

# PRACTICAL GUIDE FOR CANDIDATES IN MUNICIPAL ELECTIONS IN CAMEROON

---



## **Imprint**

### Publication

Friedrich-Ebert-Stiftung Kamerun  
Boulevard de l'URSS  
11939 Bastos  
Cameroon

Responsible for this publication within the FES  
Gabriel Ngwé | Programme Officer

### Contact

Phone : +237 222 215 292  
          +237 678 264 578  
          +237 685 134 685

Website: [kamerun.fes.de](http://kamerun.fes.de)

Facebook: Friedrich-Ebert-Stiftung / Bureau Cameroun et Afrique Centrale

Email: [info@fes-kamerun.org](mailto:info@fes-kamerun.org)

Layout & Illustration by:  
Joelle Djogquep

This publication was made possible with the financial support of the European Union through the project "Strengthening civil society participation in the democratic system and the electoral process in Cameroon," with its logo "Together for Cameroon," and implemented by the Friedrich Ebert Stiftung and Un Monde Avenir. Its content is the sole responsibility of the Friedrich Ebert Foundation and does not necessarily reflect the views of the European Union.

Commercial use of media published by the FES is not permitted without the written consent of the FES.

This publication is not intended for sale.

All rights of translation, production and adaptation reserved for all countries.

February 2026

# Table of Contents

	<b>General Introduction</b> .....	<b>04</b>
<b>01</b>	<b>Presentation of the Institution</b> .....	<b>06</b>
	A. The Council .....	07
	B. The Council Board and the Municipal Councillors .....	10
	C. The Council Executive .....	13
<b>02</b>	<b>Women and Youths in Politics</b> .....	<b>16</b>
	1. The Asset that women and youth represent in politics .....	17
	2. Internal and external obstacles related to the political participation of youth and women .....	17
<b>03</b>	<b>Requirements for candidates</b> .....	<b>19</b>
	A. The Nomination File .....	21
	B. The Pre-electoral Dispute .....	23
<b>04</b>	<b>The Election</b> .....	<b>25</b>
	A. The Election Campaign .....	26
	B. Polling Day .....	27
	C. Proclamation of Results .....	32
<b>05</b>	<b>Post-Electoral Disputes</b> .....	<b>39</b>
	A. Who should file a petition ? .....	37
	B. How should the petition file be compiled ? .....	37
	C. When should the petition be filed ? .....	37
	D. Which body has jurisdiction over petitions ? .....	37
	E. What are the implications of a petition ? .....	37
	F. Various grounds for dismissal ? .....	38
	<b>Suggested reading</b> .....	<b>40</b>

Constitutional Law No. 96/06 of 18 January 1996 revising the Constitution of 2 June 1972, amended and supplemented by Law No. 2008/001 of 14 April 2008, makes Cameroon a **decentralised unitary state**. This new status has resulted in the establishment of decentralised local authorities with constitutional status, namely the council and the region. These regional and local authorities are legal entities under public law. As such, they are granted administrative and financial autonomy in the management of regional and local interests. They are freely administered by elected boards under the conditions laid down by law. The council boards of local authorities are tasked with promoting the economic, social, health, educational, cultural and sporting development of these authorities.

The State exercises oversight over the Regions and Councils. It ensures the harmonious development of all decentralised local authorities in the interests of national solidarity, regional potential and inter-regional equilibrium.

This supervision of regional and local authorities by the State is exercised under the authority of the President of the Republic, through the Minister of Decentralisation and Local Development (MINDDEVEL) and through the State's representatives in these decentralised local authorities. The Governor exercises State oversight over the regions, while the Senior Divisional Officer (SDO) does the same with the divisions. As representatives of the State, their role is to ensure that the decisions of regional and divisional bodies comply with the law, to maintain public order and to coordinate State services in decentralised local authorities.

To this end, only the Senior Divisional Officer is authorised to speak on behalf of the State before the Council Board, and the acts taken by the latter are sent to him against acknowledgement of receipt. The same applies to the Governor in the region. These acts are fully enforceable by law 15 days after the delivery of the acknowledgement of receipt and their publication or notification to the parties concerned.

The decentralisation process is driven by three main concerns: the need to confer decision-making power on local elected representatives in order to bring decision centres closer to the places where they are to be implemented; the need to adapt public action to the people's various expectations; and the need to ensure greater participation by the population in the management of public affairs.

Indeed, it should be noted that, beyond the 1996 Constitution, the 2004 framework laws on decentralisation make the free administration of local authorities by elected councillors the fundamental principle on which this new form of public affairs management is based.

This guide, as its name suggests, is an educational tool that aims to provide a framework enabling aspiring local government officials (councillors and mayors) to understand the election process, including the scope of their responsibilities.



---

*8% of women at  
the head of  
municipalities*

*Youth  
participation in  
municipalities  
remains limited  
to 27%*

It is worth recalling that since the 1990s, Cameroon has embarked on a vast democratisation project which, like all states around the world, requires that it take youth and women into account. Municipal elections are an opportunity to promote the participation of women and youth in local governance and to broaden the democratic space for marginalised groups to partake in the management of the country's political life. However, the participation of women and youth remains a major challenge. According to statistics from the national institute, women and girls make up 52% of the population. It is also estimated that young people under the age of 35 account for 65% or more of the total population. Yet only 8% (33/360) of mayors (mayors and deputy mayors) in Cameroon are women (Germaine Bienvenue NOUKIO: 2020). The participation rate of young people is estimated at 27% in local council activities (source: Data Cameroon: 2024). Clearly, the participation of women and youth in local public affairs is still considered a challenge, especially since the State of Cameroon is a party to various international conventions on women's rights, in particular the 1979 Convention on the Elimination of All Forms of Discrimination against Women, ratified on 23 August 1994, and the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa of 11 July 2003, ratified in May 2009.

This guide could also be viewed as a tool for raising awareness and educating young people and women about the key role they can play in Cameroon's political life, as participants and candidates in local elections.

This practical guide aims to introduce the institution of the council **(I)**, followed by women and youth in politics **(II)**, the conditions for electing municipal councillors **(III)**, the behaviour and attitude to adopt during the electoral phase **(IV)** and, finally, to explore options available in the event of irregularities in the electoral process **(V)**.

# PRESENTATION OF THE INSTITUTION



The presentation of the basic decentralised local authority known as the Council consists in defining the key terms Council **(A)**, Council Board and Municipal Councillors **(B)** and Council Executive **(C)**.

---

## A. THE COUNCIL

---

The council is the basic local authority. It is created by decree of the President of the Republic.

The decree establishing the council also specifies the name of the council, its territorial jurisdiction and its capital.

Any change in the name, capital or territorial jurisdiction of a council is effected by decree of the President of the Republic.

The council's main mission is local development as well as the improvement of the living environment and conditions of its inhabitants.

To fulfil these missions, it may, in addition to its own resources, seek the assistance of the population, civil society organisations, other local authorities, the State and international partners in accordance with the legislation and regulations in force. However, it should be noted that any request for external contributions by the Mayor requires the prior authorisation of the Council Board and, in some cases, notification of the Ministry of Decentralisation and Local Development (MINDDEVEL).

One of the achievements of Cameroon's decentralisation process is the transfer of powers from central government to regional and local authorities. As such, council boards are responsible for promoting the economic, social, health, educational, cultural and sports development of their council.

Therefore:

### **1. On the economic front, the Council is responsible for:**

- Promoting council agricultural, pastoral, craft and fish farming activities;
- Developing council tourist sites;
- Building, equipping, managing and maintaining markets, motor parks and slaughterhouses;
- Organising local trade fairs;
- Providing support to income-generating and job-creating micro-projects.

### **2. In terms of the environment and natural resource management, the Council's responsibilities include:**

- Drinking water supply;
- Cleaning of municipal streets, roads and public spaces;
- Monitoring and control of industrial waste management;
- Reforestation activities and the creation of council woodlands;

- Combating unsanitary conditions, pollution and nuisances;
- Protection of groundwater and surface water resources;
- Developing council environmental action plans;
- Creation, maintenance and management of council green spaces, parks and gardens;
- Household waste management at local level.

### **3. In terms of planning, land use, urban planning and housing, the Council is responsible for:**

- Creating and developing urban public spaces;
- Developing and implementing municipal investment plans;
- Concluding contract plans to achieve development objectives, in conjunction with the State or the region;
- Preparing land use plans, urban planning documents, plans for concerted development, urban renewal and land consolidation;
- Organising and managing urban public transport;
- Development operations;
- Issuing town planning certificates, land parcelling authorisations, site, building and demolition permits;
- Creating and maintaining council road networks and executing related works;
- Developing and servicing habitable areas;
- Public street lighting;
- Addressing and naming streets, squares and public buildings;
- Creating and maintaining unclassified rural roads and ferries;
- Creating industrial activity zones;
- Contributing to the electrification of areas in need;
- Authorisation for temporary land occupation and various works.

It should also be noted that each Council Board is required to give its opinion on regional draft land use plans before they are approved.

### **4. In the context of health and social development, the Council is tasked with ensuring the health and social welfare of its population.**

To this end, it is responsible for:

#### **a. With regard to health and population:**

- Civil status registration;
- Creating, equipping, managing and maintaining council health centres, in keeping with the health map;
- Assisting health facilities and social institutions;
- Carrying out health inspections in facilities that manufacture, package, store or distribute food products, as well as in plants that treat solid and liquid waste produced by individuals or companies.

**b. In terms of social action:**

- Participating in the maintenance and management, as necessary, of social promotion and reintegration centres;
- Creating, maintaining and managing public cemeteries;
- Organising and managing relief efforts for the needy.

**5. In terms of educational, sports and cultural development at local level, the Council must ensure:**

**a. In terms of education:**

- Creation, management, equipping, upkeep and maintenance of council nursery and primary schools as well as pre-school establishments, in keeping with the school map;
- Recruitment and management of support staff for these schools;
- Participation in the acquisition of school materials and supplies;
- Participation in the management and administration of State and regional secondary schools through dialogue and consultation platforms.

**b. In terms of literacy:**

- Implementation of plans to eradicate illiteracy, in conjunction with the regional administration;
- Participation in the setting up and maintenance of educational infrastructure and equipment.

**c. Concerning technical and vocational training:**

- Preparation of a local provisional training and retraining plan;
- Drawing up of a council plan for professional integration or reintegration;
- Participation in the establishment, maintenance and administration of training centres.

**6. With regard to issues relating to youth, sports and leisure, the following powers are transferred to the councils:**

- Promotion and organisation of sports and youth activities;
- Support to sports associations;
- The creation and management of municipal stadiums, sports centres and courses, swimming pools, playgrounds and arenas;
- Identification and participation in the provision of equipment for sports associations;
- Participation in the organisation of competitions.

## 7. As regards issues relating to culture and the promotion of national languages at the local level, the following also fall within the remit of the council:

### a. In terms of culture:

- The organisation at local level of cultural days, cultural and traditional events, and literary and artistic competitions;
- The creation and management at local level of orchestras, traditional lyrical ensembles, bands and ballets, and theatre groups;
- The creation and management of socio-cultural centres and public libraries;
- Support to cultural associations.

### b. In terms of promoting national languages:

- Participation in regional programmes to promote national languages;
- Participation in the establishment and maintenance of infrastructure and equipment.

All these powers transferred to the council can only be exercised through local elected representatives, i.e. the municipal councillors.

---

## B. THE COUNCIL BOARD AND THE MUNICIPAL COUNCILLORS

---

The Council Board consists of all municipal councillors elected for five (5) years by direct universal suffrage and secret ballot. It is the deliberative body of the council. The election of municipal councillors takes place no later than twenty (20) days before the expiry of the current term of office by a single round of voting.

The Council Board is chaired by the Mayor. If the Mayor is unable to attend, one of his deputies, in order of precedence, chairs the Council meeting. The Council Board meets at the Council Hall or in the premises serving as the Council Hall.

The Mayor may, in exceptional circumstances, convene the Council Board in any suitable premises located within the municipal territory, when circumstances so require. In this case, he shall notify the Senior Divisional Officer and the municipal councillors at least seven days before the date set for the session.

The Council Board may only validly sit when two-thirds (2/3) of its members are present. If the quorum is not reached and the Board cannot deliberate, a new session shall be convened at least three days later and, on that occasion, if at least half of the members of the Board are present, the resolutions passed shall be valid. The deliberations of the Council Board shall be taken by a simple majority of those voting.

The Council Board meetings are open to the public. However, at the request of the Mayor or one-third of the members, the Council Board may deliberate in closed session.

The Council Board meets in ordinary session once every quarter, for a maximum period of seven days. During these ordinary sessions, the Council Board may only deal with matters that fall within its powers. The minutes of the meeting are posted at the Council Hall or the Mayor's office. The deadline for posting these minutes is eight days.

The Mayor certifies that the minutes have been displayed and this is noted in the register of deliberations.

These deliberations, recorded in chronological order in a register, are numbered and initialled by the Senior Divisional Officer. They are signed by all members present at the meeting. If this is not the case, mention is made of the reason preventing them from signing.

A municipal councillor who is unable to attend may give a colleague of their choice a legalised written proxy to vote on their behalf. A councillor may only hold one proxy. Except in cases of duly established illness, the same proxy may not be valid for more than two consecutive meetings.

The Council Board may delegate some of its powers to the Mayor, with the exception of those relating to the establishment of committees. The corresponding decision must be the subject of a deliberation determining the scope of the delegation. At the end of the delegation, the Mayor must submit a report to the Council Board.

During the first annual session, the Council Board may form committees to review issues falling within its jurisdiction. Each committee shall comprise a chairperson and a secretary.

These committees may meet during and between the Council Board's sessions. Participation in the work of the committees is not remunerated. However, the costs associated with their operation are charged to the municipal budget.

Committees are convened by the chairperson within a maximum of eight days following their establishment. During the first meeting, each committee shall appoint a vice-chairperson to replace the chairperson in the event of proven incapacity. They may subsequently be convened at shorter notice at the request of the majority of their members.

In addition, the committee's chair may call upon any person, on the basis of their expertise, to take part in the work of the committee, without voting rights. Such participation in the work may be remunerated by decision of the Council Board.

The Council Board may be suspended by a reasoned order of the Minister of Decentralisation and Local Development in Cameroon in the event of:

- Commission of acts in violation of the Constitution;
- Breach of State security or public order;
- Jeopardizing of the integrity of the national territory;
- Prolonged impossibility to function normally.

This suspension may not exceed two months.

However, the President of the Republic may, by decree, dissolve a Council Board under the same conditions as those governing the powers of the Minister of Decentralisation and Local Development, but also in the event of the persistence of or the impossibility to restore the previously prevailing situation.

It should also be noted that a Council Board member who has been duly summoned but who, without legitimate reasons, has failed to attend three consecutive sessions may, after being invited to provide explanations by the Mayor, be declared to have resigned by the Minister of Decentralisation and Local Development, after consultation with the Council Board. A councillor declared to have resigned may not stand as a candidate in the municipal election immediately following the date of his or her resignation. Any decision to suspend a municipal councillor, regardless of the reason, may be appealed before the competent administrative court.

---

## C. THE COUNCIL EXECUTIVE

---

The Mayor and his Deputies constitute the Council's executive body. The Mayor is the head of the Council Executive. He is seconded in his duties by his deputies in the order of their election. The Council Executive is assisted by a Secretary General of the Council Hall.

The Secretary General of the Council Hall is appointed by order of the Minister of Decentralisation and Local Development in Cameroon. He is the main coordinator of the Council Hall's administrative services. To this end, he holds the delegated powers to sign documents in the performance of his duties.

The Mayor and Deputy Mayors reside in the council. The number of Deputy Mayors is determined as follows, according to the number of municipal councillors:

- Councils with twenty-five (25) to thirty-one (31) councillors: **two (2) Deputy Mayors**;
- Councils with thirty-five (35) to forty-one (41) councillors: **four (4) Deputy Mayors**;
- Councils with sixty-one (61) councillors: **six (6) Deputy Mayors**.

The first session of the Council Board is convened by the Senior Divisional Officer on the second Tuesday following the date of proclamation of the results of the municipal councillors' elections. This session is devoted to the election of the Mayor and his or her deputies. The distribution of deputy mayor positions must, to the extent that it is possible, reflect the socio-political configuration of the Council Board.

The Mayor is elected by a two-round, single candidate uninominal majority ('first-past-the-post') ballot. The election is won in the first round by an absolute majority of the votes cast. If an absolute majority is not obtained in the first round, a second round is held. The candidate who obtains a relative majority of the votes is then declared elected. In the event of a tie, the election is won by the eldest candidate.

After the election of the Mayor, the Deputy Mayors are elected by a proportional representation list system. Voting is by secret ballot. The Council Board meeting devoted to the election of the Mayor is chaired by the eldest member, assisted by the youngest. The list

of elected representatives is made public by the chair of the meeting within a maximum of twenty-four hours after the results are announced. It is displayed at the Council Hall or the Mayor's office. It is also notified to the Senior Divisional Officer within the same time frame.

## 1. The Mayor and his Deputies

The Mayor and his Deputies are elected for the same term as the Council Board, which is five **(05) years**.

The election of the Mayor and his Deputies may be subject to a petition for cancellation under the same terms as those provided for the cancellation of the election of municipal councillors.

When the election is cancelled or when, for any other reason, the Mayor or Deputy Mayors have ceased discharging their duties, the Council Board is convened to proceed to their replacement within a maximum period of one month.

The offices of Mayor, Deputy Mayor and Municipal Councillor entitle the holders to the payment of a session allowance or the reimbursement of expenses incurred in the performance of their duties. The amount of the allowances is set by the Council Board.

In addition to session, function and representation allowances, Mayors and their deputies receive a monthly remuneration of 250,000 CFA francs for Mayors and 150,000 CFA francs for deputies (*see Decree of the President of the Republic No. 2015/405 laying down the terms and conditions of remuneration for Government Delegates, Mayors and their Deputies*).

In the event of the death, resignation or dismissal of the mayor or a deputy mayor, the Council Board is convened to elect a new mayor or deputy mayor within 60 days of the death, resignation or dismissal. A Deputy Mayor shall act as interim Mayor, in order of precedence or, failing that, one of the five oldest councillors, appointed by the Municipal Council.

The Mayor and Deputy Mayors are civil registrars. As such, they are required to take an oath before the competent district court. During official ceremonies and in solemn circumstances in the exercise of their duties, the Mayor and his Deputies wear a sash in the national colours with gold-fringed tassels for the Mayor and silver-fringed tassels for the Deputies. In the same circumstances, municipal councillors wear an insignia on their chest. These sashes and insignia are purchased from the council's budget.

The duties of Mayor are incompatible with those of:

- Members of the government and similar bodies;
- Members of Parliament and Senators;
- Administrative authorities;
- Ambassadors or officials in diplomatic missions;
- Presidents of courts and tribunals;
- Chief executive officers or directors of public institutions or publicly owned companies;
- Secretary General of a ministry or equivalent;
- Director of central administration;
- President of a regional council;
- Member of law enforcement agencies;

- Agent and employee of the council concerned;
- Financial administration officer responsible for the finances or accounts of the council concerned.

## 2. The Mayor's responsibilities

The Mayor represents the council in civil life and in court, and is therefore responsible, under the control of the Council Board, for :

- Preserving, maintaining and administering the council's properties and assets and thus carrying out all acts necessary to protect these properties and assets;
- Managing revenue, overseeing municipal services and accounts;
- Issuing building and demolition permits as well as land use authorisations;
- Preparing and proposing the budget, authorising expenditures and prescribing revenue execution;
- Supervising municipal works;
- Ensuring the implementation of development programmes funded by the council or implemented with its participation;
- Taking measures relating to council road networks;
- Concluding procurement contracts, signing leases and tenders for municipal works, in accordance with the regulations in force;
- Executing, in accordance with the same rules, deeds of sale, exchange, sharing, acceptance of gifts or legacies, acquisition, and transaction, where such deeds have been authorised by the council board;
- Taking, in the absence of the owners or holders of hunting rights who have been given prior notice, all necessary measures to destroy animals declared harmful, in accordance with the legislation and regulations in force, and, if necessary, to request the residents having weapons and dogs used to hunt such animals, to supervise and ensure the enforcement of these measures and prepare a report thereof;
- Ensuring the protection of the environment, taking appropriate measures to prevent or eliminate pollution and nuisances, ensuring the protection of green spaces and contributing to the beautification of the council;
- Appointing to council positions and, in general, implementing the decisions of the Council Board.

He is the authorising officer for the council's budget.

The Mayor delegates some of his powers by decree to his Deputies and, in the absence or in case of impediment of his Deputies, to members of the Council Board. This delegation of powers remains in force until it is revoked. However, it ceases, without being expressly revoked, when the Mayor dies, is suspended, dismissed or declared to have resigned.

When the Mayor's personal interests are in conflict with those of the council, the Council Board designates another of its members to represent the council, particularly in legal proceedings or in any contractual transaction.

The Mayor recruits, suspends and dismisses staff governed by labour laws and collective agreements. He assigns and manages staff under his authority.

The actions taken by the Mayor or the Council Board are immediately communicated to the Senior Divisional Officer, who ensures their control, in accordance with the Framework Law on Decentralisation.

The Mayor is responsible, under the supervision of the Senior Divisional Officer, for the municipal police and the enforcement of related State acts.

The creation of a municipal police service is authorised by deliberation of the Council Board, which determines its powers, resources and operating rules.

### **3. Suspension, Removal from Office and Replacement of the Council Executive**

In case of infringement of the laws and regulations in force or gross misconduct, mayors and deputy mayors, after being heard or requested to provide written explanations on the allegations against them, may be suspended by order of the Minister of Decentralisation and Local Development for a period not exceeding three (03) months. Beyond such period, they may be either reinstated or dismissed.

They may also, after being heard, be dismissed by deliberation of the Council Board during an extraordinary session convened by the Senior Divisional Officer at his own initiative or that of two-thirds of the Council Board members. This decision automatically results in the suspension of the Mayor or his deputies as soon as it is adopted. It is rendered enforceable by order of the Minister of Decentralisation and Local Development in Cameroon.

In the event of embezzlement of public funds or an offence liable to criminal sanction with forfeiture, proven shortcoming or gross misconduct in the discharge of their duties, the Mayor and his Deputies may be dismissed by decree of the President of the Republic.

Suspension orders and dismissal decrees must be reasoned. However, mayors and deputy mayors who are been dismissed or removed from office retain their status as municipal councillors. On the other hand, this dismissal automatically renders them ineligible for the offices of mayor and deputy mayor until the end of their term of office from the date of publication of the dismissal decree.

When the Mayor is dismissed or suspended, his or her replacement shall exercise full powers until the election of the new Mayor.

In case of absence or impediment, the Mayor's replacement is responsible for the day-to-day running of the council. They may, notably, not replace the Mayor in the general management of the council affairs, nor amend the Mayor's decisions or the budget.

# WOMEN AND YOUTH IN POLITICS

# 32



## 1. THE ASSET THAT WOMEN AND YOUTH REPRESENT IN POLITICS



*The political participation of young people and women in Cameroon is hampered by **paternalistic and moralising discourse** that perpetuates stereotypes of fragility. Yet their **capacity for dialogue, resilience and engagement** is an essential asset for a truly inclusive democracy.*

In a country where democracy is still under construction, such as Cameroon, the need to improve the political participation of young people and women is a pressing issue. It is inconceivable to talk about an inclusive democratic process without taking into account the participation of all population groups. Youth and women are confronted with a paternalistic discourse that translates into blame and admonitions such as ‘young people must wait their turn’ or ‘women must stay at home to look after the children’. This kind of patronising discourse does not encourage political participation among these marginalised population groups. This paternalistic discourse is compounded by a moralising discourse that conveys the impression of wanting to protect young people and women from the political arena, which is portrayed as being very dangerous. This moralising discourse perpetuates the clichés that youth and women are a sensitive and fragile segment of the population that needs to be protected. This paternalistic and moralising discourse has effectively driven young people and women away from the political sphere, a situation that does not reflect reality.

In our societies, women constitute a segment of the population that favours dialogue, transparency and consensus building. They are in constant contact with the population, as mothers, sisters and wives, and are better able to understand their problems and provide appropriate solutions.

Unlike older individuals, young people have a capacity for resilience and vigour that enables them to face the challenges inherent to their political participation. How is it possible that older people, who are physically more vulnerable than young people, ignore the vigour of this same youth, whom they nevertheless use as bodyguards, turning them into mere messengers during major demonstrations and political events?

Other internal and external obstacles provide a better explanation for the lack of political participation among youth and women.

## 2. INTERNAL AND EXTERNAL OBSTACLES RELATED TO THE POLITICAL PARTICIPATION OF YOUTH AND WOMEN

Internal obstacles include:

- **Lack of political awareness:** young people and women are often unaware of their political influence, the role and functions of political institutions (council, parliament, government, etc.), and the importance of elections;
- **Lack of financial and material resources:** precarious living conditions as a result of underemployment and unemployment, which particularly affect young people and women, prevent them from mobilising the resources necessary for political involvement;

- **A feeling of dissatisfaction:** politicians' broken promises have ultimately discouraged young people and women from becoming politically engaged, as they believe that politics does not provide concrete solutions to their situation and that the solutions to their problems lie elsewhere!

External obstacles include, among others:

- **The lack of family or community support:** Those closest to youth and women do not allow them to easily engage in politics. Some parents forbid their children from engaging in politics if they want to pass certain civil service examinations or if they want to protect their own lives. They constantly remind them that politics is a deadly game. Similarly, many married women cannot engage in politics without their husbands' prior consent. Husbands often force them to stay at home and look after the children, which limits women's full participation in politics. These stereotypes are an obstacle to the political engagement of women and youth.
- **Disappointment with political parties:** The changing rhetoric and lack of political conviction among political leaders does little to inspire enthusiasm among young people and women, who believe that there is no such thing as ethics in politics.
- **A dangerous image of politics:** Young people and women associate politics with violent and sometimes deadly struggles for power. Post-election protests, which often result in assassinations, imprisonments and legal proceedings, do not encourage political participation among these population groups.

All these values and perceptions contribute to poor participation by youth and women in politics, both as voters and as candidates. However, in a developing democracy such as Cameroon's, lack of participation is often associated with a systematic failure to take into account the real needs and interests of those concerned in the development and implementation of public policies. Conversely, greater representation of youth and women would lead to :

- Better representation of the interests of all segments of the population in decision-making bodies and in the development of public policies;
- Better consideration and resolution of issues of concern to the majority of the population;
- Increased credibility and efficiency of political institutions (town halls, parliament, government, etc.);
- Greater social cohesion and more harmonious living together.

# REQUIREMENTS FOR CANDIDATES

# 33

The organisation, management and supervision of the electoral and referendum process in Cameroon are carried out by "**Elections Cameroon**" (**ELECAM**).

To this end, ELECAM is responsible for establishing, managing, updating and maintaining the national electoral register. In order to carry out this mission, joint polling commissions are set up to conduct preparatory activities for elections, organise and supervise electoral operations, polling operations and the final counting of votes.

Preparatory operations for elections include drawing up and revising electoral registers, as well as the issuance and distribution of voter cards. In fact, a commission tasked with the revision of the electoral registers is created in every council. When justified by the area or population size of the council, the Director General of Elections may establish several commissions for the revision of electoral registers. (See Sections 50 to 53 of the Electoral Code).

Cameroonian citizens who are eligible to vote (aged 20 or over) and who have their actual domicile or have been residing in the council for at least six (6) months may be entered in the council's electoral register. Citizens who do not meet the age, residence or domicile requirements at the time of the revision of the lists may also be registered if they meet these requirements before the final closing date for registration. Members of the armed forces and similar personnel are entered without any residence requirements in the electoral registers of the council where their unit or home port is located. (See Sections 45 and 46 of the Electoral Code).

Citizens who can prove that they have paid taxes in the council for five consecutive years may also be entered in the electoral register. In this case, the application for registration must be accompanied by a certificate of non-registration in the electoral register or of removal from the register, issued by the administrative authority of the place of domicile or habitual residence of the applicant. This prevents situations of double registration.

For all intents and purposes, it should be noted that every person of Cameroonian nationality, of either gender, who is at least twenty (20) years of age, is registered on an electoral register and not subject to any disqualification provided for by the law, is eligible to vote.

However, in accordance with the provisions of Section 47 of the Electoral Code, not all Cameroonian citizens are entitled to be entered in an electoral register. Thus, the following persons shall not be registered on the electoral register:

- Persons convicted of a felony, even in absentia;
- Persons sentenced to a term of imprisonment without parole, of more than three (03) months;
- Persons sentenced to a term of imprisonment with a suspension of sentence or probation of more than six (06) months;
- Persons subject to an arrest warrant;
- Un-discharged bankrupts whose bankruptcy has been declared either by a Cameroonian courts or by a judgment rendered abroad and enforceable in Cameroon;
- Mentally ill individuals.
- Persons convicted of offences against the security of the State may not be entered on the electoral register for a period of ten (10) years, unless they have been rehabilitated or granted amnesty.

---

## A. THE NOMINATION FILE

---

### 1. Who can be a candidate?

In accordance with the provisions of Section 175 of the Electoral Code, any Cameroonian citizen, regardless of gender, who is eligible to vote and is duly registered on the electoral register, is aged twenty-three (23) or over on the date of the election, can read and write French or English, and can show proof of effective residence in the council concerned for at least six (6) months.

Non-residents may only stand as candidates if they can prove that their original place of residence is in the council concerned. However, an alien who has acquired Cameroonian nationality through naturalisation is only eligible after a period of ten (10) years from the date of acquisition.

Persons who, through their own actions, have placed themselves in a position of dependency or collusion with an alien, a foreign organisation, foreign power or foreign state are ineligible (Section 176 of the Electoral Code). This ineligibility is determined by the competent administrative court within three (03) days following referral of the matter, at the request of any interested party or the relevant government service.

The following persons are also ineligible and may not stand as candidates for municipal councillor elections during their term of office and for six (06) months following the termination of their office by resignation, dismissal, transfer or any other means : personnel serving in the defence and territorial security services, especially in the security and police forces, as well as military personnel and equivalent members of the armed forces (*Section 177 of the Electoral Code*).

The following may not serve as municipal councillors within their administrative district while in office:

- Governors;
- Secretaries-General and Inspectors-General in the Governor's office;
- Senior Divisional Officers, divisional officers and their deputies.

The following may also not serve as municipal councillors in the territory in which they perform their duties:

- Police officers, gendarmes, military personnel, prison staff and similar personnel;
- Council secretaries-general, municipal revenue collectors and council department heads;
- Magistrates.

Any municipal councillor who finds themselves in a situation of ineligibility following their election must, within 15 days, make a clear choice between their new position and their mandate as councillor. If no choice is made within fifteen (15) days of taking up the said position, they shall be declared to have resigned by order of the Minister of Decentralisation and Local Development (*see Sections 179 and 180 of the Electoral Code*). Furthermore, it should be noted that no one may be a candidate on more than one list or a member of more than one council board.

## 2. What does the nomination file contain ?

In accordance with the provisions of Sections 181 to 184 of the Electoral Code setting out the conditions for the election of municipal councillors, the file of a candidate for the municipal election consists of a nomination paper in three (03) copies, bearing the candidates' legalised signatures, which must include:

- The candidates' surnames, first names, date and place of birth, filiation and profession;
- The name of the list and the political party to which it is affiliated;
- The symbol selected for the purpose of printing ballot papers or of identifying the party;
- The name of the representative of the list, whether he is a candidate or not, and their home address;
- Information on how the sociological components of the constituency were taken into account in drawing up the list;
- Information on how gender was taken into account when drawing up the list.



### **Each candidate's nomination paper must be accompanied by:**

1. A copy of the birth certificate, not more than three (03) months old (*issued by the Mayor or Deputy Mayor of your council of birth*);
2. A certificate of nationality (*the certificate of nationality is issued by the President of the Court of First Instance or the judge delegated by him for this purpose*);
3. A criminal record (Bulletin No. 3), not more than three (03) months old (*issued by the Court of First Instance of the candidate's place of birth and signed by the Public Prosecutor and the Chief Clerk*);
4. A declaration in which the person concerned certifies on their honour that they are only a candidate on this list and that they are not in any of the disqualifying situations provided for by law;
5. A tax certificate or tax exemption certificate (*issued by the divisional tax centre of their place of residence*);
6. An attestation of registration on electoral registers (*issued by the head of the ELECAM office in their council*);
7. A document attesting to domicile or residence in the relevant council, issued by the competent administrative authority (*the Mayor or his deputy*);
8. The original receipt of payment of the deposit (*payment of a deposit of fifty thousand (50,000) francs is established in triplicate by the Public Treasury*);
9. An attestation stating that the political party is nominating the person concerned as a candidate.

***NB :*** Copies of birth certificates required to establish the age of voters and candidates are issued free of charge on plain paper to any applicant. They bear the statement of their special purpose at the top of the text and may not be used for any other purpose.

The election of municipal councillors is a list-based ballot. To this end, it should be noted that any incomplete list, any list missing the documents mentioned above or including candidates who are not members of the political party concerned, shall be rejected (see Section 184 of the Electoral Code).

### 3. When should candidates submit their nomination papers?

Section 181 of the Electoral Code provides that **political parties have a period of fifteen (15) days** following the convening of the electorate by the President of the Republic to submit their nomination papers.

### 4. Where should the nomination paper be submitted?

Nomination papers bearing the legalised signature of each candidate are submitted to the council branches of ELECAM against a receipt. Within five (05) days of submission, the council branch of Elections Cameroon verifies that the list of candidates complies with the law.

The Head of ELECAM 's Council Branch shall forward all nomination papers received to the Director General of Elections within five (05) days, together with any comments (*Section 185 of the Electoral Code*).

No withdrawals of candidates or changes to nomination papers shall be allowed after the list has been submitted.

The Electoral Board shall finalize and publish the lists of candidates at least sixty (60) days before the date of the election.

However, if a candidate on a list dies or is declared ineligible, he or she may be replaced by another candidate, in accordance with the procedures laid down for the nomination of candidates, no later than thirty (30) days before the election.

However, incomplete or incorrectly compiled files cannot be regularised once they have been sent to the General Directorate of Elections.

---

## B. PRE-ELECTORAL DISPUTES

---

The decision to accept or reject a list of candidates may be appealed before the competent administrative court.

The petition may be filed by:

- A candidate,

- The representative of the list concerned or any other list,
- Any voter registered on the electoral roll of the council concerned.

## 1. What should I do if my list is rejected?

If, for any reason, my list is rejected by ELECAM, there is only one thing I can do: file a petition with the competent Administrative Court.

Objections or appeals are made through simple petitions filed within a maximum period of five (05) days following the publication of the lists of candidates by ELECAM.

The Administrative Court shall issue a ruling within a maximum of five (05) days following referral. The decision of the Administrative Court shall be immediately notified to the other interested parties and to the Electoral Board of Elections Cameroon for enforcement. However, it should be noted that the Administrative Court may, in its decision:

- Either confirm ELECAM's decision to reject the list, in which case you are not eligible to take part in the election,
- Or overturn ELECAM's decision, in which case your list will be reinstated and you will be eligible to take part in the elections.



## 2. What should I do if my list is accepted?

If my list is accepted from the outset by ELECAM or reinstated by the Administrative Court, all that remains for me to do is to set everything in motion to ensure that my election campaign is a success.



# THE ELECTION 94

The election is formally confirmed when the President of the Republic issues a decree convening the electorate.

The interval between the publication of the decree convening the electorate and the date set for the election shall be at **least ninety (90) days**. The election shall take place on a Sunday or on a day that is declared a public holiday. It may only last one day. The decree convening the electorate specifies the opening and closing times of the polling stations.

---

## A. THE ELECTION CAMPAIGN

---

### 1. Rules and regulations

In accordance with the provisions of Section 87 of the Electoral Code, the election campaign begins on the fifteenth day before the election and ends at midnight on the eve of the election. It can therefore be understood that the official campaign period is 14 days.

As part of their election campaign activities, candidates may have leaflets, manifestos or posters produced at their own expense or at the expense of the party nominating them. These documents must be printed on paper in the colour chosen for the list or party. They shall bear the logo chosen for printing the ballot papers. However, the production of posters is subject to a decision by the Director General of Elections.

Furthermore, the General Directorate of Elections is responsible for producing campaign leaflets for each list of candidates in the election.

The manifestos and posters used during the campaign are subject to prior approval by Elections Cameroon. Approval is denied for any text that constitutes a call for violence, an attack on the integrity of the national territory, the Republican form of the State, State sovereignty or national unity, or incites hatred against a public authority, a citizen or a group of citizens. The approval mentions the colour and logo assigned to each list or political party.

Any document produced or distributed in violation of these provisions shall, at the request of Elections Cameroon, be seized by the administrative authorities, without prejudice to criminal prosecution against its author and the persons who distributed it.

The council shall assign specific locations for the display of posters and campaign materials for each list of candidates, at the request of Elections Cameroon. Any public display of election-related material, even if it is a stamped poster, outside these locations is prohibited, both for candidates and for any other person or group. The same applies to posters or inscriptions displayed in a public place or on private premises, if they are not put up by the owner of the premises.

Candidates are prohibited from displaying their campaign materials on billboards allocated to other candidates. In such cases, ELECAM will have the illegally displayed posters removed.

During the election campaign, meetings aimed at explaining and discussing programmes and manifestos with voters may be organised by the competing political parties or by the candidates and their representatives. To this end, the representative of each list or other representative of each political party intending to organise election meetings shall submit its schedule of meetings to the Divisional Officer and the Head of ELECAM's Council Branch, so that arrangements can be made to ensure that public order is maintained. In the absence of a schedule of meetings, all such public meetings must be notified to the Divisional Office and ELECAM's Council Branch at least twenty-four (24) hours in advance, stating the time and place of the meeting.

In the event of a clear threat or serious disturbance to public order, the Divisional Officer may, by order, prohibit one or more of these meetings. In this case, the Divisional Officer must agree with the organisers on a new date or, if necessary, another venue to enable them to hold the meeting(s). The Divisional Officer shall inform ELECAM's Council Branch.

Unless special authorisation is granted by the Divisional Officer, meetings may not be held on public roads. The Divisional Officer may, by order, taking into account local circumstances, set a time beyond which meetings may not continue.

## **2. Incidents and disputes during the campaign**

Candidates on a list are prohibited from displaying their campaign materials on billboards allocated to other candidates. When such an incident occurs, ELECAM shall have the illegally posted posters removed.

Candidates are also prohibited from attacking the honour or reputation of another candidate by any means whatsoever, in a place open to the public, or by any process intended to reach the public, by attributing to them, directly or indirectly, facts which they cannot provide evidence of.

The victim of defamatory statements may, by petition, and without prejudice to criminal prosecution against the perpetrator and/or his accomplices, refer the matter to the Council Supervisory Commission, which must rule within three (3) days of the date of the referral.

If there is no evidence to support the allegation, the commission may disqualify the candidate who made the defamatory statements.

However, if the candidate is elected before the Council Supervisory Commission rules on the case, the decision shall be forwarded by the Senior Divisional Officer within ten (10) days of the proclamation of the results to the competent administrative court for the possible disqualification of the elected candidate. The administrative judge hearing the case shall have sixty (60) days from the date of referral to render his or her ruling.

---

## **B. POLLING DAY**

---

Polling stations shall open and close at the times specified in the decree issued by the Head of State on the convening of the electorate by the Local Polling Commission.

Distributing or arranging for the distribution of ballot papers, circulars, documents, articles or objects related in any way to the election is strictly prohibited on election day. Documents and other items distributed in violation of the provisions of the regulations shall be seized by the administrative authority at the request of Elections Cameroon, without prejudice to any criminal proceedings that may be brought against the perpetrators of the offence.

## 1. Who can vote ?

Any person who is duly registered and whose name appears on the electoral register of the polling station concerned may legally take part in the vote.

Members of the Local Polling Commission who are registered elsewhere and who are responsible for supervising the elections at the said polling station.

## 2. How to vote ?

In order to vote, voters must go to their polling station with their voter card and national identity card. They must identify themselves. They will be given ballot papers for all the lists in the election and an envelope. They then enter the voting booth, choose a ballot paper, place it in the envelope, and deposit the remaining ballot papers in the waste bag located at the entrance to the voting booth. They must then place the envelope in the ballot box, sign the register and affix a fingerprint in indelible ink.

For voters who are unable to sign, their votes are recorded by affixing a fingerprint in indelible ink on the register.

In accordance with Section 105(1) of the Electoral Code, any voter with a disability or in a physical condition that makes it impossible for them to vote on their own may be assisted by a voter of their choice. The chosen voter must be registered on the electoral roll of the polling station concerned. They cannot be a candidate or representative of a candidate, list of candidates or political party. They may not assist more than one person on polling day.

You cannot vote with your voter registration receipt, but voters who are entered in the electoral register can vote with their national identity card.

No voter arriving after the announcement of the closing may be allowed to vote. However, voters who are inside the premises of the polling station at that time or who are waiting outside the door to enter must be counted and allowed to vote. The commission's report shall mention the actual time at which voting ended. *(See Section 108 (2) and (3) of the Electoral Code).*

## 3. The polling station: composition and functioning

In accordance with the provisions of Section 54 of the Electoral Code, a Local Polling Commission shall be established for each polling station, made up as follows:

**Chairperson:** a prominent figure appointed by the Head of the Divisional Branch of Elections Cameroon.

**Members :**

- A representative of the Administration, appointed by the Divisional Officer;
- A representative from each list of candidates or political party appointed by the political party or list.

It should be noted that to be a representative in a polling station, one must:

- Hold a valid national identity card;

- Hold a valid voter card;
- Be able to read and write French or English;
- Be appointed by one's own political party no later than the sixth day before the election;
- Be entered in the electoral register.

The names of the representatives of the Administration and those of the candidates or political parties, chosen from among the voters registered on the electoral roll of the polling station concerned, shall be notified to the Council Branch of ELECAM no later than the sixth day before the election.

A decision by the Head of the Divisional Branch of ELECAM shall determine the composition of each Local Polling Commission.

At least three (03) members of the Commission must be present in the polling station or in its immediate vicinity throughout the electoral process. However, if the chairperson encounters insurmountable difficulties in forming the Commission, he or she may open the polling station at the time the polls open. He or she shall note the time at which the members of the Commission were appointed and took up their duties in the report.

Representatives of candidates, parties or lists who arrive after the polling station has opened may no longer be admitted to the Local Polling Commission.

Each candidate, list of candidates or political party may appoint three (03) representatives per subdivision, who shall have free access to all polling stations in the subdivision. They may only be expelled if they disturb the peace. Such an expulsion shall be mentioned in the report. They may submit observations on the conduct of the poll to the Local Polling Commission. These observations shall be recorded in the report.

In addition to these polling station officials in the strict sense of the term, there shall also be:

#### **a. Scrutineers :**

Although they are not members of the Local Polling Commission, scrutineers also assist with certain tasks carried out by the commission.

A scrutineer is a voter appointed by the Chairperson of the Local Polling Commission to help the commission count the votes. They are chosen from among the voters on the electoral register of the polling station and must be able to read and write French or English.

#### **b. Observers :**

Observers, whether national or international, are persons duly accredited by the competent authority to observe the conduct of the polls. They generally act on behalf of an organisation or country they represent.

The General Directorate for Elections is responsible for coordinating their activities.

#### **c. Persons authorised to vote (Voters):**

Only voters who are duly entered in the electoral register of the polling station may vote at that station.

However, the Chairperson and members of the Local Polling Commission are authorised to vote there upon presentation of their voter card, even if their names do not appear on the electoral register of that station. Furthermore, the order to register, which is given in the event of an appeal by the competent court, and which is certified by an order, is deemed equivalent to the registration of the voter on the relevant electoral register.

Where applicable, the Chairperson of the Local Polling Commission pencils in the name of the authorised voter on the register. A note of this addition is made in the report.

Voters shall be identified by means of an official identity document (national identity card and/or voter card). Voters who hold a national identity card and whose name appears on the electoral register of the polling station shall be authorised to vote if they are unable to present their voter card.

#### **d. Political party representatives:**

Representatives are individuals appointed by political parties and political groups to monitor the voting process. They are accredited by the competing political parties. They sign the report and note their observations therein. They must ensure that they obtain accreditation and identification documents.

A general overview of polling station management shows that it usually involves three stages, which are as follows:

- Identifying polling stations.
- Setting up and organising polling stations.
- Managing voting operations on polling day.

Identifying polling stations is the decisive stage on which the other two stages rest. It is essential for candidates in legislative elections to familiarise themselves with the process of identifying polling stations. As a result, the identification of facilities or spaces that could serve as polling stations occurs during the preparatory phase of the elections, well before the vote. Several factors must be taken into account when identifying polling stations, namely:

- Obtaining prior agreement from the facility owner or manager;
- The building's capacity (especially in densely populated areas);
- The location of the facility in relation to the geographical distribution of voters;
- The accessibility of rooms that can accommodate polling stations for persons with disabilities;
- The opinion of local, administrative and traditional authorities.

**NB :** All members of the Local Polling Commission contribute to the various tasks incumbent upon it. These include :

- Conducting the poll, counting the votes and announcing the results obtained at the polling station;
- Resolving any disputes relating to the organisation, conduct of the poll and counting of votes. In the event of a tie, the Chairperson holds the casting vote;
- Drawing up the ballot counting reports and tally sheets and transmitting them to the Head of the -Council Branch, in accordance with Section 62 of the Electro-

ral Code ;

- Securing the election materials after the vote before they are collected by the Head of Elections Cameroon or any other competent authority.

A more comprehensive description of the duties of the Local Polling Commission can be found in Sections 61 and 62 of the Electoral Code. Section 61 provides that: The Local Polling Commission shall rule on any difficulties relating to the organisation, conduct of the poll and counting of votes. In the event of a tie, the chairperson shall have the casting vote.

In the event of a challenge to the chairperson's decision by a member of the commission, an affected voter, a candidate or a representative of a political party or list of candidates, the challenge and the reasons therefore shall be mentioned in the report

Section 62 (1) of the Electoral Code grants the Local Polling Commission the power to draw up minutes of all polling operations. These minutes shall be signed by the chairperson and the members of the commission in attendance and sent to the Head of the Council Branch of Elections Cameroon. The same Section 62 of the Electoral Code, in its sub-section (2), defines the mission of ELECAM by stipulating that within forty-eight (48) hours of the close of polling operations, the Head of the Council Branch of Elections Cameroon shall forward a copy of the reports of the Local Polling Commissions and any supporting documents, to the Council Supervisory Commission, where applicable.

Sub-section (3) concludes that: *"The Divisional Supervisory Commission shall, within 72 (seventy-two) hours, forward the report of its proceedings to the National Commission for the Final Counting of votes."*

#### 4. What to do in case of problems at a polling station?

The Chairperson of the Local Polling Commission is responsible for maintaining order at the polling station. In the event of an intrusion or disruption of polling operations, the chairperson shall take all necessary means to restore order and calm. If need be, they may request assistance from law enforcement.

The presiding officer of the polling station, who is responsible for keeping the minutes, shall record in the minutes all situations that occur at any time in the polling station. However, the other members of the polling station shall ensure that the entries are accurate and truthful, and shall then countersign the report.

When a particular item (ballot paper, list, card, equipment, etc.) gives rise to a problem in a polling station, it is recommended and important to describe the characteristics of the item in the report and to attach it as evidence for any electoral dispute that may ensue.

The Local Polling Commission rules on any difficulties relating to the organisation, conduct

and counting of the vote. In the event of a tie, the chairperson has the casting vote. If the decision is challenged by a member of the commission, an affected voter, a candidate or a representative of a political party or list, the challenge and the reasoned decision shall be recorded in the report.

---

## C. PROCLAMATION OF RESULTS

---



### 1. Proclamation at the polling station

Once voting has concluded, the Local Polling Commission proceeds to count and tally the votes.

The counting and tallying of the votes takes place in each polling station immediately after the polls close, in the presence of the voters wishing to be in attendance, provided that the room can accommodate them without hindering the proceedings.

However, if public order so requires, the Chairperson of the Local Polling Commission shall seal the ballot box under the supervision of the members of the Local Polling Commission and law enforcement officers. Accompanied by the members of the commission, he or she shall transport the ballot box to the Council Branch of Elections Cameroon. The ballot box is then opened and the votes are counted and tallied in the presence of the Head of the Council Branch of Elections Cameroon or of representatives and members of the Local Polling Commission.

The votes are counted by the members of the Local Polling Commission, assisted by designated scrutineers. The names of the designated scrutineers are recorded in the report prepared by each Local Polling Commission.

The votes are counted as follows:

- The ballot box is opened and the number of envelopes contained therein is verified;
- One of the scrutineers removes the ballot paper from each envelope and passes it unfolded to another scrutineer;
- The latter reads it aloud;
- The name of the candidate or list of candidates on the ballot papers is recorded by two scrutineers on tally sheets prepared for this purpose.

**If an envelope contains several ballot papers, the vote is invalid if the ballot papers are different; they count as a single vote if the ballot papers are identical.**

The following shall not be included in the counting results:

- Any ballot papers bearing marks, notes or signatures that could identify the voter;
- Ballot papers in envelopes bearing any marks or in envelopes other than those made available to voters;
- All ballot papers other than those officially printed.

All cancelled ballot papers and, where applicable, the envelopes containing them are attached to the minutes, where their number is recorded. Ballot papers found in the ballot box without envelopes and empty envelopes shall also be counted as invalid and noted in the minutes. The tally sheets shall also be attached to the minutes.

Once the votes have been counted, the Chairperson of the Local Polling Commission announces the result immediately after the count, and the result obtained in each polling station are made public.

The results of the ballot are immediately recorded in the report. This report, drawn up in as many copies as there are members present plus two (02), is sealed and signed by them. A copy of the report is given to each member of the Local Polling Commission who signed it.

The original is sent by the Chairperson of the Local Polling Commission to the Head of the Council Branch of Elections Cameroon for archiving. This original is the authentic version, i.e. it is the one taken into account in the event of an electoral dispute.

## 2. The centralisation of votes

Section 192 of the Electoral Code states that the Council Supervisory Commission is responsible for centralising and verifying the vote counts on the basis of the reports and supporting documents sent by the Local Polling Commissions. Where necessary, it shall correct, review or cancel the said reports. To this end, it is sent a copy of the reports within forty-eight (48) hours of the closing of the poll.

The Director General of Elections confirms the composition of the Council Supervisory Commission. It is composed of:

**Chairperson : a person appointed by the Director General of Elections.**

**Members :**

- Three (03) representatives of the Administration, appointed by the Senior Divisional Officer;
- One (01) representative from each political party that took part in the election;

- Three (03) representatives of Elections Cameroon, appointed by the Director General of Elections.

### 3. Proclamation of election results

The Council Supervisory Commission proclaims the results of the municipal elections in the relevant constituency within a maximum of seventy-two (72) hours following the close of the polls. The proceedings of the Council Supervisory Commission are recorded in a report signed by all members of the Commission in attendance. Each signatory member receives a copy. A copy of the report is sent to the Senior Divisional Officer to be forwarded to the Minister of Decentralisation and Local Development. A copy is also sent to the General Directorate of Elections (see *Section 193 of the Electoral Code*).

### 4. Allocation of seats

The election of municipal councillors involves a majority system and a proportional representation system. Each list must take into account the different sociological components of the constituency.

When a list obtains an absolute majority of the votes cast, it is declared elected and wins all the seats in the constituency.

When no list has obtained an absolute majority of the votes cast, half of the number of seats to be filled, rounded up to the nearest whole number if necessary, is allocated to the list with the relative majority of the votes cast. In the event of a tie between the leading lists, these seats are divided equally between them.

If the number of seats is odd, the additional seat is allocated to the list whose candidates have the highest average age.

Lists that have obtained less than 5% of the votes cast are excluded from the allocation of seats.

Similarly, seats are allocated to candidates in the order in which they appear on each list. If several lists have the same average for the allocation of the last seat, it goes to the list that obtained the highest number of votes. In the event of a tie, the seat is allocated to the oldest candidate.

It should also be noted that in Cameroon, each council constitutes an electoral constituency and the number of councillors per council is set as follows:

- Less than fifty thousand (50,000) inhabitants: **twenty-five (25) councillors;**
- Fifty thousand (50,000) to one hundred thousand (100,000) inhabitants: **thirty-one (31) councillors;**
- From one hundred thousand and one (100,001) to two hundred thousand (200,000) inhabitants: **thirty-five (35) councillors;**
- From two hundred thousand one (200,001) to three hundred thousand (300,000) inhabitants: **forty-one (41) councillors;**
- More than three hundred thousand (300,000) inhabitants: **sixty-one (61) councillors.**

## DESCRIPTION OF THE ALLOCATION OF SEATS BY PROPORTIONAL REPRESENTATION WITH THE HIGHEST AVERAGE

### 1 Allocation of the majority bonus

- The list that obtained the highest number of votes is allocated a number of seats equal to half the number of seats to be filled, rounded up to the nearest whole number.
- In the event of a tie between the leading lists, these seats are allocated to the list whose candidates have the highest average age.
- Once this is done, the remaining seats are distributed among all the lists in proportion to the highest average number of votes.

### 2 Calculation of the electoral quotient

- In order to distribute the seats among the different lists, the electoral quotient must first be calculated.
- This is done by dividing the total number of votes cast by the number of seats to be filled.
- Each list will obtain as many seats as its score contains the electoral quotient.

$$\text{Electoral quotient} = \frac{\text{Total votes cast}}{\text{Number of seats to be filled}}$$

### Seat allocation according to the highest

### 3 average

- Applying the electoral quota does not allow for all the seats to be distributed.
- Once this distribution has been carried out, if there are still seats to be allocated, the lists with the highest averages will receive the unallocated seats in order, from highest to lowest.
- To allocate the remaining seats, the highest average method consists in dividing the number of votes for each list by the number of seats it has obtained, to which 1 is added.

# 35

## POST-ELECTORAL DISPUTES

Post-electoral disputes refer to petitions filed for the total or partial cancellation of elections or for the removal of certain council executives.

---

## A. WHO CAN FILE A PETITION?

---

In accordance with the provisions of Section 194 of the Electoral Code, a petition for the cancellation of elections may be filed before the competent administrative court by:

- Any voter;
- Any candidate;
- Any representative;
- Any person acting as a government agent for the election concerned.

---

## B. HOW TO COMPILE THE PETITION FILE ?

---

Challenges to the validity of municipal councillors' elections are made by means of a simple petition addressed to the President of the competent Administrative Court. The petition must be reasoned and accompanied by supporting evidence (material proof).

---

## C. WHEN SHOULD THE PETITION BE FILED ?

---

Petitions must be filed within no more than **five (05) days** following the proclamation of results by the Council Supervisory Commission.

---

## D. WHICH COURT HAS JURISDICTION OVER SUCH PETITIONS ?

---

The competent court for hearing matters relating to post-electoral disputes is the administrative court.

It should also be noted that each regional capital has an administrative court. The administrative court has forty (40) days from the date of referral to rule on these petitions.

---

## E. WHAT ARE THE IMPLICATIONS OF A PETITION?

---

Once a petition has been filed, all parties concerned by the issue of the election must remain on high alert because their fate depends on it.

If the petition is dismissed or deemed inadmissible, the result announced by the Joint Supervisory Commission stands.

If, on the other hand, the petition is deemed admissible, and if, above all, the petitioner wins the case, the situation changes.

The administrative court's ruling following the admissibility of the petition, depending on the grounds for referral, will lead to a new situation which may either disqualify the list previously declared elected in favour of that of the petitioner, or order a re-run of the elections.

The various candidates will then be called upon to seek the votes of the electorate once again. Hence the need for all parties to remain very attentive to the outcome of the said petition.

Indeed, the municipal councillors whose election is contested shall remain in office until a decision with the force of *res judicata* is made.

If the election is definitively cancelled, by-elections shall be held within sixty (60) days of the cancellation.

Only the lists of candidates running in the general municipal elections are eligible to take part in these by-elections.

However, it should be noted that the outcome of the petition depends on the grounds for referral

- **The petition may be dismissed;**

In this case, and in accordance with Section 136 of the Electoral Code, the decisions of the Constitutional Council relating to electoral operations, election results and candidacies may not be appealed.

However, an appeal may be lodged with the African Court on Human and Peoples' Rights if the claim relates to a human rights issue.

---

## F. WHAT ARE THE VARIOUS GROUNDS FOR DISMISSAL ?

---

Most petitions in post-electoral disputes brought before the electoral adjudicator generally are unsuccessful for the following reasons:

**Inadmissible petition** : inadmissibility here means that the case brought before the judge does not meet all the conditions required by law to enable the judge to resolve the issue before him.

- **Non-compliance of the petition with legal provisions:** *this means that the petition submitted to the judge did not comply with the requirements of the law, namely: compliance with deadlines, the status of the person bringing the case before the judge to contest the results announced, and the addressee of the petition.*
- **Failure to comply with the deadlines:** *this ground is invoked when the petition is filed past the deadline, i.e. after the sixth (6th) day following the publication of the results, the legal deadline being five (5) days.*
- **Wrong addressee for the petition :** *candidates very often address their petitions to the President of the Supreme Court instead of the President of the Constitutional Council. And, once the petition has been filed with the President of the Supreme Court, the latter*

*is required to decline jurisdiction and the petition is declared inadmissible. The petitioner can then no longer redirect their challenge to the competent judge because the applicable deadline will already have passed.*

- **Lack of standing of the petitioner:** *in this instance, the challenge is brought by an unqualified person. That is, a person who is neither a voter (not listed in the electoral register of the constituency concerned), nor a candidate, nor a representative of the list, nor a person acting as a government agent for the elections in the constituency in question.*

**The right to dispute a parliamentary election is granted to :**

- *Any voter (any person who is duly listed as a voter in the electoral register for the constituency concerned and who has duly exercised their right to vote).*
- *Any political party that took part in the election*
- *Any candidate (any person whose name appears on a list of candidates who actually took part in the elections, the result of which is being challenged).*
- *Any representative (any person appointed to act on behalf of the list before, during and after the vote).*
- *Any person acting as a government agent for the election in question.*

**Unreasoned petition:** sometimes it is not possible to identify the grounds on which the petition was filed. This situation very often results from a lack of reasoning in the petition. Sometimes, when the grounds are identified, the petition suffers from a lack of evidence, and the judge accepts the petition in form but rejects it on its merits.

**Withdrawal:** the case does not proceed in this instance because the person who filed the petition decides to discontinue their action, i.e. they withdraw their challenge to the results.

# SUGGESTED READING:

## A. Works

AVRIL P., GICQUEL J., GICQUEL J-E., *Droit parlementaire*, Lgdj; 5e édition (14 octobre 2014), 418 pages ;

ABDOULKARIMOU, *La pratique des élections au Cameroun 1992 – 2007 Regards sur un système électoral en mutation*, Editions Clé en coédition avec NENA, 2014, 549 pages.

Friedrich Ebert STIFTUNG, *Prévenir et lutter contre la fraude électorale au Cameroun manuel pratique*, © - by Friedrich Ebert Stiftung, Yaoundé (Cameroun), 2012, 156 pages ;

HAMON Fr. et TROPER M., *Droit constitutionnel*, LGDJ, Lextenso éditions, 35ème édition, 2014, 802 pages ;

KAMTO M., *Traité de droit constitutionnel et institutions politiques du Cameroun*, Presses Universitaires du Cameroun, 2021, 800 pages ;

NGAYAP P. FI., *Le droit parlementaire au Cameroun*, Harmattan, Paris France, 2017, 324 pages ;

POUT Chr., ATEBA EYONG R. dir., *Éléments de référence pour un dialogue participatif sur les élections au Cameroun*, Éléments de référence pour un dialogue participatif sur les élections au Cameroun, Centre africain d'Études Internationales Diplomatiques Économiques et Stratégiques (CEIDES), 2017, 159 pages ;

TROPER M., *Pour une théorie juridique de l'État*, Paris, PUF, coll. « Léviathan », 1994, 358 pages;

VUČKOVIĆ N., *La nature du mandat des membres de l'Assemblée parlementaire*, Commission du Règlement, des immunités et des affaires institutionnelles de l'Union Européenne, 06 juin 2016, disponible à l'adresse : <https://assembly.coe.int/nw/xml/XRef/Xref-XML2HTML-fr.asp?fileid=22808&lang=fr>, (consulté le 22.11.2023).

## B. Scientific articles

CASTOR C., « L'égalité devant le suffrage », Dans *Revue française de droit constitutionnel* 2012/2 (n° 90) 2012/2 (n° 90), pp.1-14.

NORTON P., « La nature du contrôle parlementaire », *Pouvoir*, n°134, 2010, pp.5-22 ;

OLINGA A.D., « Politique et droit électoral au Cameroun : analyse juridique de la politique électorale », *Polis / R.C.S.P. / C.P.S.R.* Vol. 6, N° 2, 1998, pp.57-80 ;

POURTOIS, H. (2016). Les élections sont-elles essentielles à la démocratie ? *Philosophiques*, pp.411-439.. <https://doi.org/10.7202/1038213ar>, disponible à l'adresse : <https://www.erudit.org/fr/revues/philoso/2016-v43-n2-philoso02859/1038213ar.pdf>, (consulté le 13.09.2023). ;

## C. Courses

Marcelin NGUELE ABADA and Nadège ESSAGA BIPOUNA, *Course on electoral law and litigation*, Master 1 Public Law, Faculty of Legal and Political Sciences, University of Yaoundé II-Soa, Academic year: 2021-2022, 60 pages;

TANG S. M., *Course on Electoral and Parliamentary Law*, Faculty of Legal and Political Sciences, Catholic University of Central Africa, Academic year: 2024-2025, 94 pages.

**Official documents :**

1. Law No. 96/06 of 18 January 1996 to amend the Constitution of 2 June 1972, amended and supplemented by Law No. 2008/001 of 14 April 2008.
2. Law No. 2012/001 of 19 April 2012 relating to the Electoral Code, amended and supplemented by Law No. 2012/017 of 21 December 2012;
3. Law No. 2019/024 of 24 December 2019 to institute the general code of regional and local authorities.

