

Decree No. 2011/237 of 8 August 2011 to lay down conditions for implementing Law No. 2011/013 of 13 July 2011 relating to voting by Cameroonian citizens settled or residing abroad

The President of the Republic,

- MINDFUL OF** the Constitution;
- MINDFUL OF** Law No. 92/10 of 17 September 1992 to lay down conditions governing the vacancy of and election to the Presidency of the Republic, as amended and supplemented by Law No. 97/20 of 9 September 1997 and Law No. 2011/2 of 6 May 2011;
- MINDFUL OF** Law No. 2006/11 of 29 December 2006 to establish and lay down the organisation and functioning of Elections Cameroon (ELECAM), as amended and supplemented by Law No. 2008/5 of 29 June 2008, Law No. 2010/5 of 13 April 2010 and Law No. 2011/1 of 6 May 2011-09-01;
- MINDFUL OF** Law No. 2010/3 of 13 April 2010 to lay down the referendum procedure;
- MINDFUL OF** Law No. 2011/13 of 13 July 2011 relating to voting by Cameroonian citizens settled or residing abroad;
- MINDFUL OF** Decree No. 2004/320 of 8 December 2004 to organise the Government, as amended and supplemented by Decree No. 2007/268 of 7 September 2007,

HEREBY DECREES AS FOLLOWS:

CHAPTER I

General Provisions

ARTICLE 1. This decree lays down the conditions for implementing the abovementioned Law No. 2011/13 of 13 July 2011.

ARTICLE 2. (1) In view of the participation of Cameroonian citizens settled or residing abroad in the election of the President of the Republic or in referendums, the Minister in charge of external relations shall draw up by order, after consultation with

the Minister in charge of territorial administration, and Elections Cameroon, the list of the diplomatic representations and consular posts in which election and referendums operations shall be organised.

(2) The order referred to in subparagraph (1) above shall specify, where applicable, the countries attached to the diplomatic representations or consular posts in which election and referendums operations are organised. It shall be widely disseminated by heads of diplomatic representation and consular post.

(3) The competent authorities of countries of accreditation shall be notified thereof.

(4) A copy thereof shall be forwarded to the Electoral Board and the Directorate General of Elections Cameroon.

CHAPTER II

PREPARATORY ACTIVITIES FOR THE ELECTION OF THE PRESIDENT OF THE REPUBLIC AND REFERENDUMS

SECTION I

COMMISSION CHARGED WITH THE DRAWING UP AND REVISION OF REGISTERS OF ELECTORS

ARTICLE 3. (1) Registers of electors shall be drawn up and revised by the Commission charged with the Drawing Up and Revision of Registers of Electors.

(2) The periods for revising and drawing up registers of electors shall be the same as those applicable on the national territory.

ARTICLE 4. (1) The Commission charged with the Drawing Up and Revision of Registers of Electors shall be composed of a chairperson and 3 (three) members chosen from among Cameroonian citizens settled or residing in the countries concerned or in countries attached to the diplomatic representation where election or referendums operations are organised. One of the members shall represent the head of the diplomatic representation or consular post.

(2) The composition of the Commission charged with the Drawing Up and Revision of Registers of Electors shall be certified by the Director General of Elections, after the

consultations provided for in Section 3 (2) of the abovementioned Law No. 2011/013 of 13 July 2011.

ARTICLE 5. Meetings of the Commission charged with the Drawing Up and Revision of Registers of Electors shall take place at the embassy, consulate or premises prepared for that purpose at the initiative of the head of the diplomatic representation or consular post.

ARTICLE 6. (1) To be entered on the register of electors, the Cameroonian citizen settled or residing abroad must have a valid consular card.

(2) Every newly registered elector shall be issued a receipt indicating the date, place and registration number.

(3) The receipt referred to in subparagraph (2) above shall be used solely for claims relating to registration in registers of electors. It may not replace the voter's card.

ARTICLE 7. (1) A meeting of the Commission may be validly chaired by one of its members.

(2) However, before it is adjourned, the resolutions of the meeting referred to in subparagraph (1) above shall be validated by the Commission.

ARTICLE 8. (1) At the end of the period for the drawing up or revision of registers of electors, the Commission shall draw up a provisional register of electors as well as a report signed by the members present.

(2) The head of the diplomatic representation or consular post shall forward the provisional register of electors and the report of the Commission of the diplomatic representation or consular post to the Minister in charge of external relations, for onward transmission to the Directorate General of Elections, by any means leaving a paper trail.

(3) The provisional register of electors shall be posted up at the diplomatic representation or consular post, at the behest of the head of the diplomatic representation or consular post.

ARTICLE 9. (1) The Electoral Board of Elections Cameroon shall hear claims and disputes concerning the provisional registers of electors drawn up in diplomatic representations or consular posts.

(2) To that end, it can be seized by any political party, public authority or a Cameroonian citizen settled or residing in the jurisdiction of the diplomatic representation or consular mission concerned.

(3) It shall carry out any verification and control deemed necessary and make necessary corrections subsequent to the claims and disputes.

ARTICLE 10. (1) The final register of electors certified by the Director General of Elections shall be forwarded, by any means leaving a paper trail, to the Minister in charge of external relations for onward transmission to the diplomatic representation or consular post.

(2) It shall be posted up therein no later than 15 (fifteen) days before the day of the poll at the behest of the head of the diplomatic representation or consular post.

SECTION II

THE COMMISSION CHARGED WITH THE ISSUANCE AND DISTRIBUTION OF VOTERS' CARDS

ARTICLE 11. (1) Voters' cards shall be issued by Elections Cameroon.

(2) They shall be of the same model as those intended for voters residing on the national territory.

(3) Prior to the distribution of voters' cards, the Commission charged with the Issuance and Distribution of Voters' Cards shall ensure their conformity with the model referred to in subparagraph (2) above.

ARTICLE 12. Voters' cards shall be distributed during the 15 (fifteen) days preceding the poll.

ARTICLE 13. (1) The distribution of voters' cards shall devolve on the Commission charged with the Issuance and Distribution of Voters' Cards.

(2) The composition of the Commission charged with the Issuance and Distribution of Voters' Cards shall be approved by decision of the Director General of Elections who, at least 15 (fifteen) days to the start of voter card distribution operations, shall transform the Commissions charged with the Drawing Up and Revision of Registers of Electors into Commissions charged with the Issuance and Distribution of Voters' Cards.

ARTICLE 14. (1) The voters' card shall be handed over to its holder upon production of the consular card or the receipt referred to in Article 6 (2) above.

(2) Voters' cards that are not distributed shall be deposited at the polling stations where their holders are registered. Such voters' cards shall remain at the said polling stations at the disposal of the persons concerned until the close of the poll.

(3) In every polling station, at the close of the poll, the voters' cards that have not been collected shall be counted, enclosed in a stamped envelope and forwarded to the head of the diplomatic representation or consular post, together with the election return sheet which shall specify the number of such cards.

CHAPTER III

ELECTIONS AND REFERENDUMS

SECTION I

POLLING STATIONS

ARTICLE 15. (1) Upon the proposal of the heads of diplomatic representation or consular post, the Director General of Elections shall draw up the list of polling stations open to Cameroonian citizens settled or residing abroad.

(2) The list shall specify the jurisdiction of each polling station, its location, as well as the full names of all the electors registered therein.

(3) Polling stations shall be located on premises prepared by the diplomatic representations or consular posts.

ARTICLE 16. The list of polling stations shall be forwarded to diplomatic representations or consular posts for posting up at the behest of the heads of

diplomatic representation or consular post, at least 8 (eight) days before the polling day.

SECTION II

LOCAL POLLING COMMISSIONS

ARTICLE 17. (1) For every polling station, a Local Polling Commission shall be set up, comprising a president, 2 (two) members and a secretary chosen from among the electors registered on the register of electors corresponding to the polling station concerned. One of the members shall represent the head of the diplomatic representation or consular post.

(2) The composition of the Local Polling Commission shall be determined by the Director General of Elections, following the consultations referred to in Section 3 (2) of the abovementioned Law No. 2011/013 of 13 July 2011.

ARTICLE 18. (1) Duly designated representatives of candidates for the election of the President of the Republic or of political parties authorised to participate in the campaign for a referendum may, at their expense, observe the conduct of the poll.

(2) The appointment of such representatives shall be notified to Elections Cameroon, the Minister in charge of territorial administration and to the Minister in charge of external relations who shall inform the heads of diplomatic representation or consular post concerned.

ARTICLE 19. The president of the Local Polling Commission shall appoint 2 (two) monitors from among the electors entered on the register of electors of the polling station concerned.

ARTICLE 20. (1) The Local Polling Commission shall draw up a report on all the polling operations. Such report shall be signed by the president and members present.

(2) It shall record any challenges encountered and make comments on the conduct of the poll. Such challenges and comments shall be mentioned in the report.

CHAPTER III

POLLING AND COUNTING OF VOTES

ARTICLE 21. (1) The decree to call the election shall specify the time for the opening and closing of polling stations.

(2) Heads of diplomatic representation or consular post shall be bound to ensure its wide publicity.

ARTICLE 22. In each polling station, Elections Cameroon shall provide voters with sufficient quantities of election material, notably envelopes and ballot papers.

ARTICLE 23. (1) The president of the Local Polling Commission shall ensure the general policing of the polling station.

(2) The head of the diplomatic representation or consular post shall ensure the overall security of the election, in conjunction with the competent authorities of the country of accreditation.

ARTICLE 24. All electors entered on the register of a polling station must be identified before being taking part in the vote.

ARTICLE 25. (1) After counting, the result obtained in each polling station shall be made public with immediate effect. It shall be recorded in the report which shall be drawn up in as many copies as the number of members, plus 2 (two) other copies, and closed and signed by the said members.

(2) The president of the Local Polling Commission shall forward the original copy, as well as 2 (two) other copies to the head of the diplomatic representation or consular post. The original copy shall be kept and filed at the diplomatic representation or consular post. It shall be authentic in case of a dispute.

(3) The head of the diplomatic representation or consular post shall, through any means leaving a paper trail and without delay, forward a copy, accompanied by the related documents, to the Minister in charge of external relations to be forwarded to the president of the National Commission for the Final Counting of Votes.

(4) The other copy shall be forwarded to the Directorate General of Elections under the same conditions as those provided for in subparagraph (3) above.

CHAPTER IV

MISCELLANEOUS AND FINAL PROVISIONS

ARTICLE 26. The list of candidates for the election of the President of the Republic or that of political parties authorised to take part in the referendum campaign shall be approved by the Electoral Board of Elections Cameroon. It shall be forwarded to the Minister in charge of external relations for onward transmission to heads of diplomatic representation or consular post to be posted up at their own behest.

ARTICLE 27. (1) The election or referendum campaigns abroad shall be carried out in accordance with the laws and regulations of the country of accreditation.

(2) Spaces shall be reserved at embassies and consulates for posting up the candidates' manifestoes and campaign schedules, under the responsibility and control of heads of diplomatic representation or consular post.

ARTICLE 28. (1) Heads of diplomatic representation or consular post shall ensure, in particular through bills posted up at the embassy or consulate, that Cameroonians settled or residing abroad and desiring to exercise their voting right during the election of the President of the Republic or referendums are properly informed.

(2) They shall be bound to lend their support and collaboration to Elections Cameroon.

(3) Under the supervision of Elections Cameroon, they shall ensure the preservation of election material.

ARTICLE 29. The provisions of this Decree shall not apply to honorary consulates.

ARTICLE 30. This Decree shall be registered, published according to the procedure of urgency and inserted in the Official Gazette in English and French.

Yaounde, 8 August 2011

Paul BIYA

President of the Republic