

BRIEFING PAPER

Cameroon's 9 February 2020 Legislative and Municipal Elections:

Electoral Stakes, Political system implications, and fallout from crisis in the Northwest and Southwest Regions

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I. Executive Summary

On 9 February 2020, Cameroon's voters will be expected at the polls to vote in joint legislative elections (for 180 members of the lower House of Parliament) and municipal elections (for the country's 360 Local Councils). The elections will take place against backdrop of broader contestation over the electoral process itself, marked by the nationwide abstention of a significant party from the elections, and the situation in the Northwest (NW) and Southwest (SW) regions marked by incidents intended to disrupt the electoral process. Without predicting the electoral turnout and outcomes, this Briefing Paper attempts a wider analysis of the stakes going into the polls, the broader implications for Cameroon's political system, and the potential fallout of the situation in the two above-mentioned Regions. It draws on a range of electoral data – which is presented in the separate Data Annex.

II. Historical contribution of the NW/SW Regions to diverse political party representation in elected offices

Since the return to multi-party politics to Cameroon three (3) decades ago, the NW and SW regions have significantly (though not exclusively) contributed to diverse party representation in elected institutions. Illustratively, in the 2013-2019 legislative term, the Social Democratic Front (SDF) held 14 out of 35 available MP seats in the NW and SW regions, which constitute three-quarters of the 18 MP seats it holds nationally. In the same period, the SDF controlled 19 out of 65 Municipal Councils located in the NW and SW regions, which represent 80% of the 23 Municipal Councils controlled by the SDF nationwide. With a split of 19 vs. 15 Councils controlled by the CPDM and SDF, and 13 vs. 7 MPs seats held by the SDF and CPDM, the Northwest had the most “competitive” balance of elected representatives of any region in the country. Given the above data, the situation in the NW and SW regions should be of concern to the SDF party, which has historically counted on the NW (and to a lesser extent the SW) for most of its elected representatives.

III. Attacks against the electoral process: candidates, campaigns, and electoral institutions in the NW/SW regions

A table in the Data Annex presents documented incidents targeting the electoral process in the NW/SW over the past months, including: (i) abduction and kidnapping of election candidates, (ii) destruction of property (including home arsons) of election

candidates, (iii) candidates desisting from contesting upcoming elections due to threats against their lives and property, and (iv) attacks against offices of the election body, ELECAM.

The backdrop to these incidents is the position of the spattering of pro-separation armed groups in the NW/SW regions, who intend to disrupt the electoral process, and prevent elections – viewed as a fundamental expression of sovereignty – from taking place in the 2 regions. It is noteworthy that the posture of these groups is to attack the elections “as such” (voters, candidates, electoral institutions and sites) in the two regions, irrespective of the political party or leaning involved: hence in the NW for instance, both SDF and CPDM party candidates and campaigns have been targeted for attack.

IV. The Social Democratic Front party : in a perfect storm ?

Despite this unfavourable security climate which affects voters and political parties across the spectrum in parts of both regions, a brief analysis of its peculiar impact on the opposition SDF party is warranted. Since the start of the Anglophone crisis, and as the 2018-2019 electoral cycle approached, the SDF has found itself *between a rock and a hard place*, on the crisis. On the one hand, being a party with a national outlook and a pro-federal posture, but strong historical and electoral bases in the NW and SW regions, the SDF has been at the forefront of urging a more comprehensive political solution to the issues that underly the crisis (about respect for Anglophone specificities). It has brought these up repeatedly at national level, using its minority presence in the nation’s Parliament to raise these issues.

On the other, the SDF faces the *complex dilemma of being a national party, with its core fief in a region/part of the country in which pro-separation tendencies have emerged and often outflanked its federalist position, in intensity*. The wave of pro-separation sentiment that developed in 2017 leading to the 1 October 2017 pro-separation marches, and the emergence of a spattering of pro-separation armed groups/elements across the two regions, have transformed into a visceral animosity against the SDF, which is accused by the pro-separation groups of “participating” in the Nation’s institutions (National Assembly, Senate, local Councils), and is urged by the said groups to withdraw from these national institutions, as a sign of solidarity with their cause. Being a visible (though not exclusive) political actor in the 2 regions, the SDF has come under pro-separation groups’ ire manifested through attacks against its officials – in a context where it is hardly feasible to provide proximate security to all political candidates or actors across the two regions.

Faced with challenges in fully advancing an inclusive, comprehensive process to address the Anglophone crisis at national level, the wave of attacks against it in its regional fiefs (especially the NW region), and a security climate that does not favour a mass voter turn-out, the February 2020 elections could constitute a major test for the party, which has historically sought to participate in national elective institutions.

V. Prospects for continued multi-party representation in elected institutions nationwide

The crisis affecting the historically Anglophone regions has also had ripple effects on broader political participation, with the MRC party citing the crisis' non-resolution as one reason for its non-participation nationwide, in the February 2020 polls. (The other being a lack of reform of the Electoral Code). In the October 2018 Presidential elections, the MRC's candidate was the runner-up, securing 14.23 % of votes nationwide, scoring higher than the CPDM incumbent in the Littoral region (38.6% vs. 35.75%), and achieving high vote percentages in urban areas in the broader southern part of the country (such as in Mfoundi, Wouri, and Mounjo divisions). The combined effect of difficult or uncertain electoral terrain in the NW/SW regions (which in *national* terms, may impact the SDF more due to its vote/elected officials concentration there), and the MRC's abstention may portend a constriction of multi-party electoral representation in both the Legislature, and in Municipal Councils across the country.

The Data Annex shows trends over the past three decades (since the return to multi-party politics in Cameroon) of representation in two elected institutions: the lower legislative house (National Assembly) and Municipal Councils (Local Government). For the **national legislature**, the data shows that from a highly even spread of 48.9% : 51.1% between the ruling party and other parties (1992 – 1997 legislature), that spread has progressively been constricted to 60.6% : 39.4% (1997-2002 legislature), and then to an average of 83% : 17% in favour of the ruling party during the *three successive legislatures* from 2002 to 2019. For **municipal councils**, the data shows that from a moderate spread of 65.5% : 34.5% between the ruling party and other parties (1996 to 2002 Municipal Council term), that spread has been constricted to an average of 82% : 18% in favour of the ruling party during *the last three successive Council terms* from 2002 to 2019.

It is this trend of *progressive shrinking of non-ruling party representation* in the national legislature and municipal councils that provides a worrying backdrop for the difficulties faced, or absence from the contest, of statistically significant political parties in the February 2020 elections. This does not rule out the possibility that some non-ruling party representation will be achieved in the national legislature or in municipal councils. A few parties historically tend to concentrate their bases in a limited geographical area, and thus may secure some legislative seats or Councils, while some newly established parties may achieve victories. Legislative and municipal races (unlike Presidential elections with a single national candidate) are also more divisive for the large ruling party, which needs to overcome an acrimonious internal candidate nomination process and unify its ranks before encountering the opposition.

VI. Defining and Explaining party dominance, and the future of Cameroon's political system

To the data presented above on the successive constriction of non-ruling party representation in elected institutions, should be added the trends in the spread of votes during **Presidential elections**. These show that from a highly even spread during the first multi-party elections in 1992 (40% for the ruling party/winner, and 60% spread among challengers), the ruling party's incumbent candidate has achieved an average of 73.3% versus 27.7% for the challengers combined, during the *last 3 successive Presidential elections* (2004, 2011, 2018). Given the seven-year Presidential term of office (and the elections in 1997 boycotted by the main opposition SDF party, which scored 36% in the immediately preceding Presidential elections in 1992), this implies that for 28-year period between 1997 and 2025 spanning 4 Presidential terms of office, the ruling party's incumbent has won elections with close to a $\frac{3}{4}$ majority of votes.

In the study of political party systems, most political science scholars define a system as characterised by a "dominant party" when a single party combines electoral, parliamentary, and executive dominance over a specified (significant) period of time. This is usually defined as approaching a supermajority of 70% in the legislature and *winning both legislative and presidential elections for 3 successive terms*.¹ They have also highlighted a number of democratic defects that can result within dominant party systems. (It should be noted that dominant party systems do occur within so-styled "electoral" democracies. In Mexico, the PRI - Institutional Revolutionary Party claimed

¹ See: Matthijs Bogaards, *Dominant Parties and Democratic Defects*, Georgetown Journal of International Affairs; Summer 2005, pp 29. See also: Françoise Boucek, "Electoral and Parliamentary Aspects of Dominant Party Systems", in Paul Pennings and Jan-Erik Lane, eds. *Comparing Party System Change*, (London, Routledge, 1998) 103-124.

victory in 12 successive Presidential elections, holding power uninterrupted for 71 years between 1929 and 2000).

If party dominance can be defined, and Cameroon's political system placed within that rubric, a more extensive study than this Briefing Paper would be required to explain such dominance fully. Arguably, the most significant factor would be the high levels of proximity and permeability between Cameroon's civil service corps (the core of its State apparatus) and the incumbent ruling party. While the party may not act as not a visible actor influencing day-to-day policy making, State functionaries – as their upward professional mobility increases through appointment to high public offices – systematically appear within the party's proximate structures (in their regions of origin), becoming its frontline political actors.

A further area of inquiry on the general direction Cameroon's political and electoral system is taking, is the demonstrable **reduction in voter turnout** at elections, over the past three (3) decades. Especially compared to the increasing number of registered voters, the higher levels of voter abstention from the polls may point to democratic defects and waning public trust in the impact of electoral processes. Cameroon's 5 multiparty Presidential elections have registered the following turn-out rates: 1992 (71.87%), 1997 (83.10%), 2004 (82.23%), 2011 (68.28%), 2018 (53.85% national average; 62.2% average excluding the NW/SW regions which are facing a security crisis). In the October 2018 Presidential elections, nearly an equal number of registered citizens voted as did not vote: a particularly low turnout mainly attributable to the NW and SW regions, where only 93,229 persons voted, from an expected voter turnout of 622,805, if those Regions had a turnout similar to the national average. However, excluding the NW/SW regions, the turnout was still 62.2%, the lowest recorded for a presidential election in 26 years.

VII. Municipal Elections : the enhanced Devolution process, and future composition of electoral colleges for Regional Councils/Assemblies and the national Senate

An important stake in the 2020 Municipal Council elections undoubtedly results from the recently adopted General Code on Regional and Local Authorities which was promulgated into Law on 24 December 2019, as part of the process to enhance devolution of powers and competencies from central State institutions, to Regions and Local Councils in Cameroon.

That Code contains a number of innovations, notably: (1) a commitment to transfer 15% of the annual State budget to the Common Decentralisation Fund, dedicated to funding Regions and Councils (sub-national tiers of government) for execution at their level, which constitutes a significant increase from past levels (*Section 25*), (2) the clarification that when a specific competency or domain is transferred to Regions and Councils, the said transfer shall be “exclusive”, meaning that central State institutions shall no longer hold a concurrent (and often primary) right of action in the said domain (*Section 18*), and (3) the abolition of the practice of centrally-appointed Government Delegates effectively acting as “super-Mayors” in the country’s 14 largest urban agglomerations, which were previously placed under a special regime (*Sections 240 to 248*). Based on current State budget volumes and pending the institutional establishment of Regions, the amount of resources destined annually for execution at sub-national tiers should eventually exceed 700 billion CFA, or 1.2 billion U.S. dollars.

An additional stake in the Municipal elections is the *importance of Municipal Councils’ composition for future elections to Regional Councils and the national Senate*. These two latter bodies are voted through indirect universal suffrage by an electoral college. For each **Regional Council**, the said college is comprised of Municipal Councillors (who vote in 70 Regional Councillors) and indigenous traditional rulers of the region (who vote in 20 Regional Councillors) per Section 248 of the Electoral Code, and Section 4 of Law No. 2019/006 of 25 April 2019 establishing the number, proportion by category, and allowances of Regional Councillors. For the **Senate**, the electoral college is comprised of *all* the Municipal Councillors and Regional councillors of the region in question – Section 222 (1) of the Electoral Code. Given that the total number of Regional Councillors nationwide will be 900 (90 per Region, per the above-mentioned April 2019 Law), and that there are in total 10,632 Municipal Councillors across Cameroon’s 10 Regions, Municipal Councillors comprise over 90% of the electoral college that votes national Senators.

VIII. The NW/SW Regions: Security and Turnout Dynamics

As the Annexed Data table of incidents documented in the Northwest (principally) and Southwest regions (through the first week of January 2020) demonstrate, there have been serious security incidents directed at political parties, candidates to the election, their convoys and means of transport, persons participating in campaigns, and offices of the Electoral body. The incidents reveal an intensification since November-December 2019 when political parties completed their candidacy files for the election. The State authorities’ primary response has been two-fold: first, an increased deployment early in 2020 of security and defence forces to the two Regions to bolster

security for the elections, and the Electoral body's approach to pool voting locations in the two regions to minimize the dispersal of polling stations across hard-to-protect villages and communities, and group them in central areas where troop deployments could provide security.

It remains to be seen to what extent these efforts will increase voter participation, given various factors: (i) insecurity for voters to move to the centralised voting sites, and risks of reprisals they face to and from them, (ii) overall levels of displacement within, and from the 2 Regions, and (iii) serious difficulties in conducting effective and proximate campaigns across all parts of the 2 regions, thus reducing the ability to get out voters. In this regard, it is important to distinguish *larger, more densely populated urban locations* (such as parts of Bamenda, Buea, Limbe, Tiko) where area security coverage can be provided through troop reinforcements, from *more distant and dispersed rural locations*, not all of which have a static security presence, to dissuade disruption of voting operations.

While local elections normally involve stakes that matter to the population, such as the provision of services by Municipal Councils (hygiene/sanitation, rural potable water supply), and entail an interest to protect incumbent seats and party positions, this must be weighed against the security context in some locations. Some *campaigns* have taken place – in closed events, or with a significant military/security forces' escort and protection, which limits their reach. *Electoral workers* (who have been targeted in previous elections) also face risks, especially deploying to remote locations outside a secured perimeter. If it has been challenging to ensure electoral staff are present at all voting centres, other (necessary) stakeholders such as political party poll station monitors will be even more constrained.

IX. Protecting against Disenfranchisement : future political representation, agency, and voice for the NW/SW Regions

Under Cameroon's electoral laws, there is no minimum threshold of participation or voter turnout required for an election to be valid. This is to be borne in mind against the uncertain outcomes on voter turnout in parts of the 2 Regions which face specific security concerns. With legislative and municipal elections conducted on the basis of specific territorial constituencies (34 Municipal constituencies, and 20 Legislative constituencies in the NW; 31 Municipal constituencies and 15 Legislative constituencies in the SW), the challenge will be *to ensure that each constituency hosts polling sites at which voters effectively go to the polls, in numbers that provide a reasonable basis for filling the seat(s) in competition.*

An examination of voter turnout during the Presidential elections at the micro-level (within Divisions) in the NW and SW regions demonstrates this point (See Data Annex). Illustratively, in *Boyo Division*, out of 57,945 registered voters, only 363 voted, giving a turnout of 0.63%, that is less than 1 per cent. In *Menchum Division*, out of 52,095 registered voters, only 765 voted, giving a turnout of 1.47%. In *Ngo-Ketunjia Division*, out of 54,887 registered voters, only 1,336 voted, giving a turnout of 2.43%. Given that these 3 Divisions hold between them 11 Municipal Councils, and 6 MP seats, it would be worrying if these elected offices which draw their legitimacy from a specific geographic constituency's mandate, were voted by such low numbers of voters.

If voting sites are grouped close to the seat of Council headquarters as a means of enhancing their security, it should be borne in mind that Council areas (which are equal to sub-divisions on the administrative map) often span significant distances. In the NW's Boyo Division for instance, the 4 Council areas have as surface areas: *Belo* (346 sq. km), *Fundong* (519 sq. km), *Njinikom* (173 sq. km), and *Fonfuka/Bum* (554 sq. km). Movement of voters from their respective locations to their grouped voting centre or Council headquarters will be challenging.

The October 2018 election witnessed significant voter disenfranchisement in the 2 regions, notably where security conditions (as opposed to voter choice) accounted for them not voting. Turnout was 5.4% in the NW, and 15.9% in the SW, compared to a national average (in the other 8 Regions of the country) of 62.2%. If the NW/SW had participated at the same rate as the other 8 Regions, their combined turnout would have been 622,805 voters, instead of the 93,229 who actually voted – meaning 529,576 voters (or 85% of the usual voter turnout) were absent.

The challenge ahead is one of *political representation, voice, and agency for the NW/SW Regions*, at a time when resolution, recovery, and reconstruction from a crisis particularly affecting these regions, is a national priority. Municipal Councillors from these elections would vote the composition of the future **Regional Assemblies** for the NW/SW Regions. It is these Assemblies that are expected to enable the Regions *articulate their specificities and exercise their additional attributes* (Special Status) under the December 2019 General Code on Regional and Local Authorities. It is therefore important that the said Assemblies wield a *modicum of electoral and representative legitimacy*, which in turn derives from the legitimacy of the Municipal Councillors that vote them into office. (The Regional Assemblies' composition in the NW/SW is made up of 2 Houses, one comprised of 70 Councillors voted by Municipal Councillors, and another of 20 Councillors elected by and among traditional rulers).

The December 2019 Code provides as follows:

Section 3:

- (1) The North-West and South-West Regions shall have a special status based on their language specificity and historical heritage.
- (2) The special status referred to in sub-section (1) above shall be reflected with regard to decentralization, in specificities in the organization and functioning of these two regions.
- (3) The special status shall also entail respect for the peculiarity of the Anglophone education system and consideration of the specificities of the Anglo-Saxon legal system based on common law.
- (4) The content of the specificities and peculiarities referred to in subsections (2) and (3) above *shall be specified in separate instruments*.

Section 328:

- (1) In addition to the powers devolved on regions by this law, the North-West and South-West regions *shall* exercise the following powers:
 - participating in the formulation of national public policies relating to the Anglophone education sub-system,
 - setting up and managing regional development authorities,
 - participating in defining the status of traditional chiefdoms.
- (2) The North-West and South-West regions *may* be consulted on issues relating to the formulation of justice public policies in the Common Law subsystem.