

# **U.S. Association of Former Members of Congress**

## **Cameroon Presidential Election Observer Project Delegation Report October 2004**

### **Table of Contents**

The U.S. Association of Former Members of Congress.....	1
The Cameroon Election Observer Mission.....	1
The Delegation: Overview and Initial Activities.....	1
Registration and Pre-Election Issues.....	4
Voting and Election Day Conduct.....	6
Counting the Ballots.....	9
Conclusions and Recommendations.....	10

## **THE U.S. ASSOCIATION OF FORMER MEMBERS OF CONGRESS**

The U.S. Association of Former Members of Congress (USAFMC) is a Washington D.C. based non-profit association established in 1970 as a nonpartisan, educational, research and social organization. It has been chartered by the United States Congress and has over 500 members who have represented American citizens in both the U.S. Senate and The House of Representatives. The Association promotes improved public understanding of the role of Congress as a unique institution as well as the crucial importance of representative democracy as a system of government, both domestically and internationally.

## **THE CAMEROON ELECTION OBSERVER MISSION**

It is with this international role in mind that USAFMC sent a delegation of six Former Members of Congress to Cameroon to serve as official election observers for the presidential election held on October 11, 2004. The invitation to act as election observers was extended by the government of Cameroon, which covered the delegation's expenses. According to the constitution and laws of Cameroon, the people of Cameroon are entitled to express their views on candidates and parties at the ballot box, freely and without interference from any source. Therefore, this mission focused exclusively on the fairness of the election process and does not in any way advocate for any particular candidate or party.

This is the second election monitoring program that the Association has participated in this year, the first being a presidential election observer project in Ukraine that focused on pre-election activities over the course of four months. Members of the USAFMC have solid electoral experience, and many have experience as election observers in various parts of the world. In Cameroon the delegation was present for five days before, during, and after the election and its focus was primarily on Election Day activities.

## **THE DELEGATION: OVERVIEW AND INITIAL ACTIVITIES**

The delegation consisted of the following Former Members who visited Cameroon from October 8-12:

Hon. Michael Forbes (D-NY)  
Hon. Webb Franklin (R-MS)  
Hon. Andrew Maguire (D-NJ)  
Hon. Richard Schulze (R-PA)  
Hon. Clifford "Ronnie" Shows (D-MS)  
Hon. Joe Wyatt, Jr. (D-TX)

Staff from USAFMC arrived in Cameroon two days prior to the arrival of the delegation

in order to meet with the necessary agencies and individuals to coordinate logistics. The day before the arrival of the delegation, staff met in Yaoundé, the capital of Cameroon, with members of the U.S. Embassy, and with the Vice President of the National Elections Observatory (NEO), Ms. Diana Acha Moafaw. The National Elections Observatory was created in 2000 to help supervise the electoral process in Cameroon, including the voter registration process. Ms. Moafaw informed USAFMC staff that the NEO is an independent body that does not report to anyone, until it sends its final report to the head of state. It receives its funding from the government.

During these preliminary meetings, staff decided to send members of the delegation to both Yaoundé and Douala to observe and monitor in areas that have experienced Election Day problems in the past.

The delegates arrived in Douala on Friday, October 8, 2004, three days before Election Day. After a briefing by USAFMC staff on arrival in Douala, the six delegates were divided between Yaoundé and Douala, the two major cities in Cameroon. The four delegates stationed in Douala were:

Hon. Michael Forbes (D-NY)  
Hon. Webb Franklin (R-MS)  
Hon. Richard Schulze (R-PA)  
Hon. Joe Wyatt, Jr. (D-TX)

The two delegates stationed in Yaoundé were:

Hon. Andrew Maguire (D-NJ)  
Hon. Clifford “Ronnie” Shows (D-MS)

Starting on Saturday, October 9, 2004, the delegates split into groups of two and traveled within the cities of Douala and Yaoundé, to the towns of Tiko, Limbe and Buea in the Southwest Province of Cameroon, and to localities in the Central Province outside of Yaoundé. In the two days prior to the election, they attended both pro-government and opposition party events, attended meetings with government officials and representatives of opposition political parties, visited regional and district offices in charge of organizing materials for election day, and scouted out polling stations. Due to time constraints and logistics, each pair of delegates was on a different schedule and engaged in different activities over the course of the weekend. Members of the delegation met with officials from the governing Cameroon People’s Democratic Movement (CPDM) and with representatives of the major opposition parties: the Social Democratic Front (SDF) and the Coalition for National Reconciliation and Reconstruction.

On Election Day, October 11, 2004, the delegates visited a number of polling stations throughout the day in their respective areas, and were present for both the opening and closing of the polls. The delegates evaluated a number of factors, including but not limited to:

- 1 the level of confusion present at the polling stations

- 2 the level of intimidation on election day by government and opposition members alike
- 3 the presence of voter registration lists and cards
- 4 the voting procedure as outlined in the election law
- 5 the number of representatives from the political parties at the polls
- 6 the procedure for opening and closing the polls as outlined in the election law

During their stay in Cameroon, each delegate had a copy of the legal framework that was applicable to the 2004 Presidential Election, and a copy of the 2004 Presidential Election Observer's Code, both published by the Ministry of Territorial Administration and Decentralization. Logistics for the delegation were arranged by members of the Office of the Prime Minister with input from USAFMC staff.

After the polls closed on Election Day, the six delegates reconvened in Yaoundé on Tuesday, October 12, 2004, where they participated in a meeting with the Foreign Minister, Francois-Xavier Ngoubeyou, and then met with the Prime Minister of Cameroon, Peter Mafany Musonge. After the two meetings, the delegation held a brief press conference at the Yaoundé Hilton Hotel before traveling back to Douala in order to depart Cameroon that evening. At the press conference the delegates indicated that they were pleased to have had the opportunity to be in Cameroon as election observers and that a detailed report on their observations would be available soon on the USAFMC website. They stated that they took their role very seriously, and were very much aware of the need for balance and objectivity in both their collective and individual findings.

Throughout its travels in and around Yaoundé, Douala, and the Southwest Province, the delegation was treated hospitably by government officials, opposition party representatives, and citizens. Upon visiting polling sites on Sunday, October 10, as well as on Election Day itself, the delegates were able to ask any questions they deemed necessary, and see any Election Day materials they wished. They were received with respect at the various polling stations, and were encouraged to stand by and watch the procedures being carried out, from the opening of the polls until the close.

It should be noted that the delegates that traveled in Douala and the Southwest Province were accompanied by government staff during their observation activities. While these individuals did not interpose themselves in any way with respect to the requests of the delegates, they did have a large role in outlining the agenda for the day. Additionally, after making numerous requests for a hard copy of a list of polling stations in the Southwest Province, delegates were told that we would simply visit schools in the area, as that was where polling was taking place. This posed a difficulty for the delegates, as they were unable to completely set their own agenda regarding what sort of activities and polling stations they wished to visit.

The delegates found that for the most part on Election Day polling stations did carry out voting according to the procedures outlined in the legal framework booklets distributed by the Ministry of Territorial Administration and Decentralization. For example, an NEO representative was present throughout the day at each polling station visited by the

delegation in conformity with the procedure outlined in the election law. Any problems that occurred throughout the day were resolved quickly, and voting was suspended until the problem had been solved. In discussions with representatives of the government and the CPDM, the delegation was told that every effort was being made nationally and in the localities to conduct the election in conformity with the law and to achieve a free, transparent, and fair election. However, irregularities were observed that caused concern and claims were made by opposition parties that require examination.

The most notable irregularity involved voter registration both with respect to the registration process itself and to the unavailability of certified voter lists prior to Election Day, and the delivery of voter registration cards. There also were statements made to the delegation by party representatives and citizens that the structuring and administration of the election process by officials appointed by and responsible to the government compromised the election process.

## **REGISTRATION AND PRE-ELECTION ISSUES**

Registration to vote requires using a government-issued national identity card procured for the equivalent fee of \$4.00 and a proof of residency permit. It must be authorized by the local police superintendent and is issued after proof of nationality and/or passport-like photos. Driver's licenses, birth certificates or social security cards are not acceptable for use in registering to vote.

The delegation received a number of complaints regarding registration in its meetings in Yaoundé with national headquarters representatives of the two major opposition parties, the Social Democratic Front (SDF) led by John Fru Ndi, and the Coalition for National Reconciliation and Reconstruction led by Dr. Adamou Ndam Njoya of the Cameroon Democratic Union (CDU). Senior representatives of these parties stated to members of the delegation that administrative resources at the disposal of government officials loyal to the CPDM are systematically employed on behalf of the CPDM contrary to law whereas opposition parties receive little funding to campaign as the law provides; that opposition party representatives appointed by their parties to polling commissions have been rejected; that intimidation and violence characteristic of past elections is continuing including instances of beatings, hospitalizations, and deaths of certain party workers; and that rallies of opposition parties receive no press coverage in the government controlled media whereas the many fewer appearances of President Biya, the CPDM candidate, receive massive coverage. They said that polling stations are established inside police stations, military barracks, prisons, and private homes, which they stated has an intimidating effect on voters. They stated that contrary to the constitution, a Constitutional Council that would investigate and rule on electoral complaints and certify election results had not yet been established and challenges in the courts could occur only after the election.

The delegation observed rallies organized by the SDF, the CPDM, and a minor opposition party, Mouvement Progressiste (MP), whose candidate for president, Jean-

Jacques Ekindi, withdrew in favor of SDF just before the balloting.

The delegates stationed in Yaoundé were told that many potential voters seeking to register have been refused registration by local authorities apparently based on their areas of geographic origin and assumed political sympathies. Additionally, while joint polling commissions for registration and election supervision are to be established with representatives of opposition political parties as members at the local, division, and national levels, delegates were told that one very important intermediate level – the sub-prefect or district level – has no joint commission and decisions at that level are made by a single representative of the government acting alone who can then report whatever that representative wishes upward to the divisional level polling commissions.

Opposition party representatives also claimed that even two days before the election no lists of registered voters were available either nationally or in many localities.

The delegates in Douala also met with members of the opposition, presidential candidate Black Albert Yondo Mandengue, of the Movement Social Pour la Nouvelle Democratic Party (MSND) and Marie Louise Eteki, of the Front Des Forces Alternatives party (FFA), a party which did not succeed in certifying its candidate for president. According to these individuals, the presidential candidates were subject to complex “certification” of name and a complicated, perplexing filing process for candidacy, causing some to be eliminated from the race. Presidential candidate Black Albert Yondo Mandengue also claimed that he was refused the right to vote for lack of a voter card (despite his claim of having successfully registered to vote earlier in the year). He stated that there was no listing of his name on the election register.

In the Southwest Province, at the polling station located at the Parliamentarian Flat Hotel in Buea, delegates were informed by opposition party officials present at the poll that there were two cases that day of individuals who had shown up to vote but whose names were not on the register.

At the same polling station, delegates were also informed by a representative from the SDF party that registration was not conducted in 5 or 6 places in Buea, but polling stations were set up. One such polling station, Cefam, a training school, was visited by the delegates, and it was found that voter registration lists were posted, and those standing in line had in fact registered to vote. The delegates did not have time to visit any of the other polling stations that were listed as problem areas by the SDF representative.

In the time it had available, the delegation was unable to evaluate the claims advanced by the opposition parties, but believes that the consistency of the statements heard from different parties suggests that these criticisms and claims need to be taken seriously and should be carefully examined by the NEO, other official election supervising authorities, and independent experts.

On Sunday, October 10, the day prior to the election, the delegation members based in

Yaoundé visited several localities inside and outside the city to talk with government administrative appointees, mayors, and polling commission members. In one constituency they were shown lists of voters whose names had been approved for registration and a second list of those who had been rejected, though the delegation did not receive a coherent explanation of the reasons for those rejections. No voter lists or voter registration cards as yet uncollected by voters were available or observable in other constituencies. In each locality they were told by officials that there had been no problems leading up to voting day and that representatives of opposition political parties had been appointed to the local polling commission. On Election Day, however, polling commission members representing the major opposition parties were present at some of the polling stations visited but not at others.

Also on Sunday, October 10, the delegates stationed in the Southwest Province attended a meeting in Limbe held by the Vice President of the National Elections Observatory (NEO), Ms. Diana Acha Moafaw to address any concerns regarding the election. Members of the opposition were in attendance, and were able to voice their complaints freely, and had an active debate on polling procedures.

The delegates stationed in both Douala and Yaoundé saw some evidence of discrepancies involving the voter registration cards distributed to the public. As outlined in the election law, after registering, each voter is to receive a card that certifies that voter's inclusion in the voter registration list. The cards were to be distributed to registered voters, and if they did not receive them they would be made available at the local polling station. The cards do not have any form of photo identification on them. Some voting cards have no official stamp; the delegates were shown copies of different cards in the name of the same person.

## **VOTING AND ELECTION DAY CONDUCT**

In Limbe in the Southwest Province, at the Limbe Urban Council Hall Down Beach polling station, there was no stack of voter cards available for those who registered but did not receive a card, although officials at the site claimed that it has not been a problem.

The delegates stationed in the Southwest Province found stacks of voter registration cards at all of the other polling stations visited on Election Day. Of the 8 polling stations visited, only the Limbe Urban Council Hall Down Beach station did not have a stack of cards as required by the election law.

Also in the Southwest Province, the delegates witnessed both majority and minority party loyalist citizens at the polls. Those in the minority freely admitted that they were allowed to vote for the party of their choice without any apparent fear of retribution. These same citizens in the minority seemed to feel that the registration process was geared to favor the ruling party.

At a number of polling sites on Election Day, some individuals seemed confused regarding where they were supposed to vote, especially at polling centers that contained

multiple ballot boxes. This was witnessed by delegates in Douala, who noted that a few individuals gave up after their initial frustration.

In spite of a few instances of frustration, the delegates in Douala did note, however, that they did not hear or notice many complaints from individuals at the polling place who believed they had been denied their right to vote.

The delegates traveling in the Southwest Province found no instances of complaints from individuals regarding the denial of voting rights. All of the voters questioned at the polling sites in Limbe, Tiko, and Buea had their voting cards and knew where to go to cast their ballot. Additionally, the delegates witnessed polling stations checking the identification of voters.

The delegates in Douala on Election Day witnessed several persons who believed they were registered and could not find their names on the voter registration list posted outside the polling place because registered voters are listed by “number” and not “alphabetically.” Within the current system, there is no receipt given when the voter registers and only the registration card carries the name of the polling area and the polling place. Therefore, if no registration card is in hand, the voter simply does not know where to go to cast a ballot. Even if voters know their polling centers, they may have to go to as many as 22 polling stations to determine if their name is on the registration list posted outside each individual polling station.

On that same day in Yaoundé, the delegation returned multiple times to several of the polling stations in the localities visited the previous day. At the sites visited the empty ballot box was displayed to observers at the opening of the polls; the ballots for all the candidates were laid out on the tables for all to see; the balloting generally proceeded in orderly fashion as voters entered, were identified, and cast their ballots; and there was no evidence of intimidation, harassment, or police presence at the sites visited by the delegation during the time that the delegation was present and that the polls were open.

A number of problems were encountered at some or all of the polling places the Yaoundé delegation visited.

Two polling places opened more than an hour and a half late (9:40AM) because the polling commission president did not appear; however, at 9:30AM representatives of the central government came to open the polls and though there were lines of voters waiting balloting did begin about 9:40AM; some potential voters had by then left the area. One polling place had a page missing (containing registered voters 21-40) from the list of registered voters.

Contrary to law, one polling station displayed a poster for one of the candidates on the wall just outside the entrance; it was taken down after an observer pointed it out to the NEO representative who in turn spoke to the polling commission president who caused it to be removed.

The names on the posted voting lists appeared not to be in any order other than order of registration, with the result that voters and poll workers had to spend considerable time searching for names on lists where the un-alphabetized names numbered in the several hundreds.

At one polling place the polling commission president was not familiar with nor trained as to what he was supposed to do; an NEO representative told the delegation that he had found it necessary to advise the polling commission president after the polls opened as to what his duties were and what procedures were necessary.

At some polling places registration cards that had not been picked up in advance by registered voters were available as required by law at their arrival on production of suitable identification, usually a government issued ID card; at other polling places there were no registration cards available for those who had not previously picked them up and some of these potential voters were permitted to vote if they could furnish ID and others were not permitted to vote even if they could furnish ID; at some polling places registration cards were placed on a table outside the polling place where, without supervision, they were available to anyone who might wish to pick one up.

Some polling places experienced a shortage of ballots for one or another of the candidates, or a shortage of ballot envelopes, and in some cases ballots and envelopes were shuttled as needed from one polling station to another during the day; in one instance a polling place that completely ran out of ballots for one candidate closed the location to voting for a period of 45 minutes until a new supply of that candidate's ballots was secured.

After the withdrawal of some presidential candidates became known, one polling station withdrew the ballots of those candidates from the tables on which ballots were placed for voters to pick up; other polling stations continued to use all ballots for the certified presidential candidates.

At all the polling stations visited in both Douala and Yaoundé there were instances of people attempting to vote who were denied the vote because their names did not appear on the voter list; in some cases this appeared to be because certain potential voters may have been confused as to where they were listed to vote, but in many other cases those attempting to vote had no doubt themselves that they were in the correct location, represented to members of the delegation that they had registered months previously, and that they could not understand how or why their names did not appear on the voter list.

Some voters alleged that other voters they knew of had voted more than once; others alleged that some of the ink used to mark voters cards after voting was not in fact indelible as law requires. A similar complaint was made in Limbe, at polling station Government School Mile 1. A member of the delegation tested the ink, and was able to wipe it off his thumb; however, that was after being informed that he pressed down in the ink incorrectly.

## COUNTING THE BALLOTS

The method of counting ballots that was observed by the delegation was open and transparent. The election law provides for political parties to have observers during the counting of ballots. The delegates in Douala observed that the ballots were counted in full view of the monitors inside the polling station and the people outside observing through windows. There appeared to be no contest in regard to the count immediately following the opening of the ballot box and the official count in the individual polling places.

At the sites visited, the counting of ballots proceeded in an orderly fashion with the ballot boxes being sealed at 6PM when the polls closed (in one instance a potential voter was turned away at 6:02PM after the ballot box had been sealed), followed by transparent extraction of all the ballots from the ballot boxes as observers watched; a counting of ballots that involved holding the ballot high for all to see and calling out the name of the candidate for which the vote was cast; a written tally kept concurrently by two members of the polling commission or their appointees; a reconciliation of the number of ballots counted against the number of votes cast according to the now marked up voter registration list (in one polling station there was even a check that voter registration cards that had not been picked up conformed with names on the registration list that were shown not to have voted); and the recording of the results on the official reporting documents. In addition to members of the U.S. delegation, observers present at some of the localities visited included those from NEO, government and opposition political parties, human rights organizations, religious organizations, other NGOs, and in one instance two persons who identified themselves as representatives sent by the U.S. Embassy.

At two polling stations where members of the delegation were present for the counting of ballots, a representative of the CPDM party appeared with a tally sheet on which he requested that the polling commission fill out in the columns next to each polling place the number of votes cast for the CPDM, SDF, and Coalition candidates, plus a column for Others; as this was done, it was explained to an observer that this was designed to give the government an indication of early unofficial returns prior to the submission of the official figures to the divisional polling commissions.

At two polling stations a contingent of uniformed and un-uniformed police appeared at the polling stations as the ballot count was being finalized, but they did not appear to do anything other than observe and explained to members of the delegation that they went from polling place to polling place for the sole purpose of assuring good order after the balloting had been concluded and the count was proceeding.

While the delegates did not observe any instances of direct intimidation at the polls, or with respect to the counting and recording of ballot totals, those who traveled to the Southwest Province on Election Day did notice police checkpoints that were set up between the different provinces. The delegates were informed that this was to keep individuals from voting in one province and then traveling to another province to vote

multiple times. Although this may help curb voter fraud, it can just as easily be perceived as a form of intimidation. The delegation recommends that the government allow individuals to travel freely on Election Day, so they do not feel discouraged in any way from visiting the polls.

Media coverage as observed by the delegation was found to be heavily slanted toward the incumbent, President Paul Biya of the CPDM. While in Yaoundé members of the delegation observed that short statements by candidates or other party representatives making the case for each of the competing parties in the presidential election were carried late in the evening on one TV station; other members of the delegation saw substantial coverage of President Biya's campaign on another TV station.

President Biya seemed to have a monopoly on advertisements in both Yaoundé and Douala, with many posters, highway banners, and large billboards posted throughout both cities. The delegation did observe the signs of other candidates, but did not see a billboard supporting any opposition candidate similar to those posted in support of President Biya.

## **CONCLUSIONS AND RECOMMENDATIONS**

The delegation concludes that there is significant room for improvement in the administrative performance and technical competence required for full and fair operation of the voter registration process; the timely publishing nationally and in each locality of voter registration lists prior to election day; the delivery of voter registration cards; the training of polling commissions, NEO representatives, political party representatives, and observers of the balloting process; and in the management and adjudication of any claims or charges of irregularities that may have been or may still be advanced in connection with voter registration, campaigning, balloting, and the electoral process overall.

The delegation believes based on its observations that a significant number of irregularities occurred inadvertently or by manipulation especially in the process of registering voters and delivering voter registration cards.

On Election Day, the delegation did not witness enough irregularities to disapprove of the balloting process itself. For the most part balloting proceeded in an orderly and transparent manner for those voters whose names did appear on the registration lists according to what was covered in the legal framework document applicable to the 2004 Presidential Election.

The delegation believes that the creation of the National Elections Observatory in 2000 was a step forward for the government of Cameroon, and that the NEO's increased involvement in the 2004 election indicates an important degree of progress against the background of past elections that were not well-supervised nor widely accepted as open, free, and fair.

However, the delegation recommends that the NEO be granted additional powers to enhance its independence from the government, as it appeared that the Ministry of Territorial Administration held most of the power and exercised most of the responsibility in organizing the election.

The delegation questions whether it is appropriate that citizens be charged a fee for the identity card required for voter registration as such a fee may be prohibitive for many low-income Cameroonians and most democratic societies do not require payment of a fee for voter registration; and whether other forms of identification could be made acceptable for the purpose of registration so that a greater number of Cameroon's potential voters could more easily qualify to vote.

It is apparent to the delegation that at least a significant minority of Cameroon's citizens do not accept at face value the government's statements that it is committed to, and will assure, an election process that is transparent and fair.

The delegation believes that the structural, administrative, and equity issues raised by opposition political parties and outside observers in connection with the operation of a free, open, and fair electoral process must be examined and addressed in order to assure a free, open, and fair electoral process and one that is seen to be free, open, and fair by Cameroonians and by the international community.