.

The Divisional Commission was to be made up of three representatives of the Administration, three from ELECAM and one representative for each candidate. The results were then to be sent to the National Supervisory Commission (NSC) which would be expected to complete verification in five days. From the NSC the results were to be sent to the Constitutional Council, a role performed *de facto* by the Supreme Court for a five day period of final processing before proclamation. The results process was thus to take 15 days before an official announcement was made.

Issues and Recommendations

As previously noted, we commend voters for the peaceful manner in which they exercised their right to vote. We make the following recommendations in the hope that they will be considered in efforts to strengthen the electoral process:

Voter education

- Those voters who could vote seemed to have been willing to do so and we did not observe any visible signs of coercion. However, to ensure increased participation and enthusiasm in the electoral process voter education must have a wider reach. Voter education must also include information on the relevant documentation for voting; in this election, although ELECAM provided that a voter without a voter's card could vote as long as his or her name was on the register and he or she had a national identity card, we observed that there was some confusion among some voters on whether they could vote with just the national identity card in cases where they had not received their voters' cards.

Voters' lists

- The Team observed in some polling stations that some voters' lists were faint. This resulted in voters taking a long time to identify their names, sometimes unsuccessfully. The Team also observed instances of duplication of names in some voter registers. Visible lists must be produced, and computerised lists provided to the general public to allow inspection for claims and objections before polling day. We recommend that the existing voter register should be scrapped and a national register begun afresh. We further urge that for future voter registration exercises, the distribution of cards should be localised and well planned.

Polling day

- In some dense urban areas, the Team found that there were too many polling stations in close proximity to each other. In such areas, polling station delimitation should be determined by voter numbers of at least 1000 in order to reduce the number of polling stations and thereby facilitate the presence of party agents in a larger number of polling stations.
- Though provision was made for the presence of discreet security, in many instances observed by the Team, no security personnel was present. Voter safety and security of the process must be ensured at all times.
- As previously noted, the use of multiple ballot papers was cumbersome and interfered with the smooth flow of the voting process. We strongly encourage the use of a single ballot paper for future elections. Additionally, the distribution of sensitive election materials such as ballot papers on the eve of voting might compromise security. Ballot paper management must be improved throughout the entire process from production and distribution through to polling.
- The quality of ink provided was not satisfactory: the ink was not indelible thus resulting in the possibility of multiple voting. The use of indelible ink in an ink bottle must be mandatory to avoid multiple voting. Training should specify the purpose of the indelible ink, to address the misconception that the ink was solely to be used for marking the back of the voting card, when instead it was for permanently marking voters themselves to prevent multiple voting. We also wish to note that it is best practice for voters to be inked immediately the ballot paper is issued.

Polling staff

- The Team observed in some of the areas they visited that the delay in opening some voting stations was mainly the result of a lack of preparedness by election staff. We recommend the training of staff in clearly defined and uniform procedures to avoid disenfranchising voters, and to minimize variation in processes such as sealing of ballot boxes, verification on voters' register, inking and counting procedures.

The role of party agents.

- In most polling stations the Team visited, we noted the cooperation between party agents and polling officials and the atmosphere of congeniality. We believe this added to the peaceful nature of this election. We however note, with concern, that in some instances the duties of party agents and polling officials were blurred. Party agents should represent candidates and/or parties, and should not be used as election staff. We wish to reiterate the recommendation of the 2004 Commonwealth Observer Group which noted in its report that "election management functions should be performed by

people whose loyalty is to the integrity of the process rather than to a particular candidate or party.”⁹

The counting and results process

- The counting process was relatively transparent in areas the Team visited. However, we would urge uniformity in counting procedures to ensure best practice is adopted across the country.
- There was a lack of visible ceremonial transition from the polling stage to the counting stage. Polling station presidents must announce the transition from each significant step to the other, e.g. the emptying of the ballot box and the transition from a polling station to a counting station.
- We further note reports from other observers and from our own Team members of a lack of reconciliation of ballot papers in many polling stations. We hope that future training on ballot paper management will include the reconciliation of issued, used and spoilt ballot papers at the counting stage.
- There is a need for improved lighting facilities during the counting stage for future elections. We note that lanterns were provided for a significant number of polling stations in this election. However, in some polling stations, there was no provision of kerosene to light them up. Polling officials and agents therefore had to conduct the count with improvised lightning which was inadequate in some instances.
- The fifteen day period from the close of polls to the announcement of results is unreasonably long. We urge a review of the verification procedures leading to the announcement of results with a view to shortening the process.
- Finally, we further underscore that ELECAM should be given the right to declare and announce election results to strengthen its autonomy and independence.

⁹ Report of the Commonwealth Observer Group: Cameroon Presidential Election, 11 October 2004, page 46

Chapter 6

CONCLUSIONS AND RECOMMENDATIONS

Conclusions

We noted the high expectations that accompanied the 2011 Presidential Election, given that it was the first to be conducted by Elections Cameroon (ELECAM), the body tasked by law to be independent of the government and to administer the elections. The existence of an election management body is to be commended as part of the development and maturing of the democratic process in Cameroon.

We noted an improvement in the preparations for this election, as compared to previous ones. This was a largely peaceful election with some of the key benchmarks for democratic elections provided for, including freedom of association, expression, as well as universal suffrage and the right to vote. Voters who could vote expressed their will freely. The process was generally transparent.

We wish therefore to commend the leadership of ELECAM for their work in organising the election, for their forthrightness in their discussions with us, and their general openness with us and the broader international observer community. We note the establishment of ELECAM as a significant first step toward a credible electoral process. We also commend ELECAM's efforts in establishing key structures at the local level in a relatively short period of time; in collaborating with political parties and other stakeholders; and, in the organisation of Diaspora Voting, for the first time in the country's history.

ELECAM organised what appeared to us to be an open electoral process, in spite of shortcomings in logistics and administration. Of note was the fact that both international and national observers as well as political party representatives were allowed to freely enter polling stations and observe the procedures including the voting and the counting process.

It was, however, our impression that public confidence in ELECAM was limited. We noted serious concerns that ELECAM was not wholly independent of the government. We felt that this was due, in part, to the past political affiliations of some of the Electoral Board Members. ELECAM needs to do more to demonstrate its neutrality and inspire the confidence of the electorate in future elections. In this connection, it would be helpful if steps are taken in earnest to enhance the institutional autonomy of ELECAM.

A particular challenge was the management of voter registration. We hope that further refinements will be adopted to overcome the problems which emerged in this election and led to the unfortunate disenfranchisement of some voters.

As noted, we appreciate the natural advantages that may accrue to an incumbent government. However, the magnitude of resources that appeared to us to have been deployed by the ruling party and its overwhelming advantage of incumbency challenged the notion of a level playing field in the entire process. We hope that more will be done to level the playing field, so as to increase public confidence in the entire electoral process for future elections.

We believe that this country has to examine in the future how the issues that were brought to our attention and those we have highlighted can be addressed so as to enhance the democratic credentials of Cameroon.

It is hoped that our recommendations below will be taken in the constructive spirit in which they are intended and that necessary reforms will be made in time for the next elections to be held in this country. The people of Cameroon must play a central role in this process.

It has been our honour to provide this service for the people of Cameroon in the hope that in the fullness of time, democracy will grow and flourish within their beautiful country.

We summarise our recommendations below.

Recommendations

The Electoral Framework and Election Administration

ELECAM needs to do more to demonstrate its neutrality and inspire the confidence of the electorate in future elections. In this connection, it would be helpful if steps were taken in earnest to enhance the institutional autonomy of ELECAM.

It should be the sole responsibility of ELECAM to handle the electoral process; disputes, with right of appeal to the Constitutional Council; and announcement of the results; and accreditation of observers. The remaining vestiges of electoral functions should be transferred from MINATD and other institutions to ELECAM.

The Senate and the Constitutional Council need to be established, and there needs to be review of whether the Constitutional Council should have original jurisdiction to hear election petitions or whether its jurisdiction should be appellate by way of review.

A complete and comprehensive review of the various electoral laws should be undertaken with a view to commencing a consultative process of electoral reform, to address conflicting and unclear provisions, and produce an improved compilation of Cameroon's electoral laws. The establishment of ELECAM itself, through Law N° 2006/011 of 29 December 2006, presents a strong foundation for electoral reform that can be built upon.

There should be a new voter registration list completed in time for the next elections in the country. The list of registered voters ought to be available online and in hard copy, readily and easily available in readable print. The master list of all voters province-wide and nationwide should be readily available to voters at will. It should be made clear that once you are registered and your name is on the list, the voter does not need anything other than identification to vote in the election.

For future elections, a timetable that allows sufficient time for pre-election activities such as voter registration, candidate nomination, inspection of the voter register and campaigning should be designed. For example, candidates must be given sufficient time to prepare and present their documents at the nomination stage.

The law should be amended to allow the signatures of ordinary voters nationwide to enable independent candidates to run for office: the current legal requirement of obtaining 300 signatures from a certain class of voters appears onerous and restrictive, as highlighted above.

There should be no distinction between the treatment of representative of the governing party and that of opposition leaders in their ability to mobilise around the country during the campaign period.

All election accreditation should be done through ELECAM.

Election Campaign

ELECAM should be empowered to formulate campaign regulations to assure equitable political coverage for all parties at election time. Such campaign regulations should be enforceable on both State and private radio and TV stations. This arrangement will make any further role of the Ministry of Communication in this area redundant.

The allocation of billboards for posters needs to be reviewed to ensure equitable access to all parties, and appropriate sanctions should be imposed for the willful breach of the set-down rules in this respect.

Equity and balance in the level and allocation of funds supplied by the state for the campaigns demands review. The current provisions should be revisited to ensure that state funding of campaigns is provided at a realistic level, which allows for competition on an equal footing.

Media

Increased training should be offered on covering election campaigns fairly and responsibly. A body such as ELECAM may consider leading such training, or partnering with organisations like the Union of Cameroon Journalists.

An independent media regulator should be established to monitor the content on state-owned outlets and to release findings on possible biases or uneven coverage.

Media outlets might want to examine the use of technology in order to leverage their resources with other outlets in Cameroon and access training from other jurisdictions on reporting practices.

The government should strongly consider the creation of an independent regulatory body that could regulate access to the media, working in conjunction with ELECAM in regards to election coverage.

Voting, Counting, and Results

Preparations for polling

Voter education

- To ensure increased participation and enthusiasm in the electoral process voter education must have a wider reach and must also include information on the relevant documentation for voting.

Voters' lists

- Visible lists must be produced, and computerised lists provided to the general public to allow inspection for claims and objections before polling day.

Voter register

- The existing voter register should be scrapped and a national register begun afresh.

Voter cards

- For future voter registration exercises, the distribution of cards should be localised and well planned.

Polling day

Polling station delimitation

- In dense urban areas polling station delimitation should be determined by voter numbers of at least 1000 in order to reduce the number of polling stations and thereby facilitate the presence of party agents in a larger number of polling stations.

Security

- The use of discreet security personnel should not compromise voter safety and security of the process, which must be ensured at all times.

Ballot papers

- We strongly encourage the use of a single ballot paper for future elections.
- Ballot paper management must be improved throughout the entire process from production and distribution through to polling. In particular, the distribution of sensitive election materials such as ballot papers on the eve of voting is strongly discouraged as this might compromise security.

Indelible ink

- The use of indelible ink in an ink bottle must be mandatory to avoid multiple voting.
- Training should specify the purpose of the indelible ink, to address the misconception that the ink was solely to be used for marking the back of the voting card, when instead it was for permanently marking voters themselves to prevent multiple voting.
- We also wish to note that it is best practice for voters to be inked immediately the ballot paper is issued.

Voting procedures

- Clear and audible oral instructions on voting procedures should be provided to voters on the day.
- As far as possible, voting procedures should be clearly displayed at the entrance of polling stations.

Polling staff

- Polling staff should be trained in clearly defined and uniform procedures to avoid disenfranchising voters, and to minimize variation in processes such as sealing of ballot boxes, verification on voters' register, inking and counting procedures.

Role of party agents.

- Party agents should represent candidates and/or parties, and should not be used as election staff. Election management functions should be performed by people whose loyalty is to the integrity of the process rather than to a particular candidate or party.

The counting and results process

- We urge uniformity in counting procedures to ensure best practice is adopted across the country.
- There is a need for a visible ceremonial transition from the polling stage to the counting stage. Polling station presidents must announce the transition from each significant step to the other, e.g. the emptying of the ballot box and the transition from a polling station to a counting station.
- Future training on ballot paper management should include how to manage the reconciliation of issued, used and spoilt ballot papers at the counting stage.
- There is a need for improved lighting facilities during the counting stage for future elections.
- We urge a review of the verification procedures leading to the announcement of results with a view to shortening the process from its current length of 15 days.

- ELECAM should be given the right to declare and announce election results to strengthen its autonomy and independence.

Annex 1

Commonwealth News Release and Biographies of the Team



COMMONWEALTH NEWS RELEASE

ANTIGUA AND
BARBUDA
AUSTRALIA
THE BAHAMAS
BANGLADESH
BARBADOS
BELIZE
BOTSWANA
BRUNEI DARUSSALAM
CAMEROON
CANADA
CYPRUS
DOMINICA
FIJI
THE GAMBIA
GHANA
GRENADA
GUYANA
INDIA
JAMAICA
KENYA
KIRIBATI
LESOTHO
MALAWI
MALAYSIA
MALDIVES
MALTA
MAURITIUS
MOZAMBIQUE
NAMIBIA
NAURU
NEW ZEALAND
NIGERIA
PAKISTAN
PAPUA NEW GUINEA
RWANDA
ST KITTS AND NEVIS
ST LUCIA
ST VINCENT AND
THE GRENADINES
SAMOA
SEYCHELLES
SIERRA LEONE
SINGAPORE
SOLOMON ISLANDS
SOUTH AFRICA
SRI LANKA
SWAZILAND
TONGA
TRINIDAD AND
TOBAGO
TUVALU
UGANDA
UNITED KINGDOM
UNITED REPUBLIC OF
TANZANIA
VANUATU
ZAMBIA

11/43

3 October 2011

Commonwealth Team to observe Cameroon Presidential Elections

A Commonwealth Expert Team will observe the Presidential Elections due to take place on 9 October in Cameroon, Commonwealth Secretary-General Kamallesh Sharma announced today. The Team has been constituted at the invitation of the Minister of External Relations of Cameroon.

Mr Sharma said that the team of six experts, supported by a four-member staff team from the Commonwealth Secretariat, will be led by Mr Frederick Mitchell MP, former Foreign Affairs Minister for The Bahamas.

The Secretary-General added that the mandate of the team is to observe the preparations for the election; the polling, counting and results process; and the overall electoral environment. The team is to assess the overall conduct of the process and make appropriate recommendations for the future strengthening of the electoral process in Cameroon.

The team arrives in Yaoundé today and will remain in Cameroon until 15 October.

The full composition of the Commonwealth Expert Team is as follows:

Mr Fred Mitchell (Chair)
Former Foreign Minister
Bahamas

Ms Gabrielle Giroday
Journalist
Winnipeg Free Press
Canada

Mr Samuel Tembenu
Lawyer & former President, Malawi Law Society
Malawi

Mr Irfan Abdool Rahman
Electoral Commissioner
Mauritius

**Fiji was fully suspended
from the Commonwealth
in 2009.*

1/2

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E-mail: info@commonwealth.int Web Site: <http://www.thecommonwealth.org>

Ambassador Bariyu Adekunle Adeyemi
Former Diplomat
Nigeria

Dr. Tumelontle Thiba
Provincial Electoral Officer
North West Province
South Africa

The Commonwealth Secretariat support staff team will be led by Linford Andrews, Political Affairs Officer in the Political Affairs Division.

The Commonwealth observed the 1997 Presidential Elections, and the 2002 Municipal and Legislative Elections in Cameroon. The Commonwealth also observed the 2004 Presidential Elections. A Commonwealth Assessment Team was present for the 2007 Parliamentary elections.

Note to Editors:

The Team's report will be submitted to the Commonwealth Secretary-General, who will then in turn send it to the Government of Cameroon, Elections Cameroon (ELECAM), and Commonwealth Governments.

The Expert Team will act impartially and independently and shall conduct itself according to the standards expressed in the International Declaration of Principles for Election Observation to which the Commonwealth is a signatory.

For media inquiries, please contact:

In Cameroon: Mr Linford Andrews, Political Affairs Officer, on Tel: +44 (0)752-5392-496, +237 96001541 or e-mail: l.andrews@commonwealth.int

In London: Mr Julius Mucunguzi, Communications Officer and Assistant Spokesperson for Africa on e-mail: j.mucunguzi@commonwealth.int or Tel: +44-7894-593-517.

Biographies of CET Members

Mr Frederick A. Mitchell MP (The Bahamas)

Frederick A. Mitchell is the Opposition's Spokesman on Foreign Affairs, the Public Service and Foreign Trade in The Bahamas. He served in the Senate of The Bahamas from 1992 to 2002 and is now a Member of the House of Assembly in The Bahamas (2002 to the present). He was appointed Minister of Foreign Affairs and the Public Service in 2002 and served until 2007. He has worked as a journalist and practises today as a lawyer

Ambassador Kunle Adeyemi (Nigeria)

Ambassador Kunle Adeyemi is a former Nigerian Ambassador to the United Nations (UN) in Geneva, and has also worked for the UN and as a consultant and election observer. He joined the Nigerian Foreign Service in 1963, and was Head of the International Affairs Directorate when he retired from the service in 1998. He was a Senior Political Affairs Officer at the UN, and was also the Nigerian facilitator on the peace negotiations on Darfur held in Abuja from 2005 to 2006. He now acts as a consultant on peace building, good governance and conflict resolution, as well as working in election observation.

Mr M. 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).

Dr Tumelontle Thiba (South Africa)

Dr Tumelontle Thiba currently holds the position of Provincial Electoral Officer of the South African Independent Electoral Commission (IEC) in the North West Province. She has taught at Ganyesa, Vryburg, Kimberley and Mafikeng. She was also a lecturer at Augustineum College in Windhoek, Namibia, as well as at the University of Zululand and at North West University, as head of unit, department chair and executive dean. Dr Thiba has a number of educational qualifications and has taught extensively with a focus on linguistics.

Mr Samuel Tembenu (Malawi)

Samuel Tembenu is a Senior lawyer in private practice in Malawi and is the former President of the Malawi Law Society. He is the co-founder of the general practice law firm, Tembenu, Masumbu & Company. He has also worked as a Human Rights Commissioner for the Malawi Human Rights Commission between 2002 and 2008. In 2008, Mr Tembenu observed the Presidential Elections in Rwanda, and at the local level has performed election observation in Malawi both as a member of the local bar as well as a Human Rights Commissioner.

Ms Gabrielle Giroday (Canada)

Gabrielle Giroday is a journalist with the Winnipeg Free Press, the largest newspaper in the Province of Manitoba. She was awarded the joint Canadian Association of Journalists and Canadian International Development Association fellowship in 2006 and used this in 2007 to report on women targeted by sexual violence as part of border disputes in the Democratic Republic of Congo, having reported on an election observation mission to the country in 2006 for the Free Press.

Annex II

DEPLOYMENT PLAN

| | |
|------------------------|--|
| Yaoundé (Centre) | Mr Frederick Mitchell MP (Chair) Mr Linford Andrews |
| Bamenda (North West) | Mr Irfan Abdool Rahman |
| Bertoua (East) | Ambassador Bariyu Adekunle Adeyemi Ms Gabrielle Giroday |
| Douala (Littoral) | Mr Samuel Tembenu Ms Yvonne Apea |
| Maroua (Extreme North) | Dr Tumelontle Thiba Mr Jonathan Hawkes |

Annex III

Post-election Press Release



COMMONWEALTH EXPERT TEAM CAMEROON PRESIDENTIAL ELECTION

9th October 2011

PRESS RELEASE

by

**Mr. Frederick A. Mitchell MP
Chair of the Commonwealth Expert Team**

A peaceful election: some benchmarks for democratic elections have been met, although the playing field needs to be levelled to increase confidence in the electoral process

The Commonwealth was invited by the Ministry of External Relations to observe the 9th October Presidential Election, and the Secretary-General of the Commonwealth constituted a six person Expert Team supported by a professional staff team from the Secretariat in London. I am honoured to have been invited to Chair the Team which has been present in the country since 3 October 2011.

This statement is our initial view of the election. It reflects largely our observations in the run up to the election, the polling day itself and the counting process. The Commonwealth Expert Teams were based in five regions in the country. We exchanged our findings with a number of other international and domestic observers, as well as the diplomatic community. These exchanges corroborated most of the impressions which we formed during the course of our observations.

The election, thus far, has met some democratic benchmarks such as freedom of association, expression, as well as universal suffrage and the right to vote.

This is an interim statement and it is issued prior to the formal declaration of the election results. We will issue a final report containing our conclusion and recommendations on the entire process at a later stage.

KEY FINDINGS

ELECAM must affirm its independence and must be supported to do so

We laud the establishment of ELECAM as a significant first step.

This election is the first one organised by an independent election management body. We commend ELECAM's efforts in establishing key structures at the local level in a relatively short period of time; in collaborating with political parties and other stakeholders; and, in the organisation of Diaspora Voting, for the first time in the country's history.

It was, however, our impression that public confidence in ELECAM was limited. We noted serious concerns raised that ELECAM was not wholly independent of the government. We felt that this was due, in part, to the past political affiliations of some of the Electoral Board Members. ELECAM needs to do more to demonstrate its neutrality and inspire the confidence of the electorate in future elections. In this connection, it would be helpful if steps are taken in earnest to enhance the institutional autonomy of ELECAM.

ELECAM was constrained in its performance by the prevailing legal framework: we had the opportunity to discuss some of these constraints - such as the use of multiple ballot papers rather than a single ballot - with some of its board members. In this technical matter, as in others we will highlight in our final report, we are of the view that as the body mandated to manage and supervise elections, ELECAM must influence and drive the process of reform through the legislature and other relevant institutions. It must be supported and encouraged to do so.

The Voter register needs to be refined

In the polling stations we visited, we observed that some voters had their voter identification cards, or receipts evidencing their application for voter cards, and in some cases, their National identification cards. However, their names were absent from the register and therefore they were unable to vote.

We also observed that while at some polling stations, provision was made for the collection of voter cards, many remained unclaimed.

In our assessment, the current voter register requires substantial refinement. We recognize the efforts made by ELECAM to this end, but would strongly encourage ELECAM to consider measures to significantly improve the voter register ahead of the 2012 legislative elections.

The election campaign: separating the role of party and state

We commend the provision of state funding for political parties' activities during elections.

However, we noted repeated complaints from some stakeholders and members of the opposition about the lack of distinction between the state and the ruling party when it came to the use of state resources for campaigning. An example highlighted was the disproportionate coverage accorded to the ruling party's campaign by the state media as compared to that of the Opposition.

We appreciate the natural advantages that accrue to an incumbent government. However, the magnitude of resources that appeared to us to have been deployed by the ruling CPDM party and its overwhelming advantage of incumbency challenged the notion of a level playing field in the entire process.

It is therefore important that the existing laws on election campaign financing, and media coverage during the campaign period be reviewed with the aim of strengthening accountability and transparency.

In the Commonwealth's election observation reports of 2004 and 2007 the pervasive influence of the ruling party in all aspects of the electoral process was highlighted as a major area of concern. If Cameroon is to further progress in the consolidation of its democracy, reforms in this area should be of top priority.

We also heard allegations from the main Opposition leader of the SDF, Mr John Fru Ndi at a political rally on Saturday 8th October, that he was prevented on two occasions from moving about the country to campaign because the ruling party's candidate had already been granted precedence to campaign in those particular areas.

The campaign of the ruling party's candidate should not be conducted to the detriment of other candidates. For future elections equitable arrangements should be put in place for election campaigns.

Polling Day

On the whole, the election was peaceful. We note an improvement to preparations for these elections, as compared to previous ones. Voters who could vote expressed their will freely. The process was generally transparent. We commend the inclusion of large numbers of women in the local polling commissions.

We regret, however, that turnout appears to have been low in the areas that we observed. This, in our view, reinforces the repeated complaints about a pervasive

sense of public apathy. We wish to highlight the following observations which will be further elaborated upon in our Final Report.

Generally polls opened on time, though we received some reports that in a number of areas there were delays. In some instances, this was attributed to a lack of preparedness on the part of election officials. In another case, the delay was caused by preparations being made for senior government officials and other personalities to vote.

The use of multiple ballots interfered with the smooth flow of the voting process and led to different procedures from station to station on how voters collected the ballot and disposed of them.

There were complaints about the ink and the inconsistent manner of its application. We also observed instances where the ink was washed off soon after its application. We would encourage the use of, and consistent application of indelible ink for future elections to safeguard the integrity of the process.

We also wish to underscore that it is considered best practice to apply the ink immediately upon issuance of a ballot paper to a voter.

The Commonwealth's partnership with Cameroon

In some cases, ordinary citizens approached the Team to express various concerns regarding the overall management of the electoral process, the campaign period and seemed to suggest that the Commonwealth and other international organisations could resolve these issues.

The Commonwealth has engaged with Cameroon to deepen its democracy since it joined the organisation in 1995. We will continue to engage by making constructive recommendations and assisting the people and government of Cameroon to implement them. However, the people of Cameroon must play a central role in this process.

We believe that this country has to examine in the future how the issues that were brought to our attention, and those we have highlighted can be addressed to enhance the democratic credentials of Cameroon.

It is our hope that improvements will be effected in time for the next elections.

In the meantime, it is our fervent hope that the results process will be managed in a transparent manner and without undue delay.

Yaoundé, 12 October 2011

For further media enquiries, please contact: In Cameroon: Mr Linford Andrews, Political Affairs Officer, tel: at +237 96 00 15 41, +44 7525 392 496 or email: L.andrews@commonwealth.int In London: Mr Julius Mucunguzi, Communications Officer and Assistant Spokesperson for Africa, tel: +44 7894 593 517 or email: j.mucunguzi@commonwealth.int

Annex IV

List of Private Radio Stations Operating in Cameroon

I - Radios privées commerciales

- 1) Radio Lumière Yaoundé
- 2) Radio Venus Yaoundé
- 3) Radio Siantou Yaoundé
- 4) Tome Broadcasting Radio (TBC) Yaoundé
- 5) Magic FM Yaoundé
- 6) Radio Environnement Yaoundé
- 7) Satellite FM Radio Yaoundé
- 8) Sky One Radio Yaoundé
- 9) Kalak FM Yaoundé
- 10) Dunamis FM Yaoundé
- 11) Radio Anaba Yaoundé
- 12) Radio Campus UY 2 Yaoundé
- 13) Radio Equinoxe Douala
- 14) Real Time Music (RTM) Douala
- 15) Sweet FM Daoula
- 16) Cauris FM Douala
- 17) Balafon FM Douala
- 18) Dynamic FM Douala
- 19) Radio Nostalgie Douala
- 20) Radio des Laureats Douala
- 21) Abakwa FM Bamenda
- 22) Université Tankou FM Bafoussam
- 23) Radio Star Bafoussam
- 24) Eden Radio Limbé
- 25) Ocean Radio Limbé
- 26) Radio équatoriale Sangmelilma
- 27) Radio Aurore Bertoua
- 28) Kribi FM Kribi
- 29) Beach FM Kribi
- 30) Abakwa FM Bamenda
- 31) Radio Hot Cocoa Bamenda

II - Radios communautaires et rurales

- 1) Radio Dana Mora
- 2) Radio Fotouni
- 3) Radio Kembong
- 4) Radio Lolodorf

- 5) Radio Femmes FM (Nanga Eboko)
- 6) Radio Nka – FM
- 7) Radio Bénoué FM Femme Garoua
- 8) Radio Femmes FM (Mbalmayo)
- 9) FM Medumba Bamganté
- 10) Radio Batcham
- 11) Radio Bafang
- 12) Radio Oku
- 13) Radio Communautaire du Noun Fouban
- 14) Radio Meyomessala
- 15) Radio Bouam
- 16) Tikiri FM Meiganga
- 17) Radio Bonakanda Buea
- 18) Radio Kousseri
- 19) Radio M'malli Sa'a
- 20) Radio Colombe Sa'a
- 21) Radio Baham
- 22) Radio Essé
- 23) Radion Odama Nanga Eboko
- 24) Radio communautaire des Femmes de la Mvilla Eblowa
- 25) Radio Yokadouma
- 26) Radio Mouloundou
- 27) Radio Nkul Bininga Esse
- 28) Radio Loua Monatele
- 29) Radio Baré-Bakem
- 30) Radio Yemba Dschang

III - Radios privées religieuses

- 1) Il est écrit Yaoundé
- 2) Cameroon Baptist convention radio Bamenda
- 3) World Wide Gospel Radio
- 4) Christian Gospel Radio
- 5) Radio Veritas Douala
- 6) Gospel 94.50 FM
- 7) Radio Reine Yaoundé
- 8) Radio Bonne Nouvelle (Yaoundé Douala, Bafoussam, Ngaoundéré)
- 9) Radio Jeunesse Yaoundé
- 10) Eternity gospel Radio Limbé
- 11) Radio Vie et Développement Tcholliré
- 12) Radio Salaaman Garoua
- 13) Radio Sawtu Linjilla (Ngaoundéré)
- 14) Cameroon Baptist Convention FM (Bamenda),

IV - Télévisions privées

- 1) Spectrum Television (STV 1) Douala
- 2) Spectrum Television (STV 2) Douala

- 3) Canal 2 International Douala
- 4) Dan broadcasting System Douala
- 5) Equinoxe TV Douala
- 6) LTM TV Douala
- 7) Ariane Television, Yaoundé
- 8) Samba Yaoundé
- 9) New TV Yaoundé
- 10) Vision 4 Yaoundé
- 11) Republican television Network (RTN) Bamenda
- 12) Horizon TV Bamenda
- 13) TBC TV Yaoundé
- 14)