

## **Chapter 6**

### **Conclusions and Recommendations**

#### **Conclusions**

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

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

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

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

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

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

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

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

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

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

We summarise our recommendations below.

## **Recommendations**

### ***The Electoral Framework and Election Administration***

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

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

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

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

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

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

The law should be amended to allow the signatures of ordinary voters nationwide to enable independent candidates to run for office: the current legal requirement of obtaining 300

signatures from a certain class of voters appears onerous and restrictive, as highlighted above.

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

All election accreditation should be done through ELECAM.

### ***Election Campaign***

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

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

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

### ***Media***

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

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

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

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

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

#### **Preparations for polling**

##### ***Voter education***

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

### *Voters' lists*

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

### *Voter register*

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

### *Voter cards*

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

### Polling day

#### *Polling station delimitation*

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

#### *Security*

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

#### *Ballot papers*

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

#### *Indelible ink*

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

#### *Voting procedures*

- Clear and audible oral instructions on voting procedures should be provided to voters on the day.

- As far as possible, voting procedures should be clearly displayed at the entrance of polling stations.

#### *Polling staff*

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

#### *Role of party agents*

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

#### The counting and results process

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