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**Cameroon Presidential Election
11 October 2004**

**REPORT OF THE
COMMONWEALTH OBSERVER
GROUP**

Commonwealth Secretariat

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16 October 2004

Dear Secretary-General,

We have pleasure in submitting our Report on the Cameroon Presidential Election held on 11 October 2004.

We have taken into account the electoral environment as a whole, as well as the election itself. As you can see, we recommend the establishment of an independent election management body. That simple change could provide a solid basis of confidence and competition in the Cameroonian political process, so long as the body were genuinely independent and in control of the electoral process in Cameroon.

As for our judgements on the process, we have concluded that at a number of key points the electoral process lacked the necessary credibility. In particular we are concerned that many people who wished to vote were not on the Voters' Register, so were denied the right to vote. However, even given the serious deficiency in the management of the register, we believe that the intention of those who voted was reflected in the result.

We thank you for inviting us to observe these elections. Cameroon is a fascinating country and we were privileged to be immersed in it. We wish the people of Cameroon well for the future.

Yours sincerely,

Rt Hon Joe Clark
Chairperson

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ACRONYMS & TERMS

AU	African Union
CDU	Cameron Democratic Union
CFA	Communauté Financière Africaine Francs
CMAG	Commonwealth Ministerial Action Group
COG	Commonwealth Observer Group
CPDM	Cameroon People's Democratic Movement
CRTV	Cameroon Radio and Television
La Francophonie	L'Organisation internationale de la Francophonie
G8	Group of Eight
MINATD	Ministry of Territorial Administration and Decentralisation
NCC	National Communication Council
NCHRF	National Commission for Human Rights and Freedoms
NEO	National Elections Observatory
NEPAD	New Partnership for Africa's Development
NGO	Non-Governmental Organisation
NIC	National Identity Card
OAU	Organisation of African Unity
Refont	The recompilation of the voters' register
RTA	Radio Television Ariane
SDF	Social Democratic Front
Senior Divisional Officer (SDO)	Prefet
SLC	Social Liberal Congress
SOPECAM	Cameroonian Press Printing Company
Divisional Officer (DO)	Sous-Prefet
UNDP	United Nations Development Programme

CHAPTER ONE

INTRODUCTION

On 24 August 2004 the Minister of State for External Relations in the Government of Cameroon, M. Francois-Xavier Ngoubeyou, wrote to Commonwealth Secretary-General Don McKinnon to confirm that Commonwealth Observers would be welcome for the 2004 Presidential Election in Cameroon. (See *Annex One* for exchange of correspondence).

In line with usual practice, the Secretary-General then sent an Assessment Mission of three Commonwealth Secretariat officials, who met with the Ministry of Territorial Administration and Decentralisation (MINATD), the National Elections Observatory (NEO), political parties and civil society organisations. The Mission concluded that there was broad support for the presence of Commonwealth Observers and that Observers would have access to polling stations and counting centres and generally be free to pursue their mandate.

The President of Cameroon announced on 11 September that the Presidential Election would be held on Monday 11 October, 2004. On 24 September the Secretary-General informed the Government of Cameroon that in view of the Assessment Mission's report he had decided to constitute a Commonwealth Observer Group (COG). When it arrived some ten days later this consisted of sixteen observers from a diverse background, led by former Canadian Prime Minister Rt Hon Joe Clark. The Group was supported by a Staff Support Team of nine officials from the Commonwealth Secretariat led by Mr Matthew E K Neuhaus, Director of the Political Affairs Division. When the Group deployed the staff would reinforce the Observers to ensure a total presence on the ground on election day of some 24 observers.

The Observer Group was preceded from 31 August to 7 September by a Commonwealth Expert Team of five experts and three officials, and from 25 September by an Advance Observer. The Expert Team was led by the Chairman of Lesotho's Independent Electoral Commission, Mr Leshele Thoahlane, and was charged with assessing the voter registration process (see *Annex Two* for a full list of members). The Advance Observer was Ms Helen Maïché of the Seychelles. Accompanied by a member of staff from the Commonwealth Secretariat (see *Annex Three*) she travelled widely, observing the preparations for the elections, media coverage and the campaign, in order to obtain an impression of the electoral environment ahead of the arrival of the main Group and to represent an early presence on the ground for the COG.

On the Observer Group's first full day in Cameroon, Sunday 3 October 2004, the Expert Team and the Advance Observer were the first to brief the COG. (See *Annex Four* for a copy of the Expert Team's report).

TERMS OF REFERENCE

The Secretary-General provided the Group with the following Terms of Reference:

“The Group is established by the Commonwealth Secretary-General at the request of the Cameroon Government. It is to observe relevant aspects of the organisation and conduct of the Presidential Election which is scheduled to take place on 11 October 2004, in accordance with the laws of Cameroon. It is to consider the various factors impinging on the credibility of the electoral process as a whole and to determine in its own judgment whether the conditions exist for a free expression of will by the electors and if the results of the election reflect the wishes of the people of Cameroon.

The Group is to act impartially and independently. It has no executive role; its function is not to supervise but to observe the process as a whole and to form a judgment accordingly. It would also be free to propose to the authorities concerned such action on institutional, procedural and other matters as would assist the holding of such elections.

The Group is to submit its report to the Commonwealth Secretary-General, who will forward it to the Government of Cameroon, the Chairperson of the National Electoral Observatory, the leadership of the political parties taking part in the election and thereafter to all Commonwealth governments”.

The Secretary-General invited the members of the Observer Group in their individual capacities. He made clear - to the Observers, to the Government of Cameroon, and to the media (see press release at *Annex Five*) - that within the above Terms of Reference the Observers would form an independent judgement and that the views they expressed regarding the Presidential Election would be their own and not those either of their respective Governments or of the Commonwealth Secretariat.

PREPARATION AND ACTIVITIES OF THE GROUP

The Chairperson issued an Arrival Statement on behalf of the Group at a well-attended press conference in Yaoundé on Monday 4 October 2004 (see *Annex Six*). The Group was then briefed by MINATD, paid a courtesy call on the Minister of External Affairs, and met the National Elections Observatory. On 5 and 6 October the Group met representatives of several of the political parties, non-governmental organisations (including the domestic observers of the Catholic Commission for Justice and Peace), the National Commission for Human Rights (who had also organised their own observers), media organisations and the United Nations Development Programme. The COG’s briefing meetings concluded with a representative of the only other formal international observer group (La Francophonie), the four Commonwealth High Commissioners and the Commissioner of Police and several of his colleagues. (See *Annex Seven* for a full list of the Group’s appointments).

On Thursday 7 October 2004 the observers deployed across the country in eleven two-person teams, rising to twelve on election day itself (see *Annex Eight* for details of deployment). In drawing up its deployment plans the Group took care to ensure that Observers would be present in the North of Cameroon as well as the South.

Soon after their arrival in their places of deployment the teams visited the Provincial Governors and other representatives of the local administration (who organised the election on behalf of MINATD) and the police.

They then moved to meetings with representatives of the political parties, provincial officers of the National Elections Observatory and non-governmental organisations, especially the domestic observers. They made a particular point of meeting with electors – at markets, on the roadside, in cafes, in town squares and wherever small groups of people were present – to hear their views on the process. They familiarised themselves with their deployment areas and observed the final stages of the election campaign, attending rallies and noting the campaign methods of the political parties.

Meanwhile, the Chairperson of the Group visited several key cities – Douala, Limbe and Bamenda – and met with three of the Observer teams, in order to get a sense of the pre-election atmosphere. He met separately with His Eminence Cardinal Tumi, the journalist Pius Njawe and Dr Marie Louise Eteki: the only woman who had filed papers to run for President, but had been disqualified. The Chairperson returned to Yaoundé on 9 October and on election day itself observed in the capital.

On Election Day the teams visited as many polling stations as possible, observing the voting and counting of votes. Nine of our Teams followed the result of at least one polling station count through to the district collation centre (to test the integrity of the results system) and noted the way in which the authorities transported and then stored the used ballot papers.

Altogether the observers visited 263 polling stations on election day and were present at 21 counts and 9 district collation centres. The Observers visited all ten Provinces. They were assisted in their work by *Observation Notes* and *Checklists* (see *Annex Nine*).

The day after the election the Observers sought feedback from the political parties, non-governmental organisations and other observers. The Teams then returned to Yaoundé, briefed each other on their experiences in the field and impressions of the campaign and the voting and results processes, and began writing their report to the Secretary-General. Following consultations with members of the Group a statement was issued to the media by the Chairperson later that day, 12 October 2004 (*Annex Ten*).

On 14 and 15 October the Chairperson and members of the Group paid courtesy calls on Prime Minister Musonge and President Biya respectively. The Group also had a formal meeting with the La Francophonie Observer

Group in Yaoundé and, in order to maximise observation coverage and to avoid duplication, liaised with them during deployment. The Chairperson met with European Union ambassadors and attended a meeting of donor governments and diplomatic observers chaired by UNDP in Yaoundé on 14 October.

A Departure Statement was made by the Group on 16 October 2004 (see *Annex Eleven*). Having completed and signed their Report the Observers left Cameroon on 16 October 2004 and the Report was taken by hand to the Secretary-General.

CHAPTER TWO

POLITICAL BACKGROUND

INTERNATIONAL ENVIRONMENT

Over the last two decades there has been a movement towards multipartyism and broader democracy in the world. This has been advanced by the end of the cold war, the spread of a globalised society and the opportunities provided by international communications and commerce. Multilateral organisations such as the United Nations, the Commonwealth, La Francophonie, as well as the G8, have also played a leading role in promoting democracy and development in all regions of the world.

AFRICAN ENVIRONMENT

These new winds of change have blown through Africa as elsewhere. Particularly striking has been the growth of multipartyism on the continent. This has replaced in most of its nations the monolithic one-party states created at, or shortly after, independence in the 1960s. Multipartyism has also encouraged the growth of non-governmental organisations which themselves have been particularly active in the political process. However, many citizens in these nations remain unaware of the constitutional and other provisions that define their rights and responsibilities. This is particularly true in illiterate or semi-illiterate rural populations.

Elections are now frequent and commonplace. But there is more to democracy than elections and multiparty states. In particular, a healthy democracy requires a clear separation of powers and strong institutions such as an active parliament, an independent judiciary, an executive bound by constitution and law, a merit based public service, a free press and a vibrant civil society.

A participatory democracy should be accompanied by a democratic culture, with an enlarged role for citizens, stronger connections between them and their governments, and clearly defined institutions. A participatory democracy is characterised by inclusiveness rather than exclusivity. Fundamental to the development of democracy is an electoral process which is truly independent of all contesting political parties and not subject to direction or abuse by the government of the day. It also has to take into account national circumstances as well as particular histories and cultures.

The New Partnership for Africa's Development (NEPAD) initiative, developed and driven by African leaders, is a clear example of a comprehensive development initiative for the continent. Central to NEPAD is the peer-review mechanism as a means to monitor progress and raise standards of political and economic governance. Cameroon has chosen to

be one of the first countries to invite review by its peers under this process.

The recent transformation of the Organisation of African Unity (OAU) into the African Union (AU) also has better governance at its heart. An example of the increased involvement of the AU in the democratisation process is the conference of experts on elections, governance and democracy it organised in May 2004. All African countries were represented and recommendations submitted to the Heads of State and Governments. One of the main recommendations was that electoral management in each State should be placed in independent and politically unhindered authorities.

THE COMMONWEALTH

The Commonwealth has long played a leading role in promoting democracy and good governance. As far back as 1971, Commonwealth leaders made clear their commitment to democratic values and the equality of all peoples in the Singapore declaration. In 1991, in the Harare Commonwealth Declaration, the Commonwealth set out in detail its commitment to these "Commonwealth values". The Declaration pledges Commonwealth member states to uphold democracy, democratic processes and institutions, the rule of law and the independence of the judiciary, just and honest government, and fundamental human rights.

This was taken a step further in 1995 with the adoption of the Millbrook Commonwealth Declaration, the establishment of the Commonwealth Ministerial Action Group (CMAG) on the Harare Declaration and the suspension of military-ruled Nigeria from the Commonwealth. Since then, any member which suffers an unconstitutional change of government is automatically suspended from the Commonwealth's councils. This was reinforced further in 2002 when CMAG's strengthened mandate provided for the possibility of suspension for "serious or persistent breaches" of the Harare principles even if there was not an unconstitutional change of government.

CAMEROON'S POLITICAL DEVELOPMENT

Cameroon has not been isolated from the political developments that have shaped the world and the Commonwealth during this period. Shortly after independence, under its former President Ahidjo, Cameroon became a de facto one party state. In 1990, Paul Biya (who had become President in 1982) brought in a new multiparty system. Cameroon's first multiparty elections in 1992 were narrowly won by President Biya's Cameroon People's Democratic Movement (CPDM), which has continued to be the governing party since then. The polling results were rigorously contested by the Social Democratic Front (SDF), led by Ni John Fru Ndi who polled very strongly. Many Cameroonians took to the streets in protest and suffered heavy repression from government security forces, resulting in many deaths and detentions. The SDF remains Cameroon's principal opposition party, but many others have emerged.

Other opposition parties contesting the 2004 presidential election were:

- Alliance for Democracy and Development (ADD)
- Cameroon Integral Democracy (DIC)
- Justice and Development Party (JDP)
- Mouvement Africain pour la Nouvelle Indépendance et la Démocratie (MANIDEM)
- Movement of Cameroonian Ecologists (MEC)
- Movement for Democracy and Interdependence (MDI)
- Nationalism of Cameroonian Patriots (NPC/BUSH)
- Party of Social Democracy (PDS)
- Progressive Movement (MP)
- Social Liberal Party (SLP)
- Social Movement for New Democracy (MSD)
- Cameroon Democratic Union (CDU)
- Union of Democratic Forces in Cameroon (UFDC)
- Union of African Populations (UPA).

A unique feature of Cameroon is the way in which it has sought to weld together a Francophone tradition in a territory formerly governed by France and an Anglophone tradition in a territory formerly governed by Britain. This divide continues to be reflected in the modern multiparty state with the opposition SDF finding its main base of support in the Anglophone South West and North West. Other opposition parties also tend to be regionally based. In addition, this mixed heritage provides particular challenges in attempting to bring together different political, legal and educational traditions. Nevertheless, Cameroon has an enviable record of stability and President Biya has strengthened his party's standing at the polls and its hold on political power since the 1992 elections.

An important element in the state's control of power is the role of traditional chiefs. Traditional rulers are a feature in many parts of Africa, as elsewhere. They were important in both pre-colonial and colonial times and are playing an increasing role in many modern African states. In Cameroon, they are used by the state in providing in many cases the first level of government and carrying out many local government tasks. For these services they are paid by the state. In the election process they are responsible for encouraging registration, handling voters' cards, and in many cases providing the locations for polling stations. The problem arises when chiefs are actively identified with one political party and use their influence to support that party. That runs the risk of compromising both their authority and neutrality.

HUMAN RIGHTS

Cameroon has over the years attracted considerable criticism for a poor human rights record. In particular, there have been instances of political harassment and detention. The authorities have repeatedly used violence, arbitrary arrests and unlawful detentions to prevent opposition political parties and political activists from holding public or private

meetings. An example is the imprisonment in the early 1990s of leading journalist Pius Njawe and other activists.

The situation has improved in more recent years as Cameroon has embraced further political reforms, although there are still instances of state intervention which could constitute harassment. Pius Njawe is now the editor of one of the country's leading newspapers, and operates freely. However, when he tried to open an independent radio station he was promised a licence but was shut down on the eve of his first broadcast.

In November 2003 the United Nations Committee against Torture expressed grave concern about systematic torture by police and gendarmes in Cameroon after the arrest of suspects, with perpetrators almost always enjoying impunity. It highlighted reports of severe overcrowding in prisons with life-threatening conditions amounting to cruel, inhuman and degrading treatment. In a 2004 report, Amnesty International also expressed concerns about human rights violations in Cameroon, underlining reports of "extrajudicial executions; threats against human rights defenders; denial of the rights to freedom of expression and association; life-threatening prison conditions; torture and other forms of cruel, inhuman or degrading treatment; failure to protect the rights of women; and imposition of the death penalty"¹. Condemning the lack of cooperation from the Cameroonian authorities and the constant refusal to admit its representatives, Amnesty International reports that the human rights situation in Cameroon could deteriorate further according to members of civil society and human rights activists.

Civil society as a whole is still relatively weak in Cameroon. Although civic education forms parts of the school curriculum, human rights NGOs in Cameroon do not find it easy to operate.

The Commonwealth is particularly engaged with efforts to build up the role and capacity of the country's National Commission for Human Rights and Freedoms (NCHRF). Cameroon's National Assembly passed a law this year aimed at reorganising the NCHRF to ensure its independence and effectiveness. The Commission has also been involved in the training and deployment of election monitors from civil society during the elections.

COMMONWEALTH ENGAGEMENT WITH CAMEROON

Cameroon joined the United Nations at independence and is an active member of La Francophonie, the African Union (of which President Biya was Chairman in 1996-97) and other regional organisations. Cameroon asked to join the Commonwealth in September 1989. When it eventually was accepted into membership in 1995 Cameroon made a specific commitment to continue to make further progress in compliance with the Harare Declaration. Since 1995 a number of Commonwealth missions have visited Cameroon under the Secretary-General's 'good offices'

¹ A Summary of Human Rights Concerns in Cameroon (An Assessment by Amnesty International, Sept 2004), AI Index: AFR 19/2004.03

auspices to pursue further reforms pertaining to election management, human rights, the rule of law and the independence of the judiciary.

Commonwealth Observers were present for the 1997 Presidential Election. The report of that team welcomed the growth of consensual political procedures in Cameroon and found the provisions of the new 1996 Constitution and the electoral law laid the ground for an adequate electoral process. However, it had several concerns particularly relating to the new register and the conduct of the elections themselves. It concluded with the "firm view that to hold a viable poll in Cameroon, the creation of an impartial and autonomous institution such as an independent electoral commission with the necessary legal and financial authority is a given requirement".

The Commonwealth was also present for the 2002 municipal and legislative elections. Because of the postponement of these elections on election day only staff members were able to stay in the country for the elections themselves. However, one of the key recommendations on the 2002 elections was "the creation of an independent electoral commission responsible for all aspects of the electoral process that would command the confidence of all interested entities".

Between the elections of 1997 and 2002 a National Elections Observatory (NEO) was created, but in our view, it did not have sufficient powers and credibility. The NEO in its own report on the 2002 elections called for greater powers.

Following the 2002 elections the Commonwealth's Secretary-General reinforced his Good Offices activity with the appointment of a Special Envoy to Cameroon, the Hon Christine Stewart, a former Canadian Minister of State for Foreign Affairs. Under her leadership the Commonwealth has provided increasing support to NEO, and a range of other institutions. It also organised in October 2003 a donors' conference with the Government of Cameroon and development partners to assist in carrying forward the ongoing reform process. The Commonwealth's engagement continues.

LOOKING AHEAD

On 4 October, we met with the Minister for Territorial Administration and Decentralisation, Marafa Hamidou Yaya, who has responsibility for the conduct of the elections. He said Cameroon wanted to make further democratic changes, and added that further reforms would be easier to implement in a non-election year. He left a clear impression that the Cameroon Government would be prepared to change some aspects of the electoral law after the Presidential Election.

CHAPTER THREE

THE ELECTORAL FRAMEWORK

The legal framework governing Presidential Elections in Cameroon consists of various laws - beginning with the Constitution of Cameroon and subsequent amendments – which relate to the vacancy and election to the Presidency; the revision and recompilation of registers of electors; Voters' Registration Cards; and the establishment of the National Elections Observatory.

CONSTITUTIONAL BACKGROUND

The Constitution of the Republic of Cameroon provides for the election of the President by a majority of the votes cast through direct, equal and secret universal suffrage. The President of the Republic shall be elected for a term of office of seven years. He shall be eligible for re-election once².

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. Parliament votes on laws and the President enacts them.

The Constitution provides for a Constitutional Council which has not yet been established. In the meantime the Supreme Court has been assigned the role of the Constitutional Council over and above its own ordinary functions. Specifically the functions of the Constitutional Council in relation to elections are to:

- ensure the regularity of Presidential Elections: in this regard it is required to verify polling operations on the basis of reports and appended documents submitted by the National Commission for the Final Counting of Votes;
- ensure that any claims or disputes regarding the regularity of the elections are referred to the Constitutional Council;
- adopt and proclaim the results of the election; and
- draw up a report in duplicate on all these operations, the original of which it shall keep. The other copy shall be forwarded to the Minister for Territorial Administration and Decentralisation. Each candidate shall receive a copy of the report.

² (Law No. 96-06 of 18 January 1996). The law that governs the conditions of the vacancy and election to the presidency is laid down in Law No. 92-10 of 17 September 1992 as amended by Law No. 97/020 of 9 September 1997.

The Constitution provides for a Senate which has not been created³. It further provides for the President of the Senate to act as interim President until the new President of the Republic has been elected⁴. (This applies when the President is either incapacitated or dies in office).

THE ELECTORAL LAW

The Nomination Process

The law states that any candidate wishing to stand in a Presidential Election shall declare her/his candidature through a declaration bearing her/his authenticated signature. Such a candidate may either be nominated by a political party, or stand as an independent. Nomination papers must be submitted to MINATD, or in special cases to a divisional office. A copy of these papers must also be submitted to the Constitutional Council.

Responsibility for accepting or ruling on the admissibility or rejection of nomination papers rests with the Minister for Territorial Administration and Decentralisation. The Minister also has the responsibility of drawing up and ensuring the publication of the lists of candidates within no less than 20 days to the opening of the poll. While petitions lodged during the 2004 Presidential Elections were heard within the stipulated period it is possible that the time prescribed for the hearing of such petitions may not always be adequate. Consideration should therefore be given to a review of the specified period.

Structures for the Management of Elections

- **Ministry of Territorial Administration and Decentralisation (MINATD)**
The overall responsibility for organising elections in Cameroon lies with MINATD. The machinery for the conduct of elections is therefore inseparable from the system of territorial administration. The electoral process is devolved to Divisional and Sub-Divisional Commissions and representatives of the local Administration.
- **Electoral Commissions**
The electoral law⁵ provides for the following Commissions 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
 - The Local Polling Commission
 - Divisional Supervisory Joint Commissions
 - The National Commission for the Final Counting of Votes

³ Constitution of Republic of Cameroon, Chapter II.

⁴ Constitution of the Republic of Cameroon, Chapter II, Article 4 (a).

⁵ Law No. 92-10 of 17 September 1992 as amended by Law No. 97/020 of 9 September 1997.

The Commissions are chaired by a representative of the Administration, appointed by the Senior Divisional Officer, and include the Mayor or Deputy Mayor or a local councillor appointed by the Mayor and a representative of each legally authorised political party.

In our discussions with representatives of the political parties we were told that often the Administration officials on the Commissions were supporters of the ruling party, indicating significant influence by the ruling party in the affairs of the local Administration. A second key issue which was raised with members of the Group was that representatives of the opposition parties were unable to fully participate due to shortage of funds. It was alleged that CPDM supporters on the Commissions typically had access to state resources and did not experience these problems.

We also found that the existence of so many varied electoral commissions led to an overlapping of mandates.

- **National Elections Observatory (NEO)**

The National Elections Observatory (NEO)⁶ is “an independent body charged with supervising and controlling elections and referendums”. It is required to monitor, to report, to ensure compliance with the electoral law and “to better promote a culture of accepting the verdict of the ballot box within political circles”. It has 11 members. According to the law, NEO should be adequately staffed and financed through the national budget.

Campaigning

The law⁷ provides guidelines with regard to the printing of ballot papers. It states that for every candidate the number of ballot papers shall be equivalent to the number of registered electors plus 25%. Candidates may prepare - at their own expense or that of the party representing their candidature - circulars, manifestoes or posters. These must be in the colour chosen by the candidate or the party and should bear the initials selected for the printing of the ballot papers. The Minister of Territorial Administration and Decentralisation is legally charged with vetting and approving such documents.

The law requires that every candidate should be allocated an equal amount of space for the display of posters and other canvassing material near every polling station, sub-divisional, district and council offices.

OBSERVATIONS

We noted the following:

⁶ NEO was created by Law No. 2000/016 of December 19 2000 amended by Law No. 2003/015 of December 22 2003.

⁷ Law No. 92-10 of 17 September 1992 as amended by Law No. 97/020 of 9 September 1997.

- that the absence of the Senate creates a vacuum in the implementation of Article 4 (a) of the Constitution, which provides for the President of the Senate to act as interim President until the new President of the Republic has been elected. This also by necessity creates a situation in which the incumbent has to continue performing his presidential duties whilst running as a candidate;
- that there is a lack of a clear distinction between the Administration and the election managers;
- that although NEO is charged with supervising and controlling elections, its lack of financial resources, staff, and enforcement powers mean that it is in practice an observer rather than a controller;
- that Cameroon needs an independent election management body, charged with the organisation and conduct of elections, from the registration of voters to the announcement of the results;
- the absence of Codes of Conduct for political parties, the media and the civil service;
- the Group noted that the limited time prior to this election made it more difficult to satisfy the requirements of the law, such as the issuing of voters' cards, the display of the voters' lists and display of the location of polling stations;
- excessive flexibility and inconsistency in the interpretation and application of electoral laws resulted in irregularities in the conduct of the elections;
- the overlapping of mandates of various Commissions gave rise to ambiguity as to where the powers of one Commission started and another ended.

Finally, the Group believes that the electoral process is too complicated. It discourages participation when it should encourage it. The Group urges the election management authorities to simplify the system.

OVERALL ASSESSMENT

There appear to be two fundamental challenges with regard to the legal framework. The law as it stands is not applied evenly and rigorously. Added to this the law is generally weak. This overall weakness in the legal framework makes the electoral system vulnerable to abuse and has led to a lack of confidence by the electorate in the electoral process.

If democracy is to be strengthened in Cameroon, clear and consistent guidelines for the application of the law should be established which should be made available to all political parties, the media and the public as a whole.

CHAPTER FOUR

PREPARATIONS FOR THE ELECTION

REGISTRATION OF VOTERS

A transparent, efficient, and credible registration process is at the very core of a democratic electoral process. It guarantees that all citizens who are eligible to vote have been afforded the opportunity to register, can verify their names on the register, and know at which location they will vote. The process should be technically proficient, conducted free from the influence of executive authority, and have the confidence of all stakeholders. If the registration process is fundamentally flawed the entire process is undermined.

Registration Process

The registration of voters in Cameroon is continuous throughout the year and was scheduled to commence on 1 January 2004. In practice, however, efforts to conduct registration activities did not begin in real earnest until April of this year and those operations became most intense just before the convening of the electorate. Additionally, as recommended by NEO in its 2002 election report, Cameroonian authorities instituted a full recompilation, or 'refont', of the Voters' Registers.⁸ It was indicated to the Group by domestic observers in some areas of Cameroon that, despite the recompilation order, old Voters' Registers were used during the 2004 Presidential Election.

Display of the Register and the Claims and Objections Process

In many countries it is considered good practice to display the Voters' Register weeks or months prior to polling day and then to hold a claims and objections process. This is because it provides an opportunity for the voters to ensure that they are on the register in good time for them to take action if it turns out that they are not. Copies of the register are also often made available to the political parties well in advance of election day so that they can ensure their supporters are registered and help to ensure that the list is accurate.

Before this election there was a short period in which the register could be consulted at local Administration offices and an even shorter period when it was to be displayed outside the divisional offices and polling stations. However, there was no early display of the register and no proper claims and objections process. The opposition parties claimed that the failure to conduct a proper display and claims and objections process put them at a disadvantage, because it limited the opportunities for their supporters to check and if necessary contest the register.

Number of Voters Registered

MINATD told the Group that 4.7 million voters were on the register for the Presidential Election. Although current population figures are unavailable

⁸ Order No. 000014/O/MINATD/DAJC of 22 January 2004 to recompile electoral registers during the year 2004.

(the last national census was conducted in 1987) many argue that the number registered is far below the number that might be expected. The Group would like to emphasise the need for a new national census, which would ensure a credible target for voter registration and that the public and political parties would have greater confidence in the register if the targets were achieved. It is likely that the registration process missed a considerable portion of the voting-age population of Cameroon.

Voter Registration Commissions

Voter registration was conducted in earnest from April 2004. (See page 12 for a description of the structure of the local registration Commissions). From the start the Administration had considerable influence in the registration commissions, and the ruling party dominated – mainly because the participation of the opposition parties’ representatives was a major undertaking which they simply could not afford. In most places Administration officials took over the work of the commissions. In some registration was handed over outright to “Quarter Heads” and traditional leaders. The registration officials often tried very hard, but many of the commissions did not have adequate financial and logistical resources. As a result, in some cases registration was only possible in some areas for a few hours in any given month.

There was a distinct lack of consistency in the application of registration procedures across the country. Up until the last weeks of registration, there were no national procedural guidelines or manuals to conduct registration beyond the provisions of the electoral code itself, which was often interpreted in contradicting ways by local officials. Similarly, training appeared to be rudimentary and conducted on an ad hoc basis, derived simply from directions by officers of the Administration itself. Only during the last weeks of registration were more comprehensive training initiatives undertaken.

Impartiality of the Administration and Traditional Leaders

The credibility of the registration process was undermined by perceived partiality on the part of many Administration officials who, for instance, had ruling party campaign material (from the 1997 election) posted in their offices and on their buildings throughout the registration period. The presence of such material indicates that officials may not have been neutral. The posting of such material may also demonstrate to the voter that there is in fact no democratic contest and that the system itself has pre-selected the eventual outcome. Statements at the highest level on the need for impartiality were not followed up with enforcement measures and there was no code of conduct for civil servants.

Voter registration often took place at the premises of traditional leaders (Chiefs, “Quarter Heads” and Lamidos). Such leaders exert significant authority and are often openly aligned with one of the political parties. Traditional leaders themselves are vulnerable to influence by the Government. We were told that the location of registration centres at these leaders’ premises, and often the direct participation of these leaders in the registration process, dissuaded many people from registering.

Voter Identification

In many parts of the country National Identification Cards (NIC) were necessary to register as a voter, despite the law only requiring that an individual prove her/his identity and eligibility to vote. Many did not have these cards, so the requirement that the NIC be shown had the effect of leading many to abandon the registration process. The cost of acquiring the cards was also a factor: we were told that it put many people off. In March 2004 the cost of the NIC was reduced by the Government from CFA 6,500 to CFA 2,500, though this was still beyond the means of many Cameroonians. The practice of requiring a voter's NIC in order for that person to register was officially rejected by the Minister for Territorial Administration and Decentralisation: however, his instruction came only one week before the end of the registration process.

We welcome the Government's stated intention to computerise the register. As it stands, the current Voters' Registration Card can be used on polling day by anyone. A more secure card, linked with a computerised register, would provide a potent tool against identity fraud and multiple voting. Such systems are complex and expensive: the Group encourages Cameroon's international partners to provide whatever assistance might be available to develop such a system.

Registration Receipts

Although receipts were provided in some areas of the country, for the most part Government and Administration officials did not accept previous Commonwealth recommendations to institute such a procedure. It is clear that the absence of such receipts constrains the ability of citizens to launch claims if they feel their name has been wrongly left off the register.

Role of the Divisional Supervisory Joint Commission

The Divisional Supervisory Joint Commissions seemed not to have been active during the registration process, and in many cases the Divisional Officers assumed responsibility for all enforcement and arbitration matters.

ESTABLISHMENT OF THE NATIONAL ELECTIONS OBSERVATORY

It was felt by many observers that legislation adopted in 2003 would further strengthen the capacity and independence of NEO. However, NEO was not formally appointed until 28 May 2004 – just five months before polling day. The fact that it was not constituted until so late meant that it was not in a position to make a significant contribution to the voter registration process. The Group feels that the late appointment of NEO significantly constrained its capacities and ability to adequately fulfil its mandate.

There is ambiguity about the extent of NEO's enforcement capacities, particularly in light of its explicit mandate to "supervise and control" elections when it is quite clear that MINATD and Administration officials in fact control the conduct of elections. As discussed earlier, though there are a number of bodies involved in the management of the electoral process in Cameroon, there is a lack of clarity on the respective powers,

competencies and responsibilities of MINATD, the Divisional Supervisory Joint Commissions, and NEO and how they should interact. This ambiguity requires clarification.

Although a considerable consultation process was undertaken for the appointment of the NEO Commissioners, that process itself lacked transparency and none of the nominated candidates' identities was known publicly. In the end, a persistent criticism has remained that the appointments are ultimately made by Presidential decree and, therefore, the ultimate independence of the body may be called into question.

VOTER EDUCATION AND PUBLIC AWARENESS

The social, economic, and cultural environment in Cameroon presents a number of challenges to those who wish to inform people of the electoral process and the exercise of their rights. There are two official languages, over 250 local languages and major transport and communications problems.

The Government did undertake some initiatives to encourage voter registration, including a nationwide tour by the Minister of State for Territorial Administration and Decentralisation at the beginning of the year. Provincial and divisional administrators also made public announcements through the media to encourage voter registration. MINATD produced a public awareness pamphlet outlining the registration process, which was distributed publicly in a limited manner. Once it was re-established NEO also conducted limited registration awareness activities through the media, although this came very late.

However, beyond this official bodies do not appear to have conducted very much voter education prior to the Presidential Election. Both MINATD and NEO argued that the key responsibility for voter education and awareness rested with the political parties. Our view is that although the political parties have a part to play in promoting voter awareness it is questionable whether they should take the leading role: this is not their function. And they do not have the capacity anyway. This is an area in which the state bodies must accept their responsibilities, by devoting greater resources and working with civil society bodies and the Cameroon education system. The Group encourages Cameroon's international partners to support any such future initiatives in any way they can.

TRAINING

The Group was not aware of any comprehensive initiatives to ensure the adequate training of election or party officials. It was only in the last few weeks of voter registration that election officials received procedural manuals and training material.

A comprehensive training programme for election and relevant party officials - incorporating devices such as role play and problem solving - would promote both efficiency and voter confidence. It is especially

important that training is provided in the provisions of the electoral law, especially since ignorance often leads to irregularities.

NOMINATION AND REGISTRATION OF CANDIDATES

The Group arrived after the nominations process had taken place. Of the 46 candidate applications originally submitted only 16 were allowed. CPDM nominated President Paul Biya as the party's candidate. A number of Opposition parties came together in 2004 to promote the nomination of a consensus candidate and a common campaign platform. In the end, the Coalition failed to agree on a consensus candidate and the three major leaders of the opposition coalition - John Fru Ndi of the SDF, Adamou Ndam Njoya of CDU, and George Nyamndi of SLC - each registered to contest the election. On the eve of the election three candidates withdrew their candidatures through public announcements, causing some disruption to the polling process.

CONVENING OF THE ELECTORATE AND PREPARATIONS FOR THE POLL

The calling of the election – known in Cameroon as the ‘convening of the electorate’ – automatically ended voter registration and triggered the establishment of the Voters’ Registration Card Commissions, whose role was to compile and distribute the cards. In fact, as with the work of other Commissions, the control of the production and distribution of Voters’ Registration Cards was exercised by the Administration.

Though Voters’ Registration Cards were to be “distributed within a period of 15-days before the day of election”, a great number of cards were not distributed in advance of polling day. MINATD decided that undistributed cards should be made available at polling stations. We believe that the distribution of Voters’ Registration Cards on polling day could discourage eligible voters: if they have not received their Card by then they might well conclude that they have not been properly registered.

NEO Role

Both national and provincial representatives of NEO briefed the Group on the Observatory’s activities in the immediate pre-polling period. NEO had by this point established its provincial and local offices and had begun ‘overseeing’ the preparation and distribution of the Voters’ Registration Cards. NEO also helped to purge the Voters’ Registers and liaised with political parties to ensure that they conformed to provisions in the law concerning campaigning. During the immediate pre-polling period NEO was criticised for failing to ensure balanced media coverage, being unable to prevent the abuse of incumbency, and for not doing enough to cleanse the registers.

Access to the Voters’ Registers

Divisional Officers were required to post the registers at their offices for public access 48 hours before the election. Lists of the locations of all polling stations were also to be similarly posted. The registers were then supposed to be posted at the polling stations the day before the election.

The Group observed inconsistent application of these procedures. Voters' Registers were in most cases not posted at Divisional Officers' offices properly in advance of the election; in cases where they were not posted Divisional Officers indicated that the public were welcome to inspect the registers in their office.

As most polling material, which included Voters' Registers, arrived at polling stations either the evening before or the day of the election, Voters' Registers were largely not posted at polling stations the day before the election. In effect, public access to the registers was limited, and the process was not 'user-friendly'.

Supply and Distribution of Polling Materials

For the most part the authorities were successful in the delivery and distribution of polling materials across the country in advance of polling day. The relatively efficient arrangements were in marked contrast to the situation in the 2002 elections, which were postponed for one week due to major delays, for instance in the distribution of ballot papers.

CHAPTER FIVE

THE CAMPAIGN AND MEDIA

THE CAMPAIGN

The campaign was peaceful, the parties behaved tolerantly towards each other, but many people remarked on the atmosphere of apathy and disengagement in many parts of the country. Overall, the ruling party (CPDM) dominated the landscape, with posters in every town and nearly every village. Only two other parties (SDF and CDU) had national reach.

Campaign Period

The law provides for a fifteen-day campaign period, beginning on 26 September. In practice, however, campaigning began well before then. The ruling party (CPDM), for instance, launched its campaign weeks before the start of the official campaign period. However, other parties complained to us that they could not begin full-scale campaigning until near the end of the campaign because only then did they receive the state funds to which they were entitled.

For there to be a 'level-playing field' all parties must respect the time limit on campaigning and receive their state funds in time for the start of the formal campaign period. The law in this area needs to be clarified and tightened, to make clear what constitutes campaigning and exactly what is allowed and when, perhaps reinforced by appropriate references in a Code of Conduct concerning the behaviour of the parties during the campaign.

Campaign Finance Arrangements

All Presidential candidates were entitled to state funds for their campaigns. The procedure was as follows. Each candidate was required to deposit CFA1.5 million on nomination. Once her/his nomination was approved the way was clear for state funding for this Presidential Election as follows:

- CFA15.6 million for each candidate (i.e. CFA250 million divided amongst sixteen candidates);
- a payment to the political parties supporting each candidate which corresponds to their proportion of the membership of the National Assembly: the total figure to be apportioned in this category would be CFA250;
- CFA500 million to be divided amongst the Presidential candidates after the Presidential Election, in proportion to their share of the vote.

We were concerned to hear, however, that those funds which were due to be disbursed to candidates prior to the Presidential Election were not all received at the same time. The SDF, for instance, told us that they

received some of their funds, but still not all, only two days before the election. The CPDM told us that they too suffered from lack of state funds.

We noted that there was a substantial difference between the money and resources available to the ruling party, and the money and resources available to the opposition parties. CPDM had substantial financial resources, the origin of which was not clear to us.

There appear to be no rules concerning the declaration of campaign income and expenditure. Transparency is an important principle in democracies. We therefore urge the Commonwealth Secretariat, which published a report on Political Financing last year, to offer to make available experts in this field to advise the Cameroon authorities.

Finally, we were told by opposition party leaders that companies were reluctant to make contributions to their campaign funds for fear of repercussions from the ruling party.

Nature of the Campaign

There were many examples of the parties behaving tolerantly towards each other. One of our Teams saw SDF supporters at a CPDM rally: there was no difficulty. Even when rally sites were 'double-booked' by different parties the two sets of supporters handled the matter with maturity, when in other countries there might well have been conflict and even violence.

But apathy and indifference on the part of the citizens were widely noted. In many parts of the country the campaign was quiet. In the North West and the South West there appeared to be much more interest and enthusiasm.

The parties produced campaign manifestoes and statements. But campaigning did not focus on policy issues.

Campaign methods included motorcades, door-to-door campaigning, and party-sponsored concerts. In the northern city of Ngaoundere scores of young motorcycle taxi drivers gathered at the ruling party's headquarters and were given CPDM flags to put on their bikes in return for CFA 2,000.

However, the most visible features of the parties' campaigning were their public rallies and meetings. Often the numbers at these rallies were not large, but all the main parties held such events in the major towns, culminating with major rallies in Yaoundé addressed by the leaders. CPDM appeared to have more rallies. We noted that senior ruling party officials used these to announce or promise new investment projects - such as roads and bridges - and farming materials such as fertilisers.

All the rallies we saw were peaceful - even though there was not always visible security - and well organised. It is worth noting, however, that Commonwealth observers were not able to attend the CPDM rally held on 9 October in the South West because of the high security surrounding the President.

At many CPDM rallies we witnessed the giving away of gifts, food and money. We were disturbed by the importance of 'gifts' in the campaign and believe that the law and inter-party consensus on this matter both need to be tightened.

Campaign Material

It was clear that CPDM had substantial resources to produce campaign material: everywhere we went we saw CPDM posters, billboards, banners, T-shirts, caps, pens and even watches. Numerous vehicles were plastered with CPDM posters and stickers. The other parties had much less campaign material and it was much less visibly displayed. Opposition parties (most notably SDF and CDU) did put up a few posters. Both main parties accused each other of tearing down their opponents' posters in their respective strongholds.

The law stipulates that the Administration "shall make available to every candidate space for the display of posters and other material near to the polling places" and that equal space should be made available for each candidate. We noted that CPDM had much more space.

Two further matters should be noted. First, the law states that only those advertising agencies which are registered with the Ministry of Communications may be used by the political parties. In effect this gives the Ministry the power of veto over which agencies parties may use. Secondly, the ubiquitous poster featuring the incumbent President did not carry the name of the CPDM party. We believe that all campaign materials should bear party names, since voters need to be clear whether they are party or Government material.

Intimidation

While the campaign was generally peaceful we did come across allegations of intimidation. In the South Province, for instance, an opposition official told us that there had been serious intimidation of opposition supporters on the part of leading CPDM figures, including a Mayor. In the same place a high ranking CPDM official made several speeches in which he threatened to "deport" members of three groups - the Bamilekes, Anglophones and Bamoums - if the CPDM didn't get "a high score" at the election. In separate speeches a CPDM MP threatened the Bamoums with deportation if President Biya did not win in that area by a substantial majority.

Code of Conduct

Political campaigning needs to take place within agreed rules. In many countries in Africa, and elsewhere, these are provided for in a Code of Conduct agreed among the political parties, often with sanctions to discourage breaches. This is the case, for instance, in Kenya - where in 2002 the Electoral Commission fined the ruling party for being in breach of the Code - and Lesotho, where again there are provisions to prohibit parties from campaigning for a specified period. There was no such Code of Conduct in Cameroon at this Election. We believe it would be worthwhile for such a Code to be in place well before the next Election.

The Issue of Incumbency

Certain advantages accrue to the ruling party simply because it is the ruling party. The prestige of office, the fact that ruling party leaders are inevitably better known and always in the limelight because of government business, and their presence at major regional and international gatherings give them some perfectly legitimate advantages. However, the fact of incumbency should not be unfairly exploited to give the ruling party a particular advantage. The line between state and ruling party must be firmly drawn. As the Inter-Parliamentary Union⁹ makes clear in its criteria for 'free and fair elections', all States should:

“ensure the separation of party and State and establish conditions for competition in legislative elections on an equitable basis”.

Once an election campaign has begun the public profile of the Government should be reduced so that each party can contest on an equal footing. Government ministers should not combine official visits around the country with electioneering. Government personnel, funds and vehicles should not be used for campaign purposes or in any way to give the ruling party an unfair advantage.

There was some evidence at this election of the use of State resources to help the ruling party. For instance, no less than six of our teams saw civil servants openly campaigning on behalf of the CPDM – during the working day, in their capacity as civil servants and using Government vehicles and other official resources. This represented not only a contribution of civil servants' time and skill, but also the turning to party advantage of the authority of the offices they held.

Two of our teams observed the involvement of Ministers. Another two teams also saw Government offices being used, in effect, as party offices. At least one Government building was used as a party campaign headquarters.

We know that other parties also exploited official resources for campaign purposes. However, according to our observation CPDM was responsible for most of this abuse.

In addition to the use of the resources represented by civil servants, Government vehicles and buildings, in general there was a blurring of the distinction between the ruling party and the state. CPDM posters were seen in government buildings. Government officials were seen wearing CPDM T-shirts, dresses and scarves. Election officials turned up for training in CPDM T-shirts. Gendarmes were seen wearing CPDM T-shirts and with CPDM election leaflets.

Campaigning by civil servants is not against the law in Cameroon. To stop civil servants using their official authority for political purposes and to

⁹ The Inter-Parliamentary Union is an international body which brings together parliaments and parliamentarians.

tighten up in general regarding the 'abuse of incumbency', we believe that the election management body needs strong powers and the capacity to monitor compliance. In the meantime, clear rules should be drawn up and NEO should be given the necessary powers. The objective must be to ensure that prior to and during the next election civil service and other public resources are not used to serve party political ends.

THE MEDIA

Newspaper distribution is difficult outside Yaoundé and Douala and the prices of newspapers are high, due largely to government taxes on newsprint. Newspapers are also often unable to cover events outside Yaoundé. For these and other reasons radio is the main source of information for the majority of Cameroonians. There are approximately 2 million radio sets in the country.

Broadcast Media

The broadcast media in Cameroon is dominated by the state owned radio and television network, Cameroon Radio and Television (CRTV). The network is funded through a licence fee ("redevance audio-visuelle"), in the form of a compulsory 1% deduction for all people in formal employment¹⁰.

Since liberalisation of broadcasting in 2000, a number of privately owned radio and television stations have emerged. There are now approximately 20 independent radio stations and three television channels operating in Cameroon. The main radio stations - Magic FM, Radio Television Siantou and Radio Venus - broadcast primarily in urban areas. There is also a number of smaller local radio stations. The two main independent television stations are Channel 2 and Radio Television Ariane (RTA) which broadcast only in urban areas.

Print Media

Cameroon has one state-owned daily newspaper, *Cameroon Tribune* (print run 17,000 copies), and about 30 independent newspapers, half of which surge up during election periods. The four main privately-owned newspapers are: *Le Messenger* (with a print-run of 6,000), *Nouvelle Expression*, *Mutations* (both under 5,000) and *The Herald* (with a print-run of around 3,000).

Even though there are now many cybercafes internet use is limited to urban areas.

Media Freedom

Media freedom was heavily restricted in Cameroon until the wave of pro-democracy pressure in the early 1990s. Private newspapers, radio and TV are now allowed but they are subject to licensing arrangements¹¹.

¹⁰ The 1% tax applies to all people in employment who earn above CFA600,000 per year. This tax constitutes 80% of CRTV's CFA20billion annual budget.

¹¹ See Law no. 90/052 of 19 December 1990 and Decree no. 2000/158 of 3 April 2000.

Commentators told us that the licensing arrangement is used by the Government to inhibit the broadcast media. None of the privately owned radio and television stations has been awarded an actual licence. They are told instead that they may broadcast pending approval of their application. This means they operate under the constant threat of being shut down if they displease the government.

In the run-up to the 2004 presidential election, the independent media has been subject to increased threats and harassment. Two independent television channels, Canal 2 and RTA, were shut down, shortly after they broadcast political debates criticising the government. They have since reopened. Magic FM was also closed down after it aired views critical of the Government. In May last year, a day before going on air, the privately-owned station, Freedom FM, was closed down on the orders of the Communications Minister, allegedly because it did not follow the proper procedures in applying for a broadcasting license.

Print media is freer than it used to be and some robust articles criticising the government and exposing alleged government failures have been published recently. However, criminal libel laws are still used to muzzle critics of the regime and a number of print journalists have been arrested, among them the Editor of the daily *Mutations* (after he wrote an article speculating on the power struggle that could occur if President Biya retires).

We were told by representatives of the independent print media that they feel constrained by the fact that SOPECAM, a company which prints several newspapers in Cameroon, is government owned.

Election Coverage and Access Arrangements

Balanced coverage of the election campaign and the views and policies of the candidates, and an equitable arrangement for access by the political parties are both vital for a credible election.

It is generally accepted that those media with the greatest reach (in this case state radio) and all state media (because they are funded by the taxpayer) have a particular responsibility in this context.

According to our observation, at this election the state media often did not provide balanced and objective coverage of the election¹². The CRTV radio and television networks gave much greater coverage to the CPDM campaign in their news programmes than they did to any other party. For example, on the eve of polling day, CRTV's 1700 hrs news bulletin featured 18 items: 14 focused on President Biya's campaign; two concerned "rumours" that opposition candidate Mr Adamou Ndam Njoya had withdrawn; and two were on other election matters. The bulletin lasted 32 minutes and had been preceded by a long outside broadcast

¹² This is in contravention of the Journalism Code of Conduct (Decree no. 92/313/PM of 24 September 1992) which states that: journalists "must treat information with objectivity and responsibility".

reporting on President Biya's return to Yaoundé after his campaign visit to Douala. There are many similar examples.

Although Canal 2 was undoubtedly biased to the CPDM, the other independent broadcasters were generally more balanced.

The CPDM campaign also took centre stage in the state-owned daily newspaper, *Cameroon Tribune*. A comparison of the election coverage in the *Tribune* and the French-speaking independent newspaper *Le Messager* on 7 October shows that the *Cameroon Tribune* dedicated 505.8 column cm to the CPDM campaign and 242.8 column cm to opposition parties combined. *Le Messager*, on the other hand, dedicated 159 column cm to CPDM and 181 to the opposition parties. The independent print media also lacked objectivity and was often biased against CPDM, particularly in comment articles.

The independent media faced particular challenges in covering the election. A number of journalists told us that they found it difficult to obtain information from the ruling party about its activities. For example, when a CPDM rally was organised, they were generally not informed until after the event.

There was a formal arrangement for access to the public broadcast media by the candidates. Each of the 16 presidential candidates was given 3.45 minutes television air time and 7.30 minutes radio air time per day. These broadcasts were aired between 9.00 pm and 11.00 pm on television and between 8.30 and 11.30 pm on radio. Although these 'access broadcasts' represented an equitable arrangement for direct appeals to the public by political parties, their value was diminished by the fact that the 'neighbouring' CRTV programmes were biased in favour of the CPDM campaign.

Finally, we note that CRTV appeared to be able to obtain partial but official election results from MINATD on an exclusive basis. This is not good practice.

Media Behaviour

There was no specific Code of Conduct for the media at this election. Many Commonwealth countries find that these are helpful and we hope that Cameroon's election management and media authorities will consider the introduction of such a Code of Conduct prior to the next election¹³.

Media in Cameroon is officially regulated by the Law on Freedom of Social Communication¹⁴, the Decree on the creation of private broadcasting companies and the National Communication Council (NCC). The NCC has an advisory role: it does not have the power to take action itself, but can

¹³ Following close consultation with a wide range of Commonwealth broadcasters the Commonwealth Broadcasting Association has also recently produced a set of *Editorial Guidelines* for election coverage.

¹⁴ Law no. 90/052 of 19 December 1990 and Decree no. 2000/158 of 3 April 2000.

recommend measures to be taken by the Government in cases of infringements of the law. Having ceased operations in 1998 it was reactivated on 22 September 2004, too late to have any significant impact on media behaviour during and coverage of the campaign.

We understand that NEO undertook some limited monitoring of the media and that there were occasions when they drew the attention of the media authorities to what they regarded as unfair coverage. We are not aware of any similar action by MINATD, or other MINATD involvement in promoting a level media playing field.

Election management bodies in many countries now recognise that they have an important role in promoting balanced media coverage prior to and during elections. We hope that Cameroon will consider how its election management body will perform this role in the years to come.

CHAPTER SIX

THE POLL, COUNT AND RESULTS PROCESS

ARRANGEMENTS

On polling day there were due to be 21,000 polling stations, with up to 600 voters per station. The law stated that each of these stations would be managed by the Chairperson of the Local Polling Commission, who was himself "a representative of the Administration" appointed by the Senior Divisional Officer. The Chairperson would be assisted by members of the Commission, which the law states should include representatives of the political parties appointed from among the electors on the register of the polling station concerned. The Group was told that security at the stations would be provided for by members of the police and the gendarmerie. Businesses were closed for the day, the movement of people was restricted and the borders were sealed.

The stations were due to open at 8.00am, when plastic seals (one of which would be numbered) would be placed on the ballot box in the presence of the candidates' representatives.

The prescribed procedure for voting would be as follows. The voter would:

- present her/his Voter's Card and have her/his name and other details checked against those on the register;
- sign against her/his name on the register¹⁵ and be issued with a set of ballot papers and an envelope;
- proceed to a screened area, where she/he would insert into the envelope the ballot paper of her/his chosen candidate and discard the other ballot papers in the waste bag provided;
- place the envelope in the ballot box, return to the officials' table, have her/his thumb inked with indelible ink and placed on the Voter's Card, with the date stamped alongside;
- take back the Voter's Card and leave the polling station.

There would be sixteen candidates and therefore sixteen ballot papers. The ballot boxes¹⁶ were of a type new to Cameroon and were made from translucent plastic.

¹⁵ We were told by MINATD that in the event of the voter being on the register but without a Voters' Registration Card at the time, she/he would be allowed to vote against the presentation of her/his National Identity Card or if others present were prepared to attest to her/his identity.

¹⁶ The boxes were donated by Japan, the UK and Canada.

We noted that Voters' Cards were available at many polling stations – sometimes in considerable numbers – on polling day itself. The procedure here was that, as prior to polling day, the Voters' Registration Cards would be issued to registered voters on presentation of a National Identity Card.

The stations were due to close at 6.00 pm, after the Chairperson of the Polling Station had allowed the members of her/his Commission, the NEO representative and the candidates' representatives to vote. The aperture on the ballot box would be sealed and the station re-arranged.

The count would begin with the breaking of the three black seals on the ballot box. The number of envelopes in the ballot box would be counted and recorded. Each envelope would then be opened, one by one, and its contents shown and announced to all present. The numbers would be recorded, the final results announced by the Chairperson and copies of the results given to and signed by each candidate's representative present. The law stipulated that the used ballot papers would be burned at the polling station. The Chairperson and colleagues would then complete the necessary paperwork, pack the materials in the empty ballot box and take the box and the official results sheet to the district collation centre.

Supervising the Local Polling Commission there would be a "Divisional Supervisory Joint Commission" which, according to MINATD's Voter's Guide, would "centralise and check returning operations done by the Local Polling Commissions and documents relating thereto". This would be chaired by the President of the High Court in the area, and consist of three representatives of the Administration appointed by the Senior Divisional Officer, an independent personality and representatives of the candidates.

Observers would be allowed at the poll, count and collation¹⁷. International and Cameroonian non-governmental organisations which had completed MINATD's accreditation procedure would be allowed to have observers. The National Elections Observatory would also have a 'delegate' at each polling station. The official *Guide* for NEO delegates made clear that her/his duties included ensuring that the correct procedures were followed. It stipulated that this should be done by drawing the attention of the authorities to the matter and taking it further within NEO if appropriate.

On election day in addition to the 25 Commonwealth Observers there would be fourteen observers from La Francophonie and a group of six former members of the US Congress. Staff from several diplomatic missions in Yaoundé also took the opportunity to watch election day activities. The Catholic Commission for Justice and Peace told us that they would have 1,400 'domestic observers', and we came across other 'domestic' or 'national' observers from at least three other bodies.

Our Group's two-person teams were each present for the opening of at least one polling station. They then called at as many polling stations as

¹⁷ An *Observers Code* was produced by MINATD: a copy is reproduced at *Annex Twelve*

possible during the day and ended with a closure and at least one count. Wherever possible members of the Group made a point of following the results sheet and ballot box from the count to the district collation centre, to observe the transmission of the polling station result and the handling of the materials.

EVALUATION

We welcome the fact that Cameroon was generally peaceful for the polling, counting and the collation of votes. There were other positive factors, which we set out beneath.

However, there were also significant flaws in the process. These are again set out beneath. Chief amongst them is the fact that at the poll, count and collation, as at all other stages in the process, the vital ingredient in proper election management – the independence of the management body – was missing, because the process was organised and controlled by the Administration.

The Voting Process

We believe in the principle that countries should be able to adapt democratic systems to national circumstances. However, we believe that Cameroon's unique voting system should be reviewed. Shortages of just one ballot paper – and there were shortages on polling day – can disrupt and distort the whole process. The use of so many ballot papers makes the process much more difficult to manage and opens up possibilities for abuse. And the production of sixteen ballot papers is not cost-effective.

Most countries use one ballot paper, listing all the candidates. We believe that this has much to commend it and that it should be considered for use in Cameroon in future.

So far as the Voters' Registration Card is concerned, the point of greatest concern to us is that these were not available to voters when they should have been. But there is another issue: whether the Voters' Registration Card should be combined with the National Identity Card. We hope that the people of Cameroon will have a comprehensive debate on this point after the Presidential Election.

Reliability of the Register

We welcome the decision that registration as a voter, rather than the presentation of documentation or other confirmation of identity, should be the key factor in determining the voter's entitlement to vote. This is good practice: the register should be prime.

However, we have no confidence in the integrity of the register as used on the day of the Presidential Election. Based on our observations, we believe that:

- because of the deficiencies in the authorities' voter registration arrangements many people who should have been on the register were not;

- despite NEO's work to remove the names of dead people and duplicate entries (which continued in three provinces until election day itself) it is likely that many such names still remained on the list on election day;
- the failure to display the register openly, publicly and extensively months prior to the election, to hold a claims, objections and revision process and to provide copies to the political parties and others well in advance, meant that the register was not subject to the normal procedures for ensuring accuracy and even the authorities themselves could not vouch for its reliability.

We heard a flood of complaints about the register, which in some places appeared still to be open even on the day of the Presidential Election. Each of us came across people who insisted that they had registered but whose names did not appear on the list: sometimes the protests were numerous and vociferous. At many polling stations we came across people who were going from station to station, searching for their names. Even the production of a receipt from registration was not sufficient to allow them to vote. We received first-hand evidence of duplications.

The confusion and frustration experienced by voters in trying to establish whether and where they were on the register did not lead to serious disturbances, as it might well have done elsewhere. However, the problems experienced are no less serious for that.

As for the physical state of the register, in some places it was good and in others it was poor. In some we noted that handwritten changes and additions had been made to the register.

Irregularities

We came across many irregularities. These ranged from one station at which the number of votes cast exceeded the number on the register, to a few where underage voters were allowed to vote, to several others where the ballot boxes were unsealed, to some where voting continued even when some of the ballot papers were missing.

At one station with a shortage of ballot papers instructions were given to re-use papers which had been placed in the rubbish bin by those who had already voted. At another we saw voters taking their discarded ballot papers away (we were told this was to prove how they had voted). At many polling stations there were posters and/or photographs of one of the candidates, President Biya. We also came across policemen in CPDM T-shirts. Another irregularity was that in most places the register was not signed by the voter. In some places voters with Voters' Registration Cards who were on the register and who had been identified by others, were denied the vote because they had no National Identity Card.

One of our Teams in the North found evidence that in one place some 15 voters had been impersonated. Perhaps the worst single irregularity was

at a military barracks where we found evidence that one soldier had voted on behalf of 44 others who were on active duty away from their base.

Taken individually many of these irregularities might be dismissed as minor. Their cumulative effect, however, was of considerable concern to us.

Adherence to Procedures

We found that procedures varied, sometimes quite substantially, both from the arrangements prescribed by the Ministry and from those adopted elsewhere in the same districts. For instance, in some places those running the polling station collected ballot papers for the voter, while in other the voter did so. In some places those running the station marked the register to show that a voter had voted, while in others the voter did so. In some places the rubbish bag for discarded ballot papers was placed inside the voting booth and in others it was placed outside. In some places the Voters' Register for that polling station was pasted up outside, in others it was not. There are many other examples. Again, they may appear minor. However, taken together they undermine respect for the electoral process: in any disciplined electoral system adherence to common procedures and uniformity of their application matters.

Polling Stations and Officials

Many stations opened on time, though by no means all: in Douala and Limbe, for instance, late opening was common. All stations at which we were present closed at 6.00pm - no allowance was made to compensate for late opening in the morning. Many voters appeared to have voted by lunch-time.

There were sometimes significant shortages of materials - including ballot papers - on the day. The atmosphere at, spaciousness of and layout of the stations varied. Polling stations were not identified as such, but voters appeared to know anyway.

Regarding the location of the stations, we had been told that voting would not take place at Chiefs' houses. On election day we found that in certain parts of the country it did take place in the Chiefs' compounds, and that this was quite widespread in some areas.

In some places a real effort had been made to move away from the Chief's house. In others the effort was less substantial. In some parts of Yaoundé itself we were told by MINATD officials that as many as 70 of 170 polling stations were in Chiefs' compounds and this was consistent with our observation. The polling station was invariably in the courtyard rather than inside the house itself, and sometimes canopies and other structures had been erected to symbolically separate the voting from the Chief's presence. However, this did little to weaken awareness of the Chief's presence and role and the influence that we believe might well accompany such a reminder. In our view polling stations should under no circumstances be located at places associated with traditional rulers.

We also came across several military barracks where there were polling stations. In the case of polling stations at both Chiefs' compounds and military barracks there was the possibility of influence – whether inadvertent or otherwise – over the choice of the voter.

In Douala and the Eastern Province in particular we were impressed by the competence of those staffing the polling stations. Elsewhere, however, most of those who were running the polling stations needed to be better trained.

In other countries those staffing the polling stations would be polling officials employed by the election management body. In Cameroon, however, we found that most of those staffing the polling stations were party representatives. There were two categories: party figures on the Polling Station Commissions, or the candidates' representatives, who had been mandated to protect their candidate's interests at that polling station.

So party people – often from just one particular party – checked Voters' Registration Cards when the voter first entered. They gave them their ballot papers. They applied the ink to the voter's thumb. The only role which was usually not performed by a party official was that of marking off the voter on the register, a function which was usually performed by the President of the polling station him or herself¹⁸.

As a matter of principle the task of running polling stations should be performed by people who are not partisan in any way and whose loyalty is to the integrity of the process rather than to a particular candidate or party. In the confusion and distortion of roles which we witnessed there will at worst be a serious conflict of interest, at best a major practical problem, and probably both. For how can any individual combine the purposes and functions of protecting the interests of their candidate or party while also administering the electoral process itself? This demonstrates at the most localised level the major flaw that runs through Cameroon's electoral arrangements from top to bottom.

Finally, we noted that during the course of polling day there was confusion about the alleged withdrawal of as many as four candidates. In some places officials withdrew one or more of the ballot papers, even though they had not been instructed to do so by MINATD.

The Eastern Province

It is worth noting that election day in one province – the Eastern Province – was consistently and markedly better organised and more professional than in the rest of the country. Officials were well-trained and well-informed. The rules were more consistently respected. NEO officials were effective. Women were more evident, both as officials and as voters. Provision had been made for voters with special needs. A special effort

¹⁸ We noted that the President of the polling station was often difficult to identify: badges denoting roles and positions were not worn.

was made to register pygmy people and a special polling station was erected for them. We cannot easily explain why the system worked so much better in this Province, which is one of the most remote in Cameroon, and further examination needs to be made as to why this was the case.

Candidates' Representatives and Domestic Observers

Members of the Group made a point of asking both candidates' representatives and domestic observers if they had any concerns about the process. In only a few cases did they appear to have any, even where it was quite clear that arrangements were amiss. Better training is required for both.

We noted that CPDM representatives were at every polling station. Of the other parties SDF and CDU were the most widely represented. We hope that steps can be taken to ensure that there are more representatives from the other parties at the next election. So far as the domestic observers are concerned, we believe that their role can be a very important safeguard against malpractice. As individuals those we met were both sincere and enthusiastic. However, we are sure that they will be more effective if all the domestic observer bodies can come together under one umbrella body, with one national report on the elections.

NEO Representatives

NEO was represented on election day by 'delegates' at the polling stations and other officials who oversaw a wider area, traveling from polling station to polling station. In the East the NEO officials did a good job. Elsewhere, however, in only a few cases did the NEO representatives seem to us to have any impact on what was happening inside the station or centre. They often deferred to authority figures – those organising the poll, Chiefs, or even election observers. We put this down to inadequate training and a conception of their role which is too passive. We believe that NEO delegates can play an important part in improving the process in Cameroon, but only if they can be better informed about the process and more proactive.

Secrecy of the Ballot

With a few exceptions the screened area where the voter placed her/his ballot paper into the envelope was well protected from the eyes of officials, party representatives and other voters. In general the secrecy of the ballot was assured. However, it was sometimes possible to see through the envelope and identify the ballot paper inside; and in some places observers could see the voter clearly, either because the screened area was badly positioned or because the cloth covering that area was transparent. If Cameroon continues with this method of voting we hope that those responsible for elections will consider what can be done to overcome these problems in future.

Voter Behaviour

Most of the voters understood what they were supposed to do at the polling station. For the most part they were patient and orderly, taking their responsibilities seriously and co-operating with those running the

polling stations. Even where they made clear that they were unhappy with the way things were being done they did not impede the operation of the polling station.

Obstacles to the Participation of Women

There were aspects of the polling arrangements that sometimes inhibited women from participating. For instance, the male ambience at certain polling stations, long queues with few women in them, time-consuming searches for names on the register, and the distances (and therefore time) to the polling stations were sometimes a problem. In some places arrangements were made in such a way that these obstacles were overcome. Elsewhere this was not done.

We noted that there were few senior women either in the management of the elections or the leadership of the political parties.

Assistance to the Illiterate and Voters with Special Needs

Provision varied. In some places special assistance was provided for the illiterate and those with special needs. However, in other places arrangements were inadequate.

Security

Security was usually present. It was both discreet and effective.

The Closure

This was relatively rapid, but transparent. By this time a crowd had gathered at most polling stations, eager to see the beginning of the count.

The Count

We noted that the facilities for the count were often basic, cramped and hot and that lighting was sometimes poor. However, the process was transparent. The presence of many voters and other citizens around the counting centre meant that the process was scrutinised by many eyes. In our view, the active involvement of the crowd of onlookers – ensuring, for instance, that the record takers were loudly informed of any mistakes – was welcome.

The transparency of this part of the process was aided by the holding up of each ballot paper and the rejected ballots, one at a time, so that all present could see. We noticed that ballot papers were often identified by the political party for which the voter had voted, rather than by the names of the candidates

Representatives of the candidates, NEO and international observer groups were allowed to be present. The procedure that all the candidates' representatives were asked to sign and were given copies of the results sheet was an important item of good practice.

However, we were disturbed by the handling of the ballot papers at the end of the count. They were often destroyed after the count or just left on the floor of the counting centre. This conforms to the law in Cameroon although it is not international practice, under which ballot papers are

retained so that they can be available in the event of a challenge to the results.

Procedure for Transmission of the Results

In all cases where our Teams were present, the results as agreed at the polling station were transmitted accurately to the district collation centre.

However, we could not fail to notice that conditions at the district collation centres were often chaotic. The law allowed NEO representatives and candidates' representatives to accompany the results and ballot boxes from the polling station to the district centre; often they did not do so.

The district-level collation of polling station results was supposed to take place, according to the law, under the auspices of the Chairperson of the Divisional Supervisory Joint Commission. In fact it usually took place at the office of, and in our observation was always under the control of, the Divisional Officer. The Chairperson of the Divisional Supervisory Joint Commission was invariably not even present. One procedure was set out in the law and another was followed in practice.

While observers were allowed to watch the process which followed the transmission of the polling station results to district level, we were not always made to feel welcome. In contrast to the situation at the counts, the public were not allowed. So far as we could see candidates' representatives were not present.

It is a matter for speculation as to why arrangements for the collation of the polling station results at district level were in practice so different from those stipulated. However, it is a question to which we attach considerable weight and interest and which we hope will be answered after this election.

We made clear that our observation of the poll, count and results process began before the opening of the polling stations on the morning of 11 October. We should also make clear where our observation ended.

Nine of our twelve teams followed the polling station results to the district level on the night of 11 October. A number returned to the district collation centres the following morning, 12 October, and also followed-up with the political parties and others.

While most of us saw the polling station results go in at the district level and then observed at those centres subsequently, we generally were not able to conduct a comprehensive sampling of the processes at the district level after the transmission of the polling station results.

Announcement of the Results

We were concerned that the provisional results of the Presidential Election were announced by the Minister of State in the Ministry of Territorial Administration and Decentralisation Mr Marafa Hamidou Yaya on 14 October. The law clearly states that the proclamation of results is the function of the Constitutional Council. Even though the figures published

by MINATD were presented as “trends” they were in fact the results of the election. This is highly irregular.

Integrity Of The Process

We have already mentioned a number of points which have a bearing on the integrity of the process. Three further points were of particular concern.

First, the ink did not provide protection against fraud. We found that it could be wiped off quite easily, so that within minutes there was no trace of it. In the East a marker was used to apply the ink. But in most other places a soft ink pad was used, enabling the voter to leave a thumbprint on the Voters’ Card after voting. In most cases this meant that it was applied only to the soft underside of the thumb, rather than to the nail and cuticle, which would be more effective. A sponge or cloth was provided to enable the voter to remove the ink.

The nature of the ink and the method of application together meant that in a situation where there were allegations that there was a faulty register, poor control of Voters’ Registration Cards and charges of multiple voting, one of the key safeguards against abuse of the process was removed.

We noted earlier that Voters’ Registration Cards which were retained at the polling station for collection on the day were not always kept as securely as they might have been. Of even more concern was that the ballot papers were handled and stored with little regard to security, both before and after the voting, that too many of those present on election day had access to them and that neither in the prescribed procedures nor in actual practice on the day did there appear to be any arrangement for detailed and systematic accounting for them or for other key materials. The ballot papers were not numbered and those running the polling stations appeared to have no idea of the quantities they had been given. This was a case of an inadequate procedure, because the problem was to be found virtually everywhere and was intrinsic – rather than exceptional – to the process.

Finally, and fundamentally, we have seen that the whole electoral process was run by a Government Ministry and its agents in the local administration – from Governor to Senior Divisional Officer to Divisional Officer to Chief to “Quarter Head” – rather than by an independent election management body. This was just as true on election day as it was at earlier stages of the process. We were told in advance that local Commissions would be responsible for the management of the polls and the results process (see page 11). However, in practice it was clear that these operations were in effect run by and decisions taken by the Administration.

OVERALL ASSESSMENT

While there were some positive features to the poll, count and results process there were also many shortcomings. Our view is that there were

so many, and they were so important, that the process lacked credibility in a number of key areas.

CHAPTER SEVEN

CONCLUSIONS AND RECOMMENDATIONS

CONCLUSIONS

On the basis of our observations we have two main conclusions:

- in a number of key areas the electoral process lacked the necessary credibility. In particular we are concerned that many people who wished to vote were not on the Voters' Register, so were denied the right to vote.
- however, even given the serious deficiency in the management of the register, we believe that the intention of those who voted was reflected in the result.

We must add one further point. While it is possible to count the number of those who voted, no one can quantify the numbers of those who have become disenchanted and disengaged from the democratic process, particularly young people. This problem needs to be addressed.

RECOMMENDATIONS

Our Terms of Reference invited the Group to "propose such action on institutional, procedural and other matters as would assist the holding of such elections". Our Group therefore wishes to put forward the following recommendations, which emerge from the preceding chapters of this Report.

We have four major recommendations and a series of particular and practical points which we commend to the Government, political parties and the election authorities in Cameroon.

Major Recommendations

Our major recommendations are:

- **Ensuring Compliance with the Law**
Throughout our time in Cameroon we have noted that the law is very often not implemented fully, or even at all, and is confusing. Key institutions which are supposed to exist do not exist. Major legal provisions are not implemented. The National Elections Observatory is supposed to "supervise and control" elections but it cannot. The Senate does not exist. The Constitutional Council does not exist. The National Communications Council was dormant for six years. In many cases the law needs to be reviewed and amended. But while the discussion about changes is going on, it is critical that the existing law is implemented properly.

- **Establishing an Independent Election Management Body**

At present the whole electoral process is run by, and the key decisions are taken by, the Ministry of Territorial Administration and Decentralisation and its agents in the local Administration. This is the principal obstacle to the holding of credible elections.

We therefore believe that the overriding priority for Cameroon is to establish an independent election management body – either a strengthened NEO or a new institution – whose function would be to organise and conduct all aspects of the electoral process.

Such bodies are responsible for elections in many other Commonwealth and African countries. We believe that the establishment of such an institution in Cameroon would invigorate the electoral process and inspire confidence in its results.

- **Separating State and Party**

At present the dividing lines between the state and the ruling party are blurred. The two need to be completely separate, especially in an election period. There need to be clear rules to prevent the abuse of the advantages of incumbency by the ruling party. The election management body must have the powers and resources it needs to enforce these rules.

- **Separating Election Management and the Parties**

The political parties have a major role in actually running the electoral process. It is important that political parties should be fully involved at all stages. But it is unacceptable that most of the polling officials at a polling station, for instance, should be political party representatives. 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. We urge close co-operation between political parties and election managers, but on the understanding that their functions are separate and must not be confused.

PRACTICAL POINTS

The particular points which we commend to the Government, political parties and the election authorities in Cameroon and the Commonwealth Secretariat are as follows:

Government

- **Census:** given the importance of reliable information on the population to voter registration, we urge an early census;
- **Public Resources:** the Government should not allow the use of public resources to give any party an unfair advantage at election time;

- **Civil Society:** the Government should encourage the development of civil society, including by relaxing the requirements for the registration of NGOs.

Political Parties

- **Campaign Finance:** political parties must be transparent in their campaign funding arrangements. We urge the Commonwealth Secretariat to make available technical assistance on this issue.
- **Voter Education:** we urge the political parties to accept the responsibility for promoting public understanding of the electoral process and discussion of key issues affecting the lives of the people of Cameroon;
- **Training:** political parties should ensure that their representatives on election day are properly trained.

Election Management Body

- **Voter Registration:** there should be a fundamental review of voter registration arrangements;
- **Collation:** the collation of polling station results at district level must be made much more transparent and the election management body must ensure in particular that candidates' representatives and observers are both present and made welcome;
- **Training:** election officials, NEO staff, candidates' representatives and domestic observers should all be better trained;
- **Codes of Conduct:** codes of conduct should be developed regarding the abuse of incumbency, the behaviour of the political parties and media reporting;
- **Handling of Materials:** sensitive materials such as ballot papers must be handled more securely and there must be a proper system of accounting for them;
- **Voter Education and Engagement:** more attention should be paid to voter education, targeting the engagement of young people and of specific groups such as non-literate voters;
- **Media:** the election management body should recognise that it has an important role in promoting balanced media coverage;
- **Political Parties:** the election management body should formally engage political parties on a permanent basis;

- **Polling stations:** polling stations should be as accessible as possible, including for voters with special needs. Stations should not be sited in military barracks, at places associated with traditional rulers or in other places where their location might influence the voters, whether deliberately or inadvertently.
- **Indelible Ink:** the ink used at this election was not indelible and did not provide a safeguard against fraud. We recommend that both the ink used and the method of its application be reviewed prior to the next election.
- **Domestic observers:** the election management body should work with domestic observer groups to ensure that have the maximum possible impact.

Commonwealth Secretariat

In the context of what we hope will be a continuing programme of support for the strengthening of democracy in Cameroon we recommend two particular practical points to the Commonwealth Secretariat.

- **Co-operation with Partners:** the Secretariat should seek new means of co-operation with La Francophonie, other international organisations and donor governments to help Cameroon strengthen its democracy;
 - **Promote African Best Practice:** the Secretariat should actively promote awareness of the growing body of 'best practice' by African election management bodies.
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COMPOSITION OF THE COMMONWEALTH OBSERVER GROUP

Rt Hon Joe Clark (Chair, Canada)

Mr Clark was an elected Member of the House of Commons of Canada for 25 years. He served as Prime Minister of Canada, Leader of Her Majesty's Loyal Opposition, Secretary of State for External Affairs, Minister Responsible for Constitutional Affairs and, later, as Special Representative of the UN Secretary-General for Cyprus. He is currently Public Policy Scholar at the Woodrow Wilson Center and a Senior Fellow of the American University in Washington DC.

Mr Hannington Alatoa (Vanuatu)

Mr Alatoa was Vanuatu's Ombudsman from 1999 to 2004. Prior to that he worked in the public, private and NGO sectors, including the Foundation of Peoples of the South Pacific and World Vision and he was Regional Director in the South Pacific for the Commonwealth Youth Programme. Mr Alatoa holds a BA from the University of the South Pacific.

Mr Dayananda Dissanayake (Sri Lanka)

Mr Dissanayaka has been Commissioner of Elections in Sri Lanka since 1995, having joined Sri Lanka's Department of Elections in 1975 after five years in the Provincial Administration Service. Mr Dissanayake has been a member of the Executive Board of the Association of Asian Election Authorities since 1998 and was a Commonwealth Observer in South Africa in 1994 and Guyana in 2001.

Hon Sheila Holder MP (Guyana)

Sheila Holder has served for the last twenty five years as pro bono publico in the consumer movement in Guyana and more recently on the regional body, the Caribbean Consumer Consultative Committee. She entered the Eighth Parliament of the Co-operative Republic of Guyana on 12 May 2001. She is a mother of three.

Ms Helen Kijo-Bisimba (United Republic of Tanzania)

Ms Kijo-Bisimba is Executive Director of the Legal and Human Rights Centre, a leading human rights organisation in Tanzania, and was a founder member of the Women's Rights Organisation in Tanzania and Women in Law and Development in Africa. She has participated in the human rights movement internationally, and attended the Beijing Conference on Women and the World Social Forum in Porto Alegre in Brazil. Ms Kijo-Bisimba holds a Diploma in Education, a Bachelor's and a Masters Degree in Law, specialising in human rights and the rights of the child.

Mr Samuel Kivuitu (Kenya)

Mr Kivuitu has been Chair of the Electoral Commission of Kenya since 1997 and was previously Vice-Chair (from 1996 to 1997). He was a Member of Parliament from 1969 to 1974 and again from 1983 to 1988 and is a lawyer. Mr Kivuitu has observed elections in South Africa, Lesotho, Mozambique, Nigeria and Uganda and has participated in numerous conferences, workshop and seminars on elections.

Mr Nicholas Kotch (United Kingdom)

Nicholas Kotch is a journalist and a media consultant, based in Johannesburg, South Africa. He is the former Africa bureau chief for Reuters and spent 27 years with the international news agency. Most of his career as a foreign correspondent was spent in West, East and Southern Africa. A Briton, he graduated from Oxford University with a degree in Politics, Philosophy and Economics. He is married, with two sons.

Mrs Hélène Maïche (Seychelles)

Mrs Maïche was formerly Executive Secretary of the Liaison Unit of NGOs in Seychelles (LUNGOS). She is a consultant in organisation and management, research and report writing and disability issues, and is an activist on women's issues, specifically women's empowerment, good governance and civic engagement.

Dr Nomsa Masuku (South Africa)

Dr Masuku is a member of staff of the Independent Electoral Commission of South Africa. She has worked extensively in institutionalising democracy, human rights and peace education in South Africa.

Hon Fagafagamanualii McCarthy MP (Samoa)

Mrs McCarthy is a Member of Parliament in Samoa, and has represented the constituency of Anna Alofinu 3 since 2000.

Hon Patricia Nawa MP (Zambia)

Ms Nawa is a Member of Parliament in Zambia and Vice-Secretary of the Women's Parliamentary Caucus. She is a former banker and was a councillor and then Deputy Mayor and Mayor of Lusaka City Council.

Mr Festus Okoye (Nigeria)

Festus Okoye is a lawyer and the Chair of the Co-ordinating Committee of the Transition Monitoring Group (TMG), a coalition of 170 Nigerian civil society groups and organisations with expertise in

civic education and election observation. He is the immediate past National Publicity Secretary of the Nigerian Bar Association.

Mrs Judith Pestaina (Dominica)

Mrs Pestaina is a former Special Adviser in the Political Affairs Division of the Commonwealth Secretariat. Prior to that she was Permanent Secretary in the Ministry of External Affairs in the Commonwealth of Dominica.

Hon Fateh Chand Pars Ram (Malaysia)

Mr Fateh Chand Pars Ram has been a member of the Election Commission of Malaysia since 2001 and has observed elections in Australia and India. He is a geologist by training, with a BSc (Hons) from Australia and an MSc from the Netherlands. He worked with the Geological Survey of Malaysia from 1964 to 1998 and from 1993 to 1998 was Director of the General Geological Survey. Mr Fateh Chand Pars Ram was a member of the Malaysia Public Services Commission from 1998 to 2001.

Mr Dev Sindhu (India)

Mr Sindhu is Chairperson of the Pan-Commonwealth Youth Caucus, runs youth NGOs in India and is an entrepreneur, with his own business in financial markets in India. He holds a Master of and a Diploma in Business Administration and has participated in various international fora.

Mr Leshele Thoahlane (Lesotho)

Mr Thoahlane is Chairman of the Independent Election Commission of Lesotho and from 1990 to 1993 was Minister of Finance in the Government of Lesotho. He was Executive Secretary of the African Capacity Building Foundation in Harare from 1994 to 1999 and is a lawyer by training. Mr Thoahlane is married with three children. He has observed elections in Zimbabwe (2000 and 2002), Mozambique (local government elections, 2003) and in South Africa (2004).