

## **Chapter 5**

### **Voting, Counting and Results**

#### **Background**

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

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

#### **Observations on Polling Day**

##### ***Voting***

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

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

Some voters first checked their names on the voters' list posted outside the station and then entered the polling station, while others went straight into the station without checking their names on the list outside. Each voter then submitted his or her registration card to the president in his or her role as the voter register officer, to verify his or her name on the register. The voters that did not have their registration cards used their national identity cards to verify their names. In certain instances voters had their registration cards or proof of registration but their names could not be found on the voters' register and therefore could not vote. The voter then proceeded to the party representatives who gave him or her the twenty-three ballot papers and an envelope. The voter went into the polling booth, selected the ballot paper of his or her choice before placing it in the envelope provided. Surplus ballots were disposed of in a garbage bag located either in the booth or close to it. The voter then cast his or her vote by putting the envelope in the ballot box, had his or her

right thumb dipped on an ink pad and placed the inked thumb on the back of the registration card. Some voters then had their thumb nail inked whereas others did not.

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

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

### ***Counting***

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

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

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

### ***Results Process***

The election results were to go through various stages of the fifteen day result process that would lead to the final proclamation by the Supreme Court. The first stage was for the election staff at the polling station to sign the results forms for the particular station. Then two copies of the results were to be sent to the council office within 48 hours: one copy was to be kept by the president of the council while the second was to be sent to the regional director who would then send it to the national office of ELECAM in Yaoundé. At that stage of the process, no official declaration would be made and results would not be revealed to the public with the exception of those participating at each polling through observation. The council office would then send the results with the ballot papers to the Divisional Commission for further processing which included checking and verification.

The Divisional Commission was to be made up of three representatives of the Administration, three from ELECAM and one representative for each candidate. The results

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

## **Issues and Recommendations**

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

### Voter education

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

### Voters' lists

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

### Polling day

- In some dense urban areas, the Team found that there were too many polling stations in close proximity to each other. In such areas, polling station delimitation should be determined by voter numbers of at least 1000 in order to reduce the number of polling stations and thereby facilitate the presence of party agents in a larger number of polling stations.
- Though provision was made for the presence of discreet security, in many instances observed by the Team, no security personnel was present. Voter safety and security of the process must be ensured at all times.
- As previously noted, the use of multiple ballot papers was cumbersome and interfered with the smooth flow of the voting process. We strongly encourage the use of a single ballot paper for future elections. Additionally, the distribution of sensitive election materials such as ballot papers on the eve of voting might

compromise security. Ballot paper management must be improved throughout the entire process from production and distribution through to polling.

- The quality of ink provided was not satisfactory: the ink was not indelible thus resulting in the possibility of multiple voting. The use of indelible ink in an ink bottle must be mandatory to avoid multiple voting. Training should specify the purpose of the indelible ink, to address the misconception that the ink was solely to be used for marking the back of the voting card, when instead it was for permanently marking voters themselves to prevent multiple voting. We also wish to note that it is best practice for voters to be inked immediately the ballot paper is issued.

#### Polling staff

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

#### The role of party agents

- In most polling stations the Team visited, we noted the cooperation between party agents and polling officials and the atmosphere of congeniality. We believe this added to the peaceful nature of this election. We however note, with concern, that in some instances the duties of party agents and polling officials were blurred. Party agents should represent candidates and/or parties, and should not be used as election staff. We wish to reiterate the recommendation of the 2004 Commonwealth Observer Group which noted in its report that "election management functions should be performed by people whose loyalty is to the integrity of the process rather than to a particular candidate or party."<sup>9</sup>

#### The counting and results process

- The counting process was relatively transparent in areas the Team visited. However, we would urge uniformity in counting procedures to ensure best practice is adopted across the country.
- There was a lack of visible ceremonial transition from the polling stage to the counting stage. Polling station presidents must announce the transition from each significant step to the other, e.g. the emptying of the ballot box and the transition from a polling station to a counting station.
- We further note reports from other observers and from our own Team members of a lack of reconciliation of ballot papers in many polling stations. We hope that future training on ballot paper management will include the reconciliation of issued, used and spoilt ballot papers at the counting stage.
- There is a need for improved lighting facilities during the counting stage for future elections. We note that lanterns were provided for a significant number of polling

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

stations in this election. However, in some polling stations, there was no provision of kerosene to light them up. Polling officials and agents therefore had to conduct the count with improvised lightning which was inadequate in some instances.

- The fifteen day period from the close of polls to the announcement of results is unreasonably long. We urge a review of the verification procedures leading to the announcement of results with a view to shortening the process.
- Finally, we further underscore that ELECAM should be given the right to declare and announce election results to strengthen its autonomy and independence.