

# **PERSPECTIVES ON THE CONSTITUTIONAL COUNCIL OF CAMEROON'S EFFECTIVENESS IN RESOLVING ELECTORAL CONFLICTS**

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## **ABSTRACT**

The creation of the Constitutional Council of Cameroon in 2018 as the final arbiter of electoral disputes generated significant public debate regarding its effectiveness, particularly following the broadcast of its 2018 hearings on state media. This study examines perspectives from the general public and key electoral stakeholders on the effectiveness of the Constitutional Council in resolving electoral conflicts. Using a mixed-methods approach, data were collected through an online survey of 219 participants and semi-structured interviews and focus group discussions with 35 stakeholders including political parties, ELECAM, the Ministry of Territorial Administration, civil society organizations, and members of the Constitutional Council. The findings reveal predominantly negative public perceptions, with majorities viewing the Council as lacking independence, transparency, and fairness, and as ineffective in resolving disputes and delivering justice in cases of electoral fraud; meanwhile, stakeholder interviews produced mixed views, as some defended the Council's adherence to the rule of law while others criticized its limited independence due to presidential appointments, questioned the impartiality of certain members, noted that political parties poorly mastered litigation procedures, and identified restrictive timelines and flawed electoral laws as barriers to effective justice. Although the Constitutional Council has established mechanisms for handling electoral disputes, both public opinion and stakeholder assessments indicate significant dissatisfaction and reveal structural and legal limitations that undermine confidence in the institution.

**Key words: Constitutional Council, Cameroon, Elections, Electoral Conflicts**

## **RESUME**

*La création du Conseil constitutionnel du Cameroun en 2018, en tant qu'instance suprême de règlement des litiges électoraux, a suscité un important débat public quant à son efficacité, notamment suite à la diffusion de ses audiences de 2018 sur les médias d'État. Cette étude examine les points de vue du grand public et des principaux acteurs électoraux sur l'efficacité du Conseil constitutionnel dans la résolution des conflits électoraux. En utilisant une approche mixte, les données ont été recueillies au moyen d'un sondage en ligne auprès de 219 participants et d'entretiens semi-structurés et de discussions de groupe avec 35 parties prenantes, dont des partis politiques, ELECAM, le ministère de l'Administration territoriale, des organisations de la société civile et des membres du Conseil constitutionnel. Les résultats révèlent une perception publique majoritairement négative, la plupart des personnes interrogées considérant que le Conseil manque d'indépendance, de transparence et d'équité, et qu'il est inefficace pour résoudre les litiges et rendre justice en cas de fraude électorale ; Parallèlement, les entretiens menés auprès des parties prenantes ont fait ressortir des avis partagés : certains ont défendu le respect de l'État de droit par le Conseil, tandis que d'autres ont critiqué son indépendance limitée due aux nominations présidentielles, mis en doute l'impartialité de certains membres, constaté la faible maîtrise des procédures contentieuses par les partis politiques et identifié des délais trop longs et des lois électorales imparfaites comme autant d'obstacles à une justice effective. Bien que le Conseil constitutionnel ait mis en place des mécanismes de traitement des litiges électoraux, l'opinion publique et les évaluations des parties prenantes témoignent d'une insatisfaction importante et révèlent des limites structurelles et juridiques qui minent la confiance dans l'institution.*

**Mots clés : Conseil constitutionnel, Cameroun, Élections, Conflits électoraux**

## INTRODUCTION

The broadcast of post-electoral litigation hearings on state media in October 2018<sup>1</sup> brought the Constitutional Council of Cameroon into the national spotlight for the first time. This event exposed the public to live debates on electoral disputes and generated mixed reactions regarding the institution's role as the final arbiter of electoral conflicts. Created by the 1996 Constitution but only becoming fully operational in February 2018, the Constitutional Council was established to ensure the regularity of presidential, legislative, and senatorial elections, arbitrate disputes arising from these elections, and proclaim final results. However, despite its legal mandate, elections in Cameroon have remained controversial, as illustrated by the violent protests following the 2018 presidential election and the continued contestation of electoral outcomes by opposition parties and civil society.<sup>2</sup> Since its inception, the Council has issued over one hundred rulings on electoral matters, yet public confidence in its decisions appears limited. This paper examines perspectives on the effectiveness of the Constitutional Council in resolving electoral conflicts by analysing views from both the general public and key electoral stakeholders, including political parties, Elections Cameroon, the Ministry of Territorial Administration, civil society organizations, and members of the Council itself. The study specifically explores how these actors assess the Council's performance in relation to the rule of law, transparency, impartiality, independence, and integrity, with the aim of understanding the gap between institutional design and public trust in electoral justice. (These are concepts commonly evoked during public discourse concerning this august institution.)<sup>3</sup>

## THEORETICAL FRAMEWORK

### INSTITUTIONAL LEGITIMACY THEORY

Institutional Legitimacy Theory, as developed by scholars such as Mark Suchman<sup>4</sup> and David Beetham,<sup>5</sup> argues that an institution can only be effective if the people it serves believe it has the right to exercise power. Legitimacy is not just about having legal authority. It is about being recognized by the public as a proper and trustworthy

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<sup>1</sup> Laura DI BIASIO, Georja Calvin-Smith, Laurent BERSTECHE, "Cameroon's constitutional court hears post-election litigation", *France 24*, October 19, 2018, <https://www.france24.com/en/20181018-eye-africa-cameroon-presidential-petitions-litigation-drc-angola-somaliland-mobile-payments>, accessed August 13, 2025.

<sup>2</sup> Yashraj Sharma, "Biya declared victor of Cameroon election: Why deadly protests broke out", *Al Jazeera*, October 2025, <https://www.aljazeera.com/news/2025/10/27/biya-declared-victor-of-cameroon-election-why-deadly-protests-broke-out>

<sup>3</sup> Media debates aimed at evaluating the Constitutional Council often use the principles of rule of law, transparency, impartiality, independence/autonomy and integrity as a basis. These principles served as a guide in developing questionnaires for participants to share their perspectives / opinions on the Constitutional Council. The following links capture some relevant debates;

Impartiality of constitutional council members: <https://www.youtube.com/watch?v=wIDWZRhdFpE>, accessed August 13, 2025

Application of the rule of law: <https://www.youtube.com/watch?app=desktop&v=rOhbIxYKMUA>, accessed August 13, 2025

Transparency and integrity: <https://www.youtube.com/watch?v=Ny98EVd-QMI>, accessed August 13, 2025

<sup>4</sup> Mark C Suchman, "Managing Legitimacy: Strategic and Institutional Approaches," *The Academy of Management Review* 20, no. 3 (1995): 571–610. <https://doi.org/10.2307/258788>.

<sup>5</sup> David Beetham, *The Legitimation of Power*; (Michigan: Humanities Press International, September 2010), 1 – 267, [https://books.google.cm/books/about/The\\_Legitimation\\_of\\_Power.html?id=0U6yzQEACAAJ&redir\\_esc=y](https://books.google.cm/books/about/The_Legitimation_of_Power.html?id=0U6yzQEACAAJ&redir_esc=y)

authority. This theory identifies three types of legitimacy. Pragmatic legitimacy means people accept the institution because they believe it serves their interests. Moral legitimacy means people accept the institution because they believe it is doing the right thing and follows correct values. Cognitive legitimacy means people accept the institution because they see it as natural, necessary, and the only proper body for that role.

This theory aligns with the study because the research explicitly measures all three types of legitimacy. The survey asks whether the Council's decisions contribute to peace and political stability. This measures pragmatic legitimacy because it tests whether people believe the institution produces useful results for society. The survey also asks whether the Council is independent from political influence, whether it is transparent, and whether it upholds the rule of law. These questions measure moral legitimacy because they test whether people believe the institution acts according to proper democratic values. The study further examines whether the public views the Council as the proper final arbiter of electoral disputes, which measures cognitive legitimacy. The interviews with stakeholders show that some political parties and civil society actors question the Council's legitimacy because its members are appointed by the President and because its budget is controlled by the executive. This theory therefore helps explain why negative perceptions of legitimacy reduce the Council's effectiveness in ending electoral conflicts.

## LITERATURE REVIEW

The concept of institutional legitimacy has been central to understanding how constitutional courts function in democratic societies. Suchman defined legitimacy as "a generalised perception or assumption that the actions of an entity are desirable, proper, or appropriate within some socially constructed system of norms, values, beliefs, and definitions." This definition is important for this study because it shows that legitimacy is not only about legal authority.<sup>6</sup> It is also about whether the public believes the institution deserves to exercise power. Beetham expanded this understanding by arguing that legitimacy requires three conditions: legal validity, normative justifiability, and expressed consent. These conditions mean that an institution must have legal authority, must act according to accepted values, and must be recognized by the people it serves.<sup>7</sup>

For constitutional courts, legitimacy is particularly important because these courts often make decisions that affect the entire political system. Tyler argued that when people view legal authorities as legitimate, they are more likely to accept their decisions voluntarily, even when those decisions are unfavourable. This is especially relevant for electoral dispute resolution, where losing parties must accept defeat for democracy to function.<sup>8</sup> Gibson, Caldeira,

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<sup>6</sup> Mark C Suchman, "Managing Legitimacy: Strategic and Institutional Approaches," *The Academy of Management Review* 20, no. 3 (1995): 571–610. <https://doi.org/10.2307/258788>.

<sup>7</sup> David Beetham, *The Legitimation of Power*; (Michigan: Humanities Press International, September 2010), 1 – 267, [https://books.google.cm/books/about/The\\_Legitimation\\_of\\_Power.html?id=0U6yzQEACAAJ&redir\\_esc=y](https://books.google.cm/books/about/The_Legitimation_of_Power.html?id=0U6yzQEACAAJ&redir_esc=y)

<sup>8</sup> Tom Tyler, "Psychological Perspectives on Legitimacy and Legitimation", *Annual Review of Psychology* 57, (2006): 375-400,

and Baird found that public acceptance of court decisions depends more on perceptions of procedural fairness than on agreement with the specific outcome. Their research showed that citizens who believe courts use fair procedures are more likely to accept controversial decisions.<sup>9</sup>

A large body of literature exists on how African countries manage electoral conflicts. Meledje examined electoral disputes across the continent and argued that many African states lack effective mechanisms for resolving election-related conflicts.<sup>10</sup> Kabaa explored the challenges of adjudicating presidential election disputes in domestic courts in Africa and noted that national courts often face pressure from ruling parties, which affects their independence.<sup>11</sup> Kabaa and Fombad later analysed the adjudication of disputed presidential elections in Africa and concluded that constitutional courts in many countries tend to err on the side of caution to protect incumbent regimes.<sup>12</sup> This has led to situations where court decisions on electoral disputes have triggered violence rather than peace.

Azu studied election petitions in Ghana and Kenya and explained why presidential election petitions usually fail. The author found that legal technicalities, short time limits, and high burdens of proof make it difficult for opposition candidates to win electoral disputes.<sup>13</sup> Nyarko and others have also examined the role of African courts in electoral disputes and noted that only superior courts such as constitutional courts, supreme courts, and courts of appeal handle these matters. However, their decisions are often questioned because of perceived lack of independence.<sup>14</sup>

Scholars have written extensively on the role of constitutional courts in protecting democracy. Fombad wrote one of the earliest works on the Cameroonian Constitutional Council in a comparative perspective. He argued that the Council was modelled after the French Constitutional Council and raised concerns about its effectiveness because its members are appointed by the President. Fombad noted that this design makes the Council potentially subservient to the executive branch.<sup>15</sup> In later work, Fombad described the Constitutional Council as a "faithful

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<https://doi.org/10.1146/annurev.psych.57.102904.190038>

<sup>9</sup> Gibson, James L, Caldeira, Gregory A. and Baird, Vanessa A, "On the Legitimacy of National High Courts," *Cambridge University Press* 92, no. 2 (1998) 343-358, [https://ideas.repec.org/a/cup/apsrev/v92y1998i02p343-358\\_21.html](https://ideas.repec.org/a/cup/apsrev/v92y1998i02p343-358_21.html)

<sup>10</sup> Djedjro Francisco MELEDJE, "Le contentieux électoral en Afrique", *POUVOIRS*, no 129 (April 2009) : 139 – 155, <https://revue-pouvoirs.fr/le-contentieux-electoral-en/#:~:text=Pouvoirs%20n%C2%B0129%20%2D%20avril,Ce>

<sup>11</sup> O'Brien Kaaba, "The challenges of adjudicating presidential election disputes in domestic courts in Africa", *African Human Rights Law Journal* 15, no 2 (2015): 329-354 <http://dx.doi.org/10.17159/1996-2096/2015/v15n2a5>

<sup>12</sup> Kaaba, O'Brien, and Charles M Fombad, "Adjudication of Disputed Presidential Elections in Africa", in Charles M. Fombad, and Nico Steytler (eds), *Democracy, Elections, and Constitutionalism in Africa*, *Stellenbosch Handbooks in African Constitutional Law* (Oxford, 2021; online edn, Oxford Academic, 22 July 2021), <https://doi.org/10.1093/oso/9780192894779.003.0014>, accessed 26 Apr. 2026.

<sup>13</sup> Miriam Azu, "Lessons from Ghana and Kenya on why presidential election petitions usually fail", *African Human Rights Law Journal* 15, no 1 (2015): 150- 166, <http://dx.doi.org/10.17159/1996-2096/2015/v15n1a7>

<sup>14</sup> Michael Gyan Nyarko Misha Ariana Plagis, "Supporting the Mandate of the African Court", *African Human Rights Policy Paper* 2, November 2020, <https://www.chr.up.ac.za/ahrpp2>

<sup>15</sup> Charles Manga Fombad, "The new Cameroonian constitutional council in a comparative perspective: progress or retrogression?", *Journal of African Law* 42, no 2 (1998):172 – 186, accessed June 16, 2025, <https://doi.org/10.1017/S0021855300011815>

servant of an unaccountable system" because its structure limits its ability to act as an independent check on government power.<sup>16</sup>

Kahombo studied the Constitutional Court of the Democratic Republic of Congo and examined how that court handles electoral disputes, including the rectification of material errors in its judgments. The study showed that even when constitutional courts have jurisdiction over electoral matters, their procedures and decisions can still be controversial.<sup>17</sup> This literature is relevant because it shows that Cameroon's Constitutional Council is not alone in facing challenges regarding independence and effectiveness.

Several authors have traced the history of elections in Cameroon. Olinga wrote about the new legal and institutional environment of elections in Cameroon after the creation of Elections Cameroon (ELECAM) in 2006 and the promulgation of the Electoral Code in 2012. Olinga argued that these reforms were meant to improve credibility, but controversies continued.<sup>18</sup> Obame studied the introduction of biometric voter registration in Cameroon and showed how techno-political reforms have shaped electoral competition.<sup>19</sup>

Ngo Tong Chantal examined political alternation in Cameroon and described the electoral system as closed. The author argued that despite institutional reforms, the ruling party maintains dominance through control of electoral institutions.<sup>20</sup> Article 19 (1997) documented widespread irregularities in the 1997 legislative elections in Cameroon, including polling stations that were moved or closed and intimidation of opposition activists. The report noted that the Supreme Court at that time rejected opposition petitions for annulment.<sup>21</sup>

The broader literature on electoral dispute resolution emphasizes that effective institutions are essential for democratic consolidation. Lindberg argued that repeated elections in Africa have not always produced democratic

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<sup>16</sup> Charles M Fombad, "The Cameroonian Constitutional Council: Faithful Servant of an Unaccountable System" in *Constitutional Adjudication in Africa*, (Oxford: Oxford Constitutions of the World, 2017), 80, <https://oxcon.oupplaw.com/display/10.1093/law/9780198810216.001.0001/law-9780198810216-chapter-4>

<sup>17</sup> Balingene Kahombo, "The Origin of The Congolese Constitutional Court: Organisation and Jurisdiction", Hermann Legal, Chrome-Extension://Efaidnbmnnibpcajpcglclefindmkaj/Https://Www.Hamann-Legal.De/Upload/6Balingene.Pdf

<sup>18</sup> Alain Didier Olinga, "Le nouvel environnement juridique et institutionnel des élections au Cameroun", *Presses universitaires d'Afrique*, 2007, <https://www.aes-pua.com/livre/droit/nouvel-environnement-juridique-institutionnel>

<sup>19</sup> Obame Yves Valery. "Gouverner par la biométrie : dynamiques d'institutionnalisation d'une réforme technopolitique dans la compétition électorale au Cameroun". *Thèse de doctorat en sociologie politique, Université de Yaoundé I*, 2022. <https://www.isa-sociology.org/en/junior-sociologists/dissertation-abstracts/list-of-abstracts/1387>

<sup>20</sup> Prof. Ngo Tong Chantal, "Political alternation in Cameroon, between boycotting elections and a closed electoral system", *ON POLICY AFRICA* (2024), <https://onpolicy.org/political-alternation-in-cameroon-between-boycotting-elections-and-a-closed-electoral-system/>, accessed June 15, 2025

<sup>21</sup> ARTICLE 19, "Cameroon: A Transition in Crisis", *Article 19 Blog*, October 1997, chrome-extension://efaidnbmnnibpcajpcglclefindmkaj/https://www.article19.org/data/files/pdfs/publications/cameroon-a-transition-in-crisis.pdf

consolidation because electoral institutions lack credibility. When dispute resolution bodies are perceived as biased, elections become exercises in regime maintenance rather than genuine competition.<sup>22</sup>

## **Gaps in the Literature**

Despite this body of work, few studies have systematically examined public and stakeholder perspectives on the effectiveness of the Constitutional Council of Cameroon using both quantitative and qualitative methods. Most authors focus either on the legal framework, the history of electoral conflicts, or specific court decisions. There is limited literature that brings together survey data on public perceptions with in-depth interviews of key stakeholders to provide a comprehensive assessment of institutional legitimacy. This study fills that gap by examining how both the general public and electoral actors view the Council's performance across multiple dimensions of effectiveness, including independence, transparency, impartiality, and fairness.

## **METHODOLOGY**

This study used a mixed-methods research approach. This means it combined both quantitative and qualitative methods to collect and analyse data. The study was conducted in Cameroon between June and August 2025.

### **Research Design**

The research design was descriptive and exploratory. It aimed to describe how the public and stakeholders view the Constitutional Council and to explore the reasons behind these views. The study used two main data collection tools. These were an online survey and semi-structured interviews combined with focus group discussions.

### **Study Population and Sampling**

The study targeted two groups of respondents. The first group was the general public. The second group was key electoral stakeholders. These stakeholders included political party representatives, officials from Elections Cameroon (ELECAM), officials from the Ministry of Territorial Administration (MINAT), members of the Constitutional Council, civil society representatives, lawyers, and university law professors.

For the public survey, a convenience sampling method was used. This means participants were selected based on their availability and willingness to respond. The survey was distributed online through Google Forms. A total of 219 participants completed the survey. The majority of participants were young people aged 20 to 35 years. Most were male. A large proportion came from the Northwest and Southwest regions of Cameroon. Most participants

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<sup>22</sup> S. Lindberg, S, *Democracy and Elections in Africa*, (Baltimore: John Hopkins University Press, 2006), 1-227, <https://www.scirp.org/reference/referencespapers?referenceid=3099761>

were students and teachers. Many held Bachelor's, Master's, or PhD degrees. About 46 percent of respondents rated their knowledge of electoral justice at 5 out of 10 or higher.

For the stakeholder interviews, a purposive sampling method was used. This means informants were selected because they had direct knowledge or experience relevant to the study. A total of 35 stakeholders were interviewed. These included leaders and representatives from political parties such as UNIVERS, FDC, UDC, CPDM, and PADDEC. They also included a member of the Constitutional Council, the Registrar in Chief of the Constitutional Council, a legal research officer at the Constitutional Council, the Director of Legal Affairs at ELECAM, a legal research officer at MINAT, a senior analyst from the International Crisis Group, and several university law professors and practicing lawyers.

### **Data Collection Instruments**

Three main instruments were used to collect data.

The first instrument was an online survey questionnaire. This questionnaire was designed using Google Forms. It contained closed-ended questions that measured public perceptions on several dimensions. These dimensions included the Constitutional Council's independence, public trust in its decisions, transparency of its proceedings, effectiveness in resolving electoral conflicts, handling of electoral fraud and irregularities, fairness of its rulings, contribution to peace and political stability, and impact on public confidence in the electoral process. Respondents answered these questions using rating scales.

The second instrument was a semi-structured interview guide. This guide was used for one-on-one interviews with stakeholders. The guide contained open-ended questions that allowed informants to express detailed opinions. The questions covered themes such as the mastery of procedures for seizing the Constitutional Council, the Council's decisions in relation to law and evidence, satisfaction of petitioners with rulings, the Council's independence from political influence, impartiality of members, transparency of procedures and decisions, fairness and comprehensibility of electoral dispute laws, and the overall efficiency of the Council in resolving electoral disputes.

The third instrument was a focus group discussion guide. This was used for a focused group discussion with anonymous CPDM and MRC militants conducted via conference call in July 2025. The discussion explored perceptions of fairness and political pressure during the 2018 elections.

### **Data Collection Procedures**

Data collection took place between June and August 2025. The online survey was circulated in July 2025. The link to the Google Form was shared through social media platforms and email networks. Participants accessed

the survey voluntarily and submitted their responses online. The survey collected demographic information including age, gender, region of origin, profession, political affiliation, and academic qualification.

Interviews were conducted face-to-face in Yaoundé and Buea, and some were held via conference call. The interviews were conducted in English and French depending on the preference of the informant. Each interview lasted between 30 minutes and 2 hours. The researcher recorded detailed notes during and after each interview. Some interviews were conducted with key figures including Jean de Dieu Momo of PADDEC, Louis Gabriel Eyangoh of CPDM, Professor Gatsi Tazo, the Registrar in Chief of the Constitutional Council, Adamou Koupit of UDC, Barrister Mbufung of ELECAM, Barrister Fombad, Professor Nkou Mvondo of UNIVERS, Akere Muna of NOW Movement, Denis Emilien Atangana of FDC, Arrey Ntui of International Crisis Group, and several anonymous political actors including a member of the Constitutional Council.

### **Data analysis**

Quantitative data from the survey were analysed using descriptive statistics. The researcher calculated frequencies and percentages for each response category. These were then presented using tables and figures to show the distribution of public perceptions across each dimension measured.

Qualitative data from interviews and focus group discussions were analysed using thematic analysis. This means the researcher read through all interview notes and transcripts, identified recurring themes, and grouped responses under these themes. The main themes that emerged from the stakeholder interviews included mastery of procedures, decisions vis-a-vis law and evidence, satisfaction of petitioners, independence from political influence, impartiality of members, transparency, fairness of laws, and efficiency. The researcher compared responses from different categories of stakeholders to identify patterns of agreement and disagreement.

### **Validity and Reliability**

To ensure validity, the survey questions were designed based on principles commonly used in public discourse about the Constitutional Council, including rule of law, transparency, impartiality, independence, and integrity. The interview guide was reviewed to ensure it covered all relevant themes. To ensure reliability, the researcher used multiple sources of data including surveys, interviews, and focus group discussions. The researcher also triangulated findings by comparing public survey results with stakeholder interview responses to see if they converged or diverged on key issues.

**Table 1: Summary of methodology**

No	Technique	Aim / Goal	Target	Response / Accessed
1	Survey (close ended questionnaires)	To get public perception of the Constitutional Council	1000	219
2	Interviews / Focus Group Discussions (interview guides)	To gather perspectives on the Constitutional Council's effectiveness	45	38

Source, field work, August 2025

## **PUBLIC PERCEPTION OF THE CONSTITUTIONAL COUNCIL**

A survey involving cumulatively two hundred and nineteen (219) participants was conducted to understand how the public views the Constitutional Council as an electoral conflicts' adjudicator. Responses span across a diverse age group with mostly youths aged 20 – 35 making up a majority,<sup>23</sup> the exercise was mostly embraced by males,<sup>24</sup> reflecting female reticence in political matters. Individuals from the Northwest and Southwest regions account for over eighty percent (80%) of participants,<sup>25</sup> comprising mostly students and teachers<sup>26</sup> of an apolitical stance.<sup>27</sup> Finally, it is worth mentioning that a significant proportion of respondents are holders of a Bachelors, Masters and Ph.D. degrees,<sup>28</sup> thus demonstrating that they comprehended the objective of this exercise.

### **Demographic information**

The demographic information of survey participants is illustrated in the following graphics;

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<sup>23</sup> Use this link to see the age group of participants:

[https://docs.google.com/forms/d/12X04Xaj7EXNTEeMgoN7vjIYwjh238e5Vi6\\_xD5IoJD8/edit?pli=1#question=1615934455&field=571848168](https://docs.google.com/forms/d/12X04Xaj7EXNTEeMgoN7vjIYwjh238e5Vi6_xD5IoJD8/edit?pli=1#question=1615934455&field=571848168)

<sup>24</sup> Consult this link to view the gender ratio of participants,

[https://docs.google.com/forms/d/12X04Xaj7EXNTEeMgoN7vjIYwjh238e5Vi6\\_xD5IoJD8/edit?pli=1#question=437980316&field=420957636](https://docs.google.com/forms/d/12X04Xaj7EXNTEeMgoN7vjIYwjh238e5Vi6_xD5IoJD8/edit?pli=1#question=437980316&field=420957636)

<sup>25</sup> Consult this link for origin of participants:

[https://docs.google.com/forms/d/12X04Xaj7EXNTEeMgoN7vjIYwjh238e5Vi6\\_xD5IoJD8/edit?pli=1#question=1892876543&field=394771717](https://docs.google.com/forms/d/12X04Xaj7EXNTEeMgoN7vjIYwjh238e5Vi6_xD5IoJD8/edit?pli=1#question=1892876543&field=394771717)

<sup>26</sup> Consult this link for profession of participants:

[https://docs.google.com/forms/d/12X04Xaj7EXNTEeMgoN7vjIYwjh238e5Vi6\\_xD5IoJD8/edit?pli=1#question=1195308645&field=1837484426](https://docs.google.com/forms/d/12X04Xaj7EXNTEeMgoN7vjIYwjh238e5Vi6_xD5IoJD8/edit?pli=1#question=1195308645&field=1837484426)

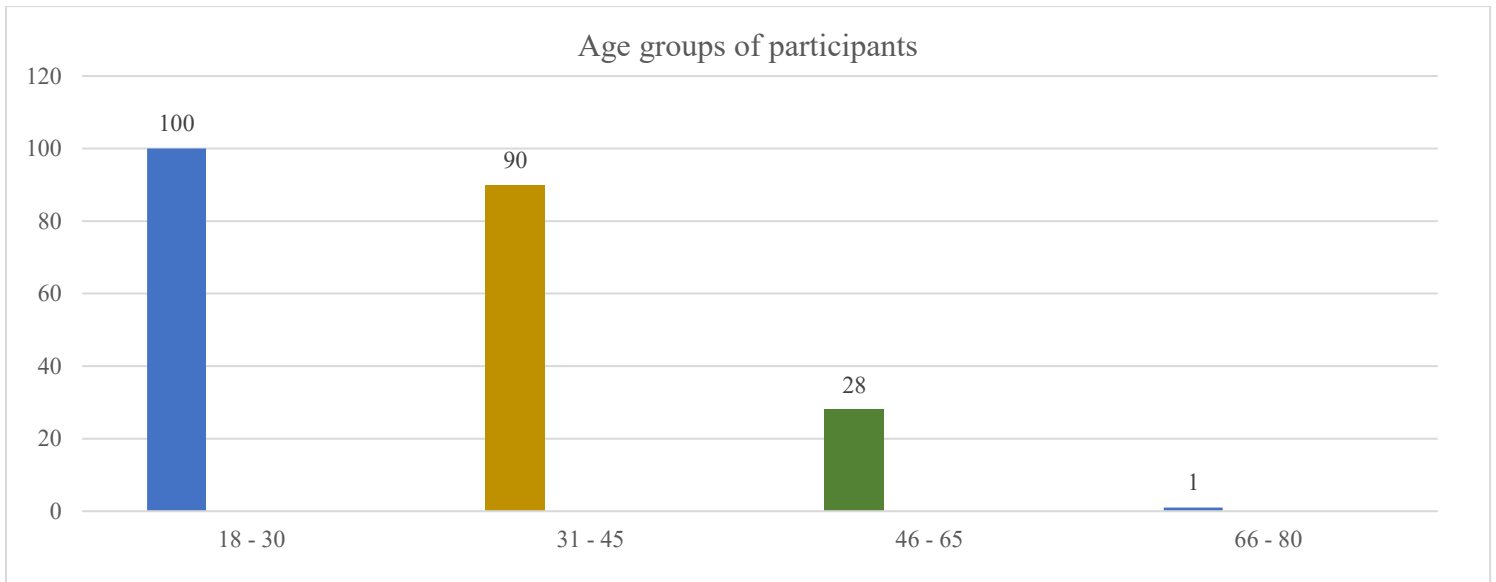
<sup>27</sup> Consult this link for political affiliation of participants:

[https://docs.google.com/forms/d/12X04Xaj7EXNTEeMgoN7vjIYwjh238e5Vi6\\_xD5IoJD8/edit?pli=1#question=1836627977&field=2130957626](https://docs.google.com/forms/d/12X04Xaj7EXNTEeMgoN7vjIYwjh238e5Vi6_xD5IoJD8/edit?pli=1#question=1836627977&field=2130957626)

<sup>28</sup> Open this link to see the academic qualification of participants:

[https://docs.google.com/forms/d/12X04Xaj7EXNTEeMgoN7vjIYwjh238e5Vi6\\_xD5IoJD8/edit?pli=1#question=703921616&field=1328595838](https://docs.google.com/forms/d/12X04Xaj7EXNTEeMgoN7vjIYwjh238e5Vi6_xD5IoJD8/edit?pli=1#question=703921616&field=1328595838)

**Figure 1: Participants' age group**



Source: Online survey, July 2025

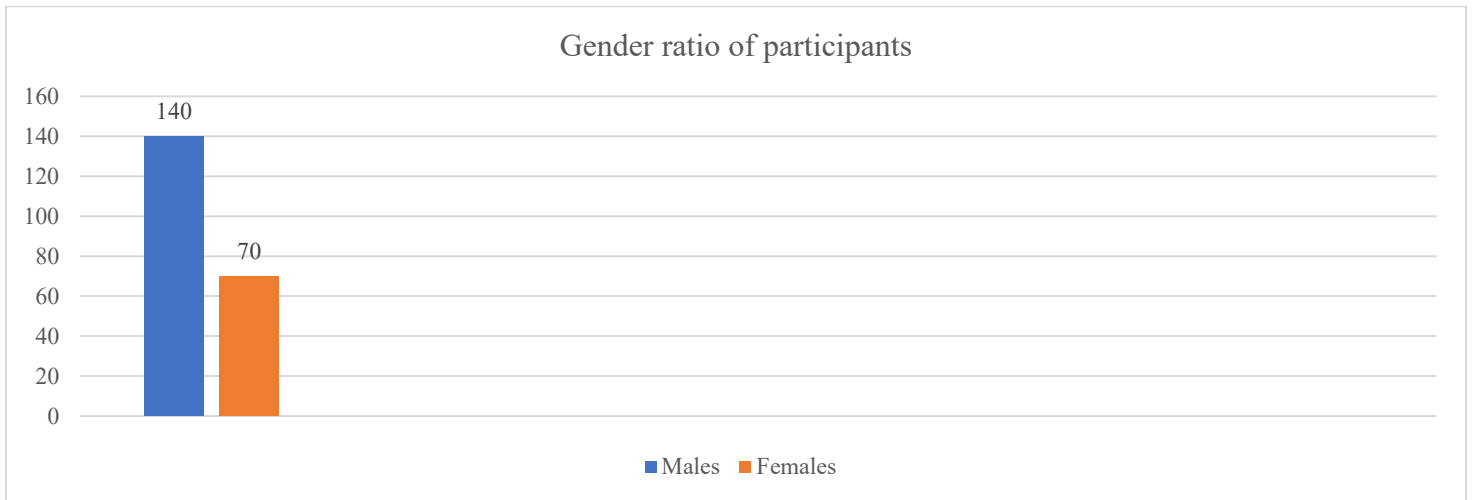
**Gender ratio**

Out of 210 participants who revealed their gender, 70 were females against 140 males.<sup>29</sup>

**Participants' region of origin**

The survey involved participants from all over the national territory, with a majority from the Northwest and Southwest regions as indicated from responses.<sup>30</sup>

**Figure 2: Gender ratio of participants**

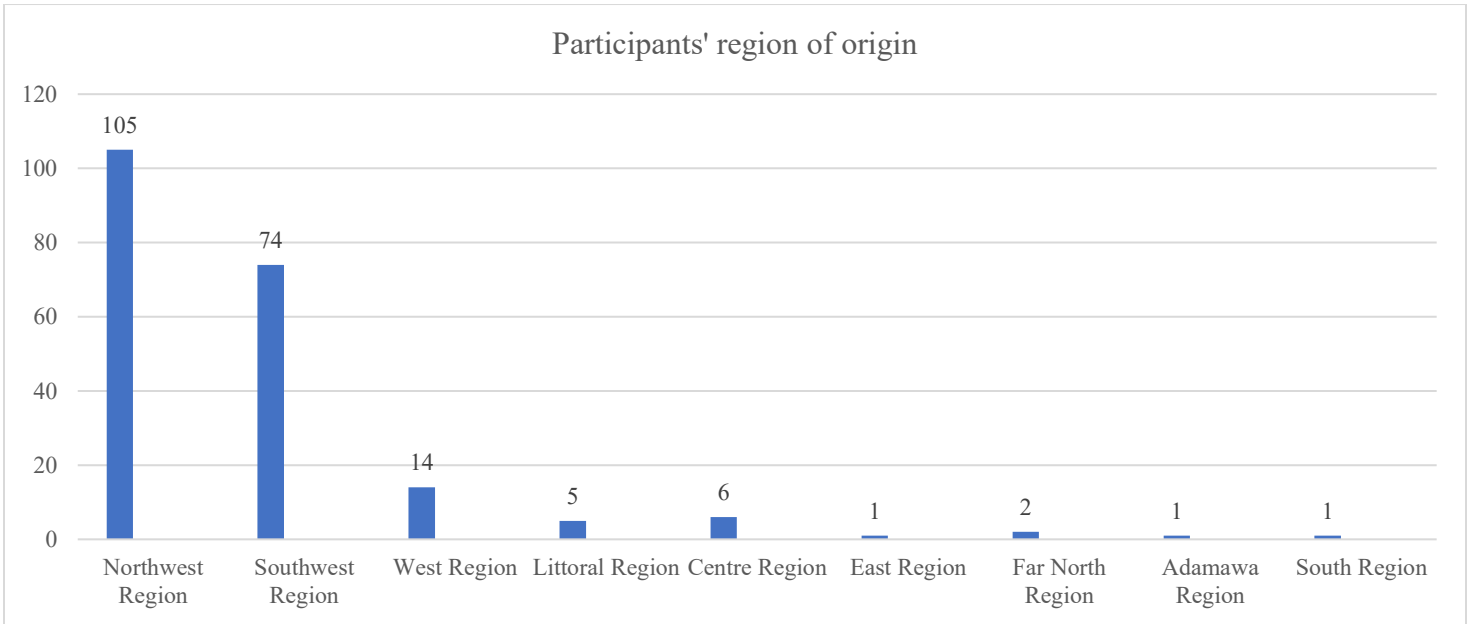


Source: online survey, July 2025

<sup>29</sup> Consult this link to view the gender ratio of participants:  
[https://docs.google.com/forms/d/12X04Xaj7EXNTEeMgoN7vjIYwjh238e5Vi6\\_xD5IoJD8/edit?pli=1#responses](https://docs.google.com/forms/d/12X04Xaj7EXNTEeMgoN7vjIYwjh238e5Vi6_xD5IoJD8/edit?pli=1#responses)

<sup>30</sup> The region of origins of all participants is explicitly detailed in this link:  
[https://docs.google.com/forms/d/12X04Xaj7EXNTEeMgoN7vjIYwjh238e5Vi6\\_xD5IoJD8/edit?pli=1#responses](https://docs.google.com/forms/d/12X04Xaj7EXNTEeMgoN7vjIYwjh238e5Vi6_xD5IoJD8/edit?pli=1#responses)

**Figure 3: Region of origin of participants**

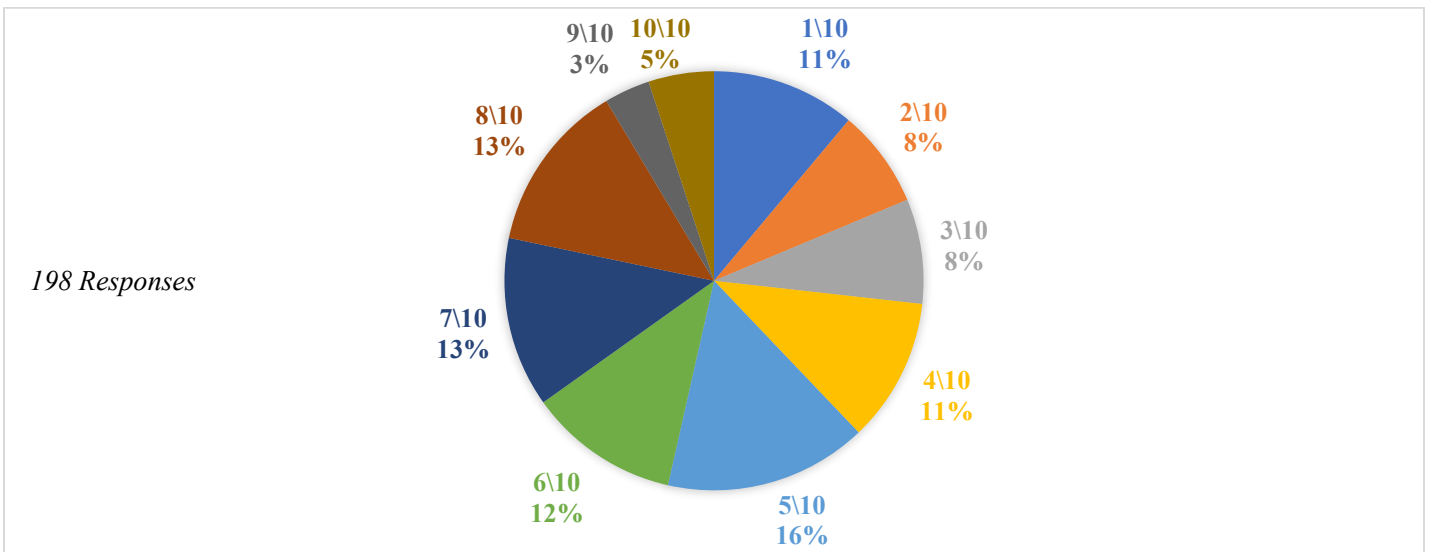


Source: Online survey, July 2025

**Participants' Knowledge of electoral justice**

Participants' knowledge of electoral justice was measured on a scale of 1 – 10, with over forty-six percent (46%) admitting to be considerably versed with the subject matter (5/10 and above).<sup>31</sup>

**Figure 4: Respondents knowledge of electoral justice**



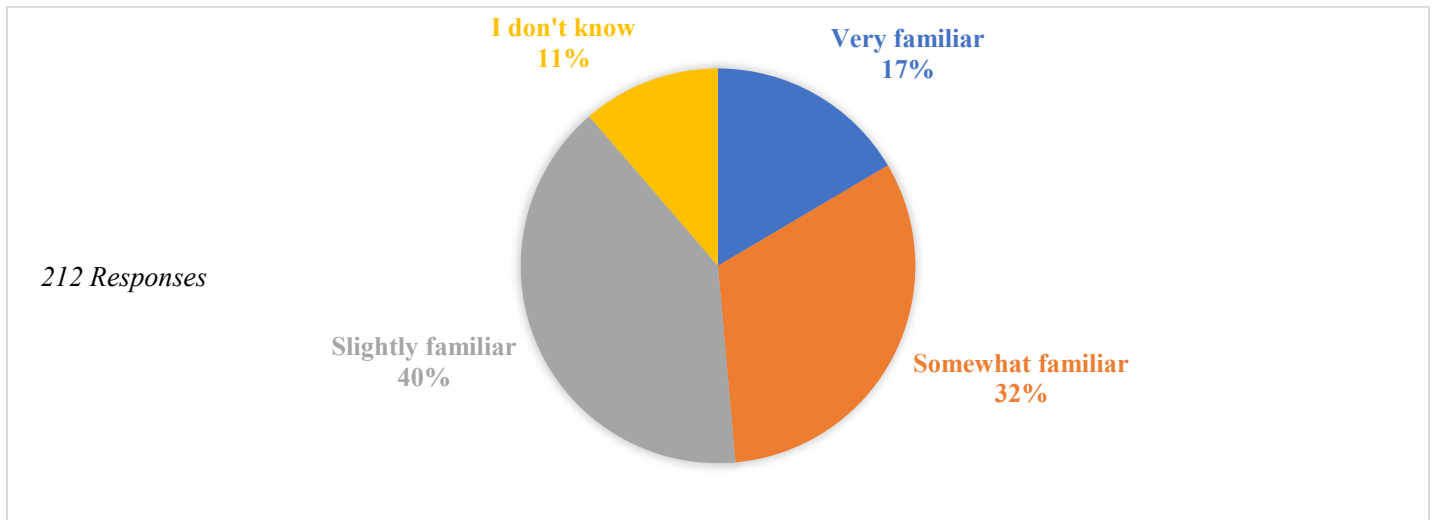
Source: online survey, July 2025

<sup>31</sup> Consult this link to access survey results on respondents knowledge level of electoral justice [https://docs.google.com/forms/d/12X04Xaj7EXNTEeMgoN7vjIYwjh238e5Vi6\\_xD5IoJD8/edit?pli=1#responses](https://docs.google.com/forms/d/12X04Xaj7EXNTEeMgoN7vjIYwjh238e5Vi6_xD5IoJD8/edit?pli=1#responses)

## Familiarity with the Constitutional Council's Duties

Out of 212 responses, majority admitted to have a fair (68) and limited (85) knowledge of the Council's roles and functions,<sup>32</sup> few master its roles (35) while a others have no idea what it stands for (24).

**Figure 5: Respondents' familiarity with the roles and functions of the Constitutional Council**

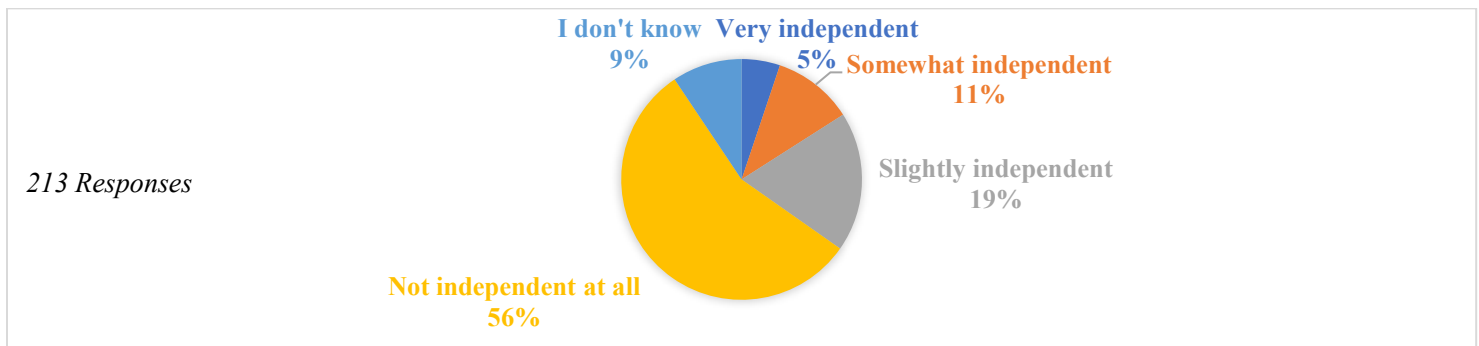


Source: Online survey, July 2025

## Perception on independence

Two hundred and thirteen (213) impressions were gathered on the Council's independence from political influence, registering negative feedback as 119 respondents think that this institution is not independent at all (complete interference from the executive), 40 consider it to be slightly independent (high rate of interference from the executive), 23 believe it is somewhat independent (limited interference from the executive), twenty (20) do not know about her independence status while 10 are of the impression that is completely free from executive influence.<sup>33</sup>

**Figure 6: Impressions on the Constitutional Council's independence**



Source: Online survey, July 2025

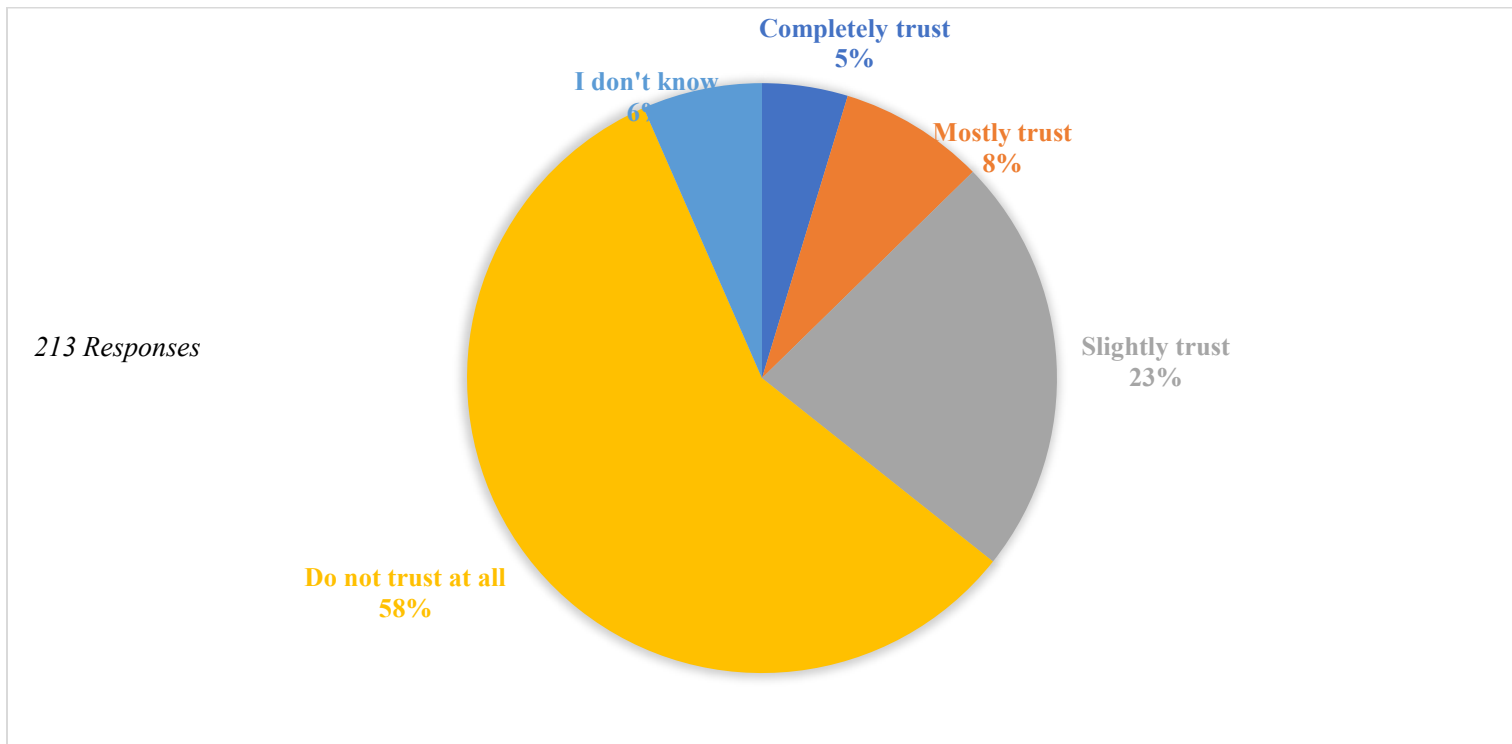
<sup>32</sup> Open this link to see how familiar respondents are with the Constitutional Council's roles and functions; [https://docs.google.com/forms/d/12X04Xaj7EXNTEeMgoN7vjIYwjh238e5Vi6\\_xD5IoJD8/edit?pli=1#responses](https://docs.google.com/forms/d/12X04Xaj7EXNTEeMgoN7vjIYwjh238e5Vi6_xD5IoJD8/edit?pli=1#responses)

<sup>33</sup> See responses on the Council's independence from political influence here; [https://docs.google.com/forms/d/12X04Xaj7EXNTEeMgoN7vjIYwjh238e5Vi6\\_xD5IoJD8/edit?pli=1#responses](https://docs.google.com/forms/d/12X04Xaj7EXNTEeMgoN7vjIYwjh238e5Vi6_xD5IoJD8/edit?pli=1#responses)

## Perception on Public trust

Out of 213 impressions gathered, 123 (58%) do not trust the decisions of the Constitutional Council, associating its lack of objectivity as a reason, on the other hand, 49 (23%) slightly trust her decisions, 17 (8%) often trust and 10 (5%) completely trust her decisions, meanwhile 14 (6.6%) have no knowledge on the subject matter.<sup>34</sup>

**Figure 7: Impressions on public trust in the Constitutional Council's decisions**



Source: Online survey, July 2025

## Perception on Transparency

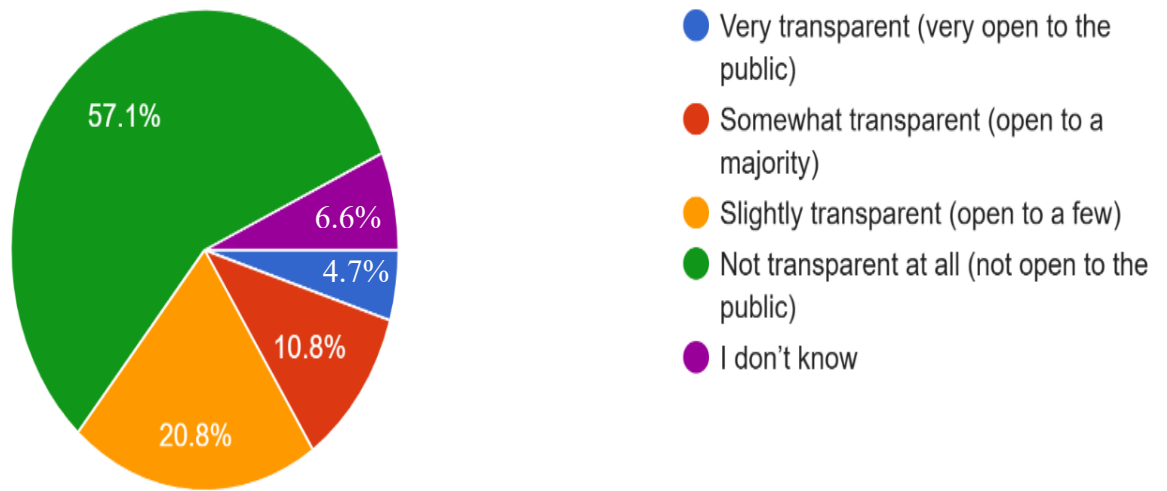
To understand what the public thinks of the Constitutional Council's transparency, a survey gathered two hundred and twelve (212) responses dwelling on the institution's accessibility to the public during hearings and decisions making processes. One hundred and twenty-one (121) were of the view that this institution is not transparent at all, forty-four (44) consider it to be slightly transparent, twenty-three (23) regard it as somewhat transparent, ten (10) perceive it as very transparent meanwhile fourteen (14) declared to not know.<sup>35</sup>

<sup>34</sup> Consult think link for impressions on public trust in the Constitutional Council's decisions; [https://docs.google.com/forms/d/12X04Xaj7EXNTEeMgoN7vjIYwjh238e5Vi6\\_xD5IoJD8/edit?pli=1#responses](https://docs.google.com/forms/d/12X04Xaj7EXNTEeMgoN7vjIYwjh238e5Vi6_xD5IoJD8/edit?pli=1#responses)

<sup>35</sup> Use this link to view public impression on transparency of the Constitutional Council's proceedings [https://docs.google.com/forms/d/12X04Xaj7EXNTEeMgoN7vjIYwjh238e5Vi6\\_xD5IoJD8/edit?pli=1#responses](https://docs.google.com/forms/d/12X04Xaj7EXNTEeMgoN7vjIYwjh238e5Vi6_xD5IoJD8/edit?pli=1#responses)

**Figure 8: Impressions on transparency**

212 responses

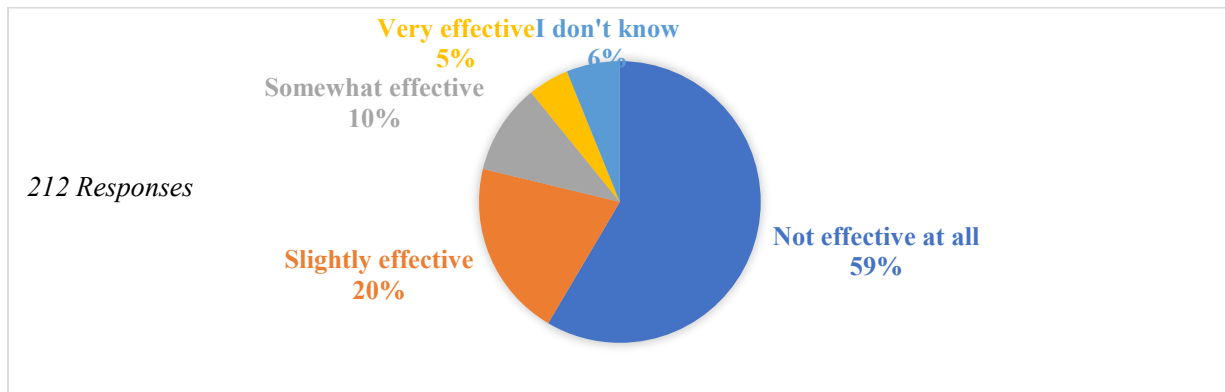


Source: Online survey, July 2025

**Perception on efficiency in resolving electoral conflicts**

A survey on public view on the Constitutional Council’s effectiveness in resolving electoral matters recorded 212 responses with the following results; 124 considering it to be completely ineffective, 43 think it is slightly effective, 22 see it as somewhat effective, 10 of the stances that it is very effective meanwhile 14 have no idea. These impressions are drawn using the level of contestation of the Council’s decisions as a measuring tool.<sup>36</sup>

**Figure 9: Impressions on the Council’s effectiveness in resolving electoral matters**



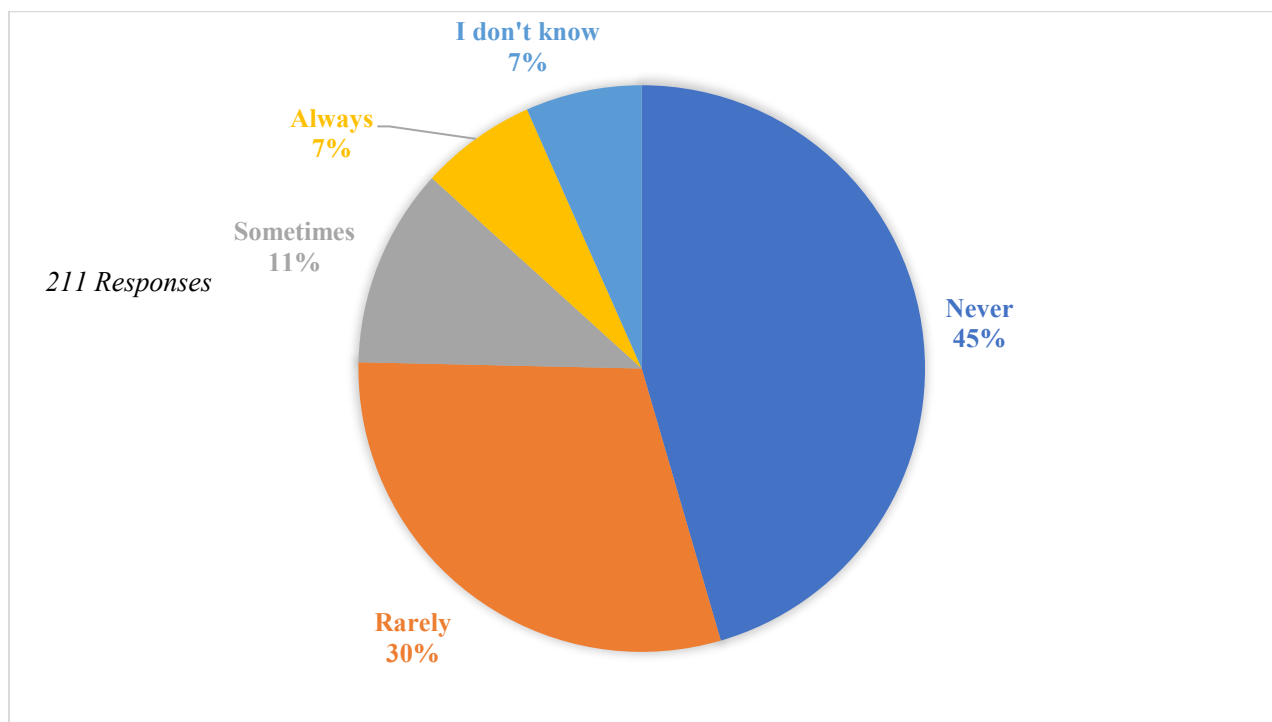
Source: Online survey, July 2025

<sup>36</sup> See impressions here; [https://docs.google.com/forms/d/12X04Xaj7EXNTEeMgoN7vjIYwjh238e5Vi6\\_xD5IoJD8/edit?pli=1#responses](https://docs.google.com/forms/d/12X04Xaj7EXNTEeMgoN7vjIYwjh238e5Vi6_xD5IoJD8/edit?pli=1#responses)

### Perception on electoral fraud and irregularities

The manner in which the Constitutional Council treats cases of electoral fraud and irregularities was equally a point of concern in this survey, the survey sought to sample impressions on whether she renders justice when faced with such cases. The results are as follows; 96 participants are convinced she has never rendered justice on cases of electoral fraud and irregularities, 63 believe justice is rarely observed, 24 consider justice to be sometimes (occasionally) rendered, 14 affirm that that justice is always upheld on cases of electoral fraud while 14 had no idea.<sup>37</sup>

**Figure 10: Impressions of participants on whether the CC renders justice on cases of electoral fraud and irregularities**



Source: Online survey, July 2025

### Perception on fairness of rulings

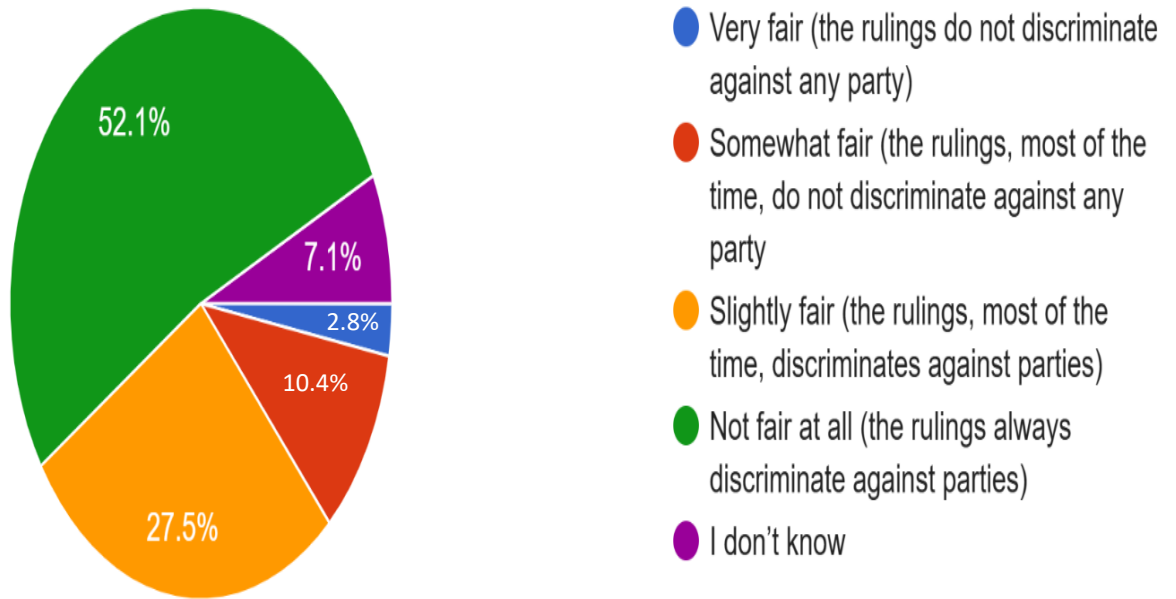
Thoughts on the Constitutional Council’s rulings on electoral cases received much attention with 211 participants offering diverse responses, 110 expressed that her rulings on electoral conflicts are not fair at all, 58 perceive it to be slightly fair, 22 think it is somewhat fair, 6 agree it is very fair meanwhile 15 lacked the ability to comment.<sup>38</sup>

<sup>37</sup> Use this link to access the online survey; [https://docs.google.com/forms/d/12X04Xaj7EXNTEeMgoN7vjIYwjh238e5Vi6\\_xD5IoJD8/edit#responses](https://docs.google.com/forms/d/12X04Xaj7EXNTEeMgoN7vjIYwjh238e5Vi6_xD5IoJD8/edit#responses)

<sup>38</sup> Consult this link to view responses on fairness of rulings: [https://docs.google.com/forms/d/12X04Xaj7EXNTEeMgoN7vjIYwjh238e5Vi6\\_xD5IoJD8/edit?pli=1#responses](https://docs.google.com/forms/d/12X04Xaj7EXNTEeMgoN7vjIYwjh238e5Vi6_xD5IoJD8/edit?pli=1#responses)

**Figure 11: Impressions on fairness of rulings**

211 responses



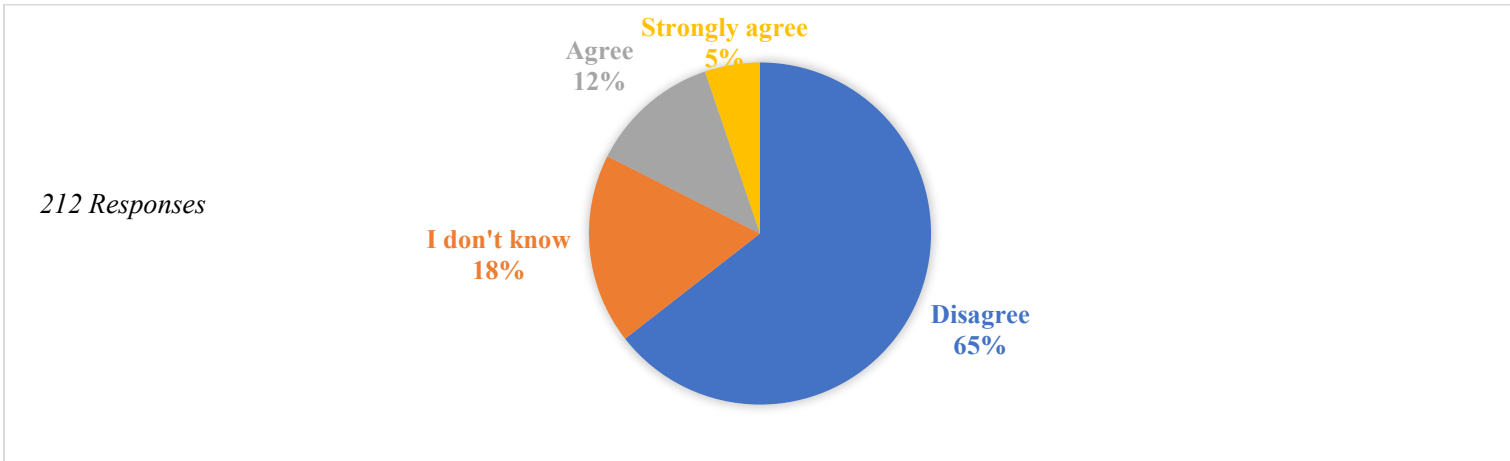
Source: Online survey, July 2025

### **Perception on impact on peace and political stability**

Participants were asked if the Constitutional Council's decisions contribute to the peaceful resolution of electoral conflicts and political stability in Cameroon, out of 212, an overwhelming majority (136) disagreed with this possibility, aligning with the stance that her decisions do not always terminate electoral disputes, thus have a negative bearing on peace and political stability. On the other hand, 38 chose neutrality, opting to be blank on the subject matter, meanwhile 27 agree with the fact that her decisions, most of the time, terminate disputes, thus contributing to peace and political stability, finally, 11 participants strongly agree with the point that the Constitutional Council's decisions "always" eradicate electoral disputes.<sup>39</sup>

<sup>39</sup> See full responses on perceptions on contribution to peace and political stability; [https://docs.google.com/forms/d/12X04Xaj7EXNTEeMgoN7vjIYwjh238e5Vi6\\_xD5IoJD8/edit?pli=1#responses](https://docs.google.com/forms/d/12X04Xaj7EXNTEeMgoN7vjIYwjh238e5Vi6_xD5IoJD8/edit?pli=1#responses)

**Figure 12: Impressions on whether rulings contribute to peace and political stability**

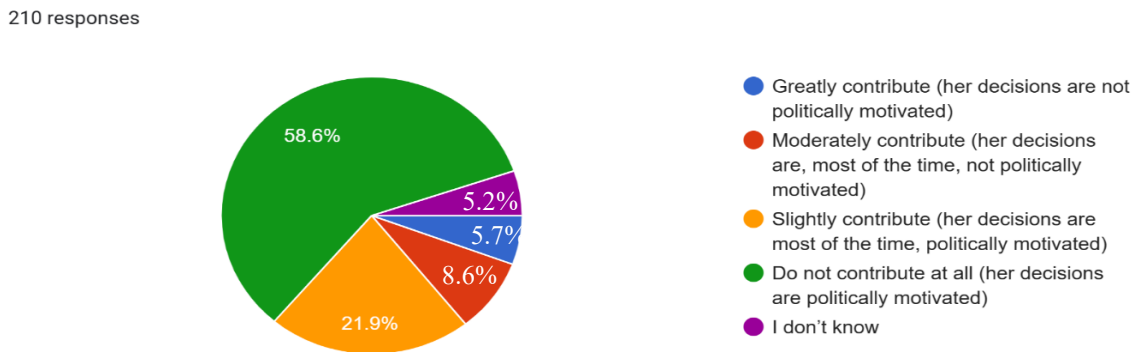


Source: Online survey, July 2025

### Perception on public confidence in the electoral process

Opinions were sought to understand if the Constitutional Council's decisions contribute to public confidence in the electoral process. The extent of political motivations of her rulings was used as a metric, this exercise registered negative feedback as majority of participants (123) believe the CC's decisions negatively impact public confidence in the electoral process, assuming that these decisions are politically motivated, also, 46 consider her rulings to slightly contribute to public trust in the electoral process, 18 think it moderately contributes, 12 are of the stance that it greatly contributes to public confidence meanwhile 11 do not know the impact of these decisions on public confidence.<sup>40</sup>

**Figure 13: Impressions on the contribution of the CC's rulings on public confidence in the electoral process**



Source: Online survey, July 2025

<sup>40</sup> Consult this link to view impressions on the contribution of the CC's decisions on public confidence in the electoral process; [https://docs.google.com/forms/d/12X04Xaj7EXNTEeMgoN7vjIYwjh238e5Vi6\\_xD5IoJD8/edit?pli=1#responses](https://docs.google.com/forms/d/12X04Xaj7EXNTEeMgoN7vjIYwjh238e5Vi6_xD5IoJD8/edit?pli=1#responses)

## PERSPECTIVE OF STAKEHOLDERS

After sampling public opinion, perspectives of stakeholders such as political parties (UNIVERS, FDC, UDC, CPDM, PADDEC), the Constitutional Council, ELECAM, Ministry of Territorial Administration (MINAT) and civil society (International Crisis Group, Lawyers, University Law Professors) was consulted for insights. Their opinions were solicited through focused group discussions and semi-structured interviews, with responses leaning in favour and against the Constitutional as an effective electoral judge. Reactions varied and were rooted in legal principles and personal experiences.

### **On the mastery of procedures involved in seizing the Constitutional Council**

According to Jean de Dieu Momo<sup>41</sup> and Barrister Louis Gabriel Eyangoh,<sup>42</sup> political parties do not master procedures involved in seizing the Constitutional Council on electoral matters, which accounts for repeated failure before the jurisdiction, they assert that most petitions, especially of the opposition class, comprise content unrelated to their cases. A Councillor and Legal Research Officer at the Constitutional Council add that a handful of political parties do not know how to draft electoral petitions,<sup>43</sup> often ignoring minute details such as failing to sign<sup>44</sup> their petitions and at times submitting after deadlines prescribed by the electoral code. Professor Gatsi Tazo supports this stance by admitting that these procedures involve technical issues which political parties do not master, partly accounting for decisions of inadmissibility and rejection of their petitions, he however opts for an accompaniment by legal experts in such endeavours.<sup>45</sup>

The Registrar in Chief of the Constitutional Council opines that unlike older parties (SDF, CPDM, UNDP, UDC) whose experience in national electoral litigations dates back to 1996 (when the supreme court sieged as the Constitutional Council), parties created after 2015 face challenges in drafting electoral petitions, the faulty manner in which their legal counsels constitute their case files corroborates this position, he says.<sup>46</sup> This opinion is compounded by proponents like Adamou Koupit,<sup>47</sup> and Barrister Mbufung<sup>48</sup> who believe that leaders of new political parties lack electoral litigative knowledge due to their professions, and limited courtroom experiences, they further advocate for trainings to be organised by the Constitutional Council to empower political actors in electoral litigations.<sup>49</sup>

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<sup>41</sup> Interview with Jean de Dieu Momo, leader of PADDEC, Yaoundé, July, 2025.

<sup>42</sup> Interview with Louis Gabriel Eyangoh, CPDM's lead Counsel, Yaoundé, June 2025

<sup>43</sup> Interview with Anya Vincent Nkene, Research Officer at the Constitutional Council, PhD Research fellow in Constitutional Law, Yaoundé, June 2025

<sup>44</sup> Interview with a Member (anonymous) of the Constitutional Council, Yaoundé, June 2025

<sup>45</sup> Interview with Professor Gatsi Tazo, Public Law Specialist, Yaoundé, August 2025.

<sup>46</sup> Interview with the Registrar-In-Chief of the Constitutional Council, Yaoundé, August 2025.

<sup>47</sup> Interview with Adamou Koupit, UDC Parliamentarian, Yaoundé, August 2025

<sup>48</sup> Interview with Barrister Mbufung, Director of the Legal Affairs Division – ELECAM, Yaoundé, June 2025.

<sup>49</sup> Interview with Barrister Fombad, Legal Consultant to CRTV and Adviser to SDF's Counsel during 2020 legislative litigations, Yaoundé, July 2025.

However, Professor Nkou Mvondo is convinced that political parties, except adventurers who bring matters before the Council for media attention<sup>50</sup> are accompanied by lawyers who have a mastery of procedures involved in seizing the Council. A perspective equally shared by Barrister Akere Muna, who further accuses the electoral code for being nuanced.<sup>51</sup> “Serious parties know how to seize the Constitutional Council” Denis Emilien Atanga of *Front des Démocrates Camerounais* (FDC) asserts, linking ignorance in seizing the Constitutional Council to “unserious parties”.<sup>52</sup>

### **On decisions of the Constitutional Council vis-a-vis the law and evidence**

The Constitutional Council, according to its Registrar in Chief and a Member, is an institution that strictly obeys the rule of law. When it has a petition before it, the Council does not only share evidences with concerned parties, but equally does an in-depth analysis of this evidence by way of deliberation,<sup>53</sup> turning to legal instruments like the electoral code, the Constitution, and its organic texts.<sup>54</sup> Thus, the decisions of the Council are always founded on the law, just like those from any court of law. However, an informant questioned whether some of the Council's decisions are legally motivated based on the political track record of some of its Members, although no instances were specified to substantiate such a statement.<sup>55</sup>

A respondent posits that a portion of the Constitutional Council's rulings appear to circumvent the law along with evidences in the interest of preserving peace.<sup>56</sup> For instance, a petition in 2023 by the CPDM to nullify the candidacy of a UNDP senatorial candidate on the basis of dual identity was rejected by the Council, despite good evidence having been raised. The respondent believes that this decision was motivated by the desire to avoid the gossip of a concerted effort to sideline the UNDP in its Adamawa fief. Similarly, a complaint filed by the CPDM against the UDC alleging the electoral victory of the latter in the Noun constituency on the grounds of voter intimidation using force was dismissed by the Council despite substantial evidence presented.<sup>57</sup> It is inconsistent for this respondent that the Council rejected such petitions while approving the petition of the SDF to disqualify Herve Emmanuel Kom's candidacy in 2020 on grounds of dual nationality.<sup>58</sup>

Conversely, Crisis Group's Arrey Ntui argues that one cannot really tell whether most of the Constitutional Council's decisions are established on facts. According to him, the Council is structurally disadvantaged in such

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<sup>50</sup> Interview with Professor Nkou Mvondo, Leader of UNIVERS, Yaoundé, August 2025.

<sup>51</sup> Interview with Akere Muna, Leader of Now Movement & presidential flag bearer of UNIVERS, Yaoundé, July 2025

<sup>52</sup> Interview with Denis Emilien Atangana, Leader of Front des Démocrates Camerounais (FDC), Yaoundé, July 2025

<sup>53</sup> Interview with a Member of the Constitutional Council (anonymous), Yaoundé, June 2025

<sup>54</sup> Interview with the Registrar in Chief of the Constitutional Council, Yaoundé, August 2025.

<sup>55</sup> Interview with Professor Gatsi Tazo, Public Law Specialist, Yaoundé, August 2025.

<sup>56</sup> Interview with a CPDM Senator (anonymous), Yaoundé, August 2025.

<sup>57</sup> *Ibid*

<sup>58</sup> Manfred Essome, “Contentieux préélectoral : Hervé Emmanuel Nkom, irrecevable”, *Villes et Communes* (December 2019), available online at <https://www.villesetcommunes.info/actu/contentieux-preelectoral-herve-emmanuel-nkom-irrecevable/>, accessed August 23, 2025 at 9 :52 am

a way because it does not go to voting sites and thus cannot verify the credibility of petitions that emanate from polling stations thousands of kilometres away from Yaoundé. In that case, he further asserts that the electoral code fails to provide an adequate timeline for the Council to study the evidence brought before it.<sup>59</sup>

Nkou Mvondo similarly indicates that the fifteen (15) day time limit provided to sift evidence submitted from over thirty thousand (30,000) polling stations nationwide in presidential elections is insufficient. This, in his view, puts the impartiality of the Council into question when deciding such matters. He also indicates that some Members of the Constitutional Council do not have a legal background, something that hampers their ability to scrutinize petitions objectively from a purely legal perspective, thereby influencing the nature of the rulings issued.<sup>60</sup>

Denis Emilien Atangana of the *Front des Démocrates Camerounais* (FDC) reveals that evidence brought to the Constitutional Council relating to allegations of fraud are legally relevant only if signed by a Bailiff. He points out that this is a significant challenge, as bailiffs are legally prohibited from working on “Sundays”,<sup>61</sup> which coincidentally is the day when elections are traditionally held.<sup>62</sup> To curb this limitation, Denis Emilien suggests special decrees should permit bailiffs to work on election days so as to render legally valid, evidences filed by political parties.<sup>63</sup>

### **On satisfaction of petitioners with the rulings of the Constitutional Council**

Electoral disputes are inherently adversarial,<sup>64</sup> meaning that a ruling in favour of one party is necessarily unfavourable to the opposing party.<sup>65</sup> This results in one party being satisfied while the other remains dissatisfied.<sup>66</sup> The Constitutional Council acknowledges this dynamic, noting that it is challenging to achieve a

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<sup>59</sup> Interview with Arrey Ntui, Senior Analyst for Cameroon with International Crisis Group, Buea, July 2025.

<sup>60</sup> Interview with Prosper Nkou Mvondo, Leader of UNIVERS party and law professor, Yaoundé, August 2025

<sup>61</sup> The civil procedure code and labour code of 1992 established Sundays as non-working days, thus prohibiting professionals from discharging their duties on these days

<sup>62</sup> Decree convening the electorate to elect the president of the republic on a Sunday,

<https://www.prc.cm/en/multimedia/documents/6600-decree-no-2018-391-of-09-07-2018-convening-the-electorate>

Decree convening the electorate to elect members of parliament on a Sunday,

<https://www.prc.cm/files/64/2b/60/2e41893f3db1b0b73f1d69e36d71c3cf.pdf>

Decree convening the electorate of some constituencies in the NW and SW to elect members of parliament, on a Sunday,

<https://www.prc.cm/en/news/the-acts/decrees/4142-decree-n-2020-120-of-06-march-2020-to-convene-the-electorate-of-some-electoral-constituencies-to-elect-members-of-parliament>

Decree convening the electoral colleges for the election of Senators on a Sunday, <https://www.prc.cm/en/news/the-acts/decrees/6280-decree-no-2023-023-of-13-january-2023-to-convene-the-electoral-colleges-for-the-election-of-senators>

<sup>63</sup> Interview with Denis Emilien Atangana, President of Front des Démocrates Camerounais (FDC), Yaoundé, July 2025.

<sup>64</sup> Interview with Anya Nkene, Research Officer at the Constitutional Council, PhD Research fellow in Constitutional Law, Yaoundé, June 2025.

<sup>65</sup> Interview with a Member of the Constitutional Council (anonymous), Yaoundé, June 2025

<sup>66</sup> Interview with the Registrar in Chief of the Constitutional Council, Yaoundé, August 2025

harmonised satisfaction rate with its rulings, this is left to the discretion of petitioners. Litigants are likely to express dissatisfaction if a ruling does not favour them, as one informant observed.<sup>67</sup>

However, some informants argue that there is a high rate of dissatisfaction with the Council's rulings, as evidenced by public debates,<sup>68</sup> riots (such as those led by the MRC in 2018),<sup>69</sup> and a legal suit filed by the same party in the African Human Rights Court.<sup>70</sup> This dissatisfaction arises because the rulings often fall short of expectations, leading to a sense of denied justice. One respondent attribute this to the law itself, rather than the Constitutional Council, saying that the law is biased and the Constitutional Council is merely an executioner.<sup>71</sup>

The decisions of the Constitutional Council are legally binding and cannot be appealed in any court of law.<sup>72</sup> As a result, it is difficult to identify dissatisfied petitioners through legal channels, as noted by one respondent. In contrast, in civil courts, where judgments can be appealed, dissatisfied petitioners are more easily identified through the number of appeals filed.<sup>73</sup>

Arrey Ntui of the International Crisis Group points out that there is significant dissatisfaction among opposition parties with the rulings of the Constitutional Council, citing the 2018 presidential election as an example where all petitions against the ruling party were unfavourably decided. This dissatisfaction is compounded by the fact that the Constitutional Council also chairs the national vote-counting commission, making it difficult to rule against its own results.<sup>74</sup> One respondent emphasized that no petitioner who loses a case will be satisfied, and that at the level of the Constitutional Council, justice cannot be said to be fully achieved. This sentiment is further fuelled by controversies surrounding some of the Council's stances, such as its refusal to adjudicate internal affairs of political parties, despite its role as an electoral judge.<sup>75</sup>

### **On the Constitutional Council's independence from political influence**

When members of the Constitutional Council are sworn in, they formally distance themselves from any political party. Their neutrality is mandated by the law that governs membership of the Constitutional Council.<sup>76</sup> They are also guided by the principle of impartiality. Although appointed by the President of the Republic, they are required

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<sup>67</sup> Interview with Jean de Dieu Momo, Leader of PADDEC, Yaoundé, July 2025

<sup>68</sup> Interview with Professor Gatsi Tazo, Public Law Specialist, Yaoundé, August 2025.

<sup>69</sup> Interview with Prosper Nkou Mvondo, President of UNIVERS, Law Professor, Yaoundé, August 2025

<sup>70</sup> NewsDay Cameroon, "Banjul Court to try Cameroon, after African Rights Commission validates KAMTO's petition", available online at <https://newsdaycameroon.wordpress.com/2019/05/29/banjul-court-to-try-cameroon-after-african-rights-commission-validates-kamtos-petition/>, accessed July 28, 2025 at 11:55 am

<sup>71</sup> Interview with Barrister Fombad, CRTV Legal Consultant, Yaoundé, August 2025

<sup>72</sup> Interview with Barrister Mbufung, Director of Legal Affairs – ELECAM, Yaoundé, June 2025

<sup>73</sup> Interview with Barrister Louis Gabriel Eyangoh, CPDM's Lead Counsel, Yaoundé, June 2025

<sup>74</sup> Interview with Arrey Ntui, Senior Analyst for Cameroon, International Crisis Group, Buea, July 2025

<sup>75</sup> Interview with Barrister Akere Muna, Presidential candidate of UNIVERS, President of NOW Movement, Yaoundé, August 2025

<sup>76</sup> Section 5 of Law No. 2004/005 of 21 April 2004 to lay down the rules and regulations governing membership of the Constitutional Council

to be apolitical and perform their duties without bias, according to a member of the Constitutional Council.<sup>77</sup> The Registrar in Chief supports this view, stating that the Constitutional Council and its decisions are guided by the law.<sup>78</sup> This opinion is also shared by a legal research officer at the Ministry of Territorial Administration<sup>79</sup> and another informant from ELECAM.<sup>80</sup>

Another informant notes that the Constitutional Council is modelled after the French system of constitutional justice. In this system, members are appointed by the President of the Republic, the House of Assembly, and the Senate, yet they enjoy full autonomy.<sup>81</sup> According to one informant, the perception of political influence is widespread among the population, but it is difficult to substantiate. This perception is influenced by the large number of unfavourable rulings against petitioners and the fact that all members are appointed by the President of the Republic, unlike in France.<sup>82</sup> On the other hand, an informant highlights a glaring provision of political influence in Article 49 of the 1996 Constitution,<sup>83</sup> which gives the head of state, the ability to reduce the time-limit for rulings on petitions from “15 days to 8 days”.<sup>84</sup> This, as per the informant, is executive interference in the affairs of a Judicial organ.

Some informants dispute the possibility of an independent Constitutional Council. They cite undisclosed sources that reveal coordination between the Council, the Presidency, and ELECAM during electoral disputes, to influence the outcome of decisions.<sup>85</sup> They also argue that reducing the members' term from a 9-year non-renewable term to a 6-year renewable term compromises their independence, as they may feel pressured to be loyal to the incumbent to secure a renewal of their term.<sup>86</sup> One informant also mentions that the spouse of the President of the Constitutional Council is a prominent member of the ruling party and a member of the House of Assembly, which could potentially influence decisions involving the ruling party.<sup>87</sup> However, another informant counters this by stating that decisions of the Constitutional Council are made through voting, and one member cannot influence a majority decision.<sup>88</sup>

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<sup>77</sup> Interview with a Member of the Constitutional Council (anonymous), Yaoundé, June 2025.

<sup>78</sup> Interview with Registrar in Chief of the Constitutional Council, Yaoundé, August 2025.

<sup>79</sup> Interview with a legal research officer at the Ministry of Territorial Administration (MINAT), Yaounde, August 2025.

<sup>80</sup> Interview with a Legal Research Officer at ELECAM's Legal Affairs Division, Yaoundé, June 2025.

<sup>81</sup> Interview with Barrister Louis Eyangoh Gabriel, CPDM's lead Counsel, Yaoundé, July 2025.

<sup>82</sup> Interview with Professor Gatsi Tazoh, Public Law Specialist, Yaoundé, August 2025.

<sup>83</sup> Interview with Barrister Akere Tabeng Muna, Leader of NOW Movement and presidential candidate of UNIVERS, Yaoundé, August 2025.

<sup>84</sup> Article 49 of the 1996 Constitution, revised in 2008 states that, “in any case, the Constitutional Council shall give ruling within a period of 15 (fifteen) days once a matter has been referred to it, however, at the request of the President of the Republic, such time-limit may be reduced to 8 (eight) days”, available online at [https://www.constituteproject.org/constitution/Cameroon\\_2008](https://www.constituteproject.org/constitution/Cameroon_2008), accessed August 2025 at 11:44 am

<sup>85</sup> Interview with Prosper Nkou Mvondo, University Law Professor and Leader of UNIVERS Party, Yaoundé, August 2025.

<sup>86</sup> Interview with Honourable Adamou Koupit, UDC Parliamentarian, Yaoundé, August 2025

<sup>87</sup> Interview with Prosper Nkou Mvondo, University Law Professor and Leader of UNIVERS Party, Yaoundé, August 2025.

<sup>88</sup> Interview with Barrister Louis Eyangoh Gabriel, CPDM's lead Counsel, Yaoundé, July 2025.

One informant believes that the Constitutional Council lacks financial autonomy because its budget is controlled by the Ministry of Finance, which makes it liable to toe a line set by the executive. For full financial autonomy, the Council should be able to elaborate and defend its budget in the House of Assembly. This informant also advocates for a more transparent appointment process, arguing that the current system is too reliant on the discretion of the President of the Republic, who alone designates five members solely based on his role as head of state and head of the higher judicial council.<sup>89</sup>

### **On impartiality of Members of the Constitutional Council**

Impartiality of Constitutional Council Members has been a subject of debate in the public space, attracting interest from several observers. This study reached out to stakeholders to understand their perspective on this issue. Starting with our anonymous informant who serves as a Member of the Constitutional Council, he posits that the impartiality of Members is non-negotiable, basing his arguments on the fact that every petition submitted to them is deliberated upon by all 11 Members, with decisions arrived at via a consensus, thus, he thinks it is very challenging for a partial member to corrupt a group.<sup>90</sup> The Registrar in Chief of the Constitutional Council and Professor Tazo Gatsi reiterate that the impartiality of Members is reflected in the oath that they take prior to assuming their function<sup>91</sup> and the prohibition to belong to a political party.<sup>92</sup> This impartiality is endured by their protection since they are covered by immunity for their actions, an informant adds,<sup>93</sup> it is also consolidated through her decisions, which have been unfavourable at some point to all petitioners and deeply grounded in law, another informant specifies.<sup>94</sup> “All along my appearance before them,<sup>94</sup> they have never given any decision without the respect of the law of Conscience”, an informant asserts.<sup>95</sup>

Despite the legal enforcements of impartiality of Members of the Constitutional Council, some informants have highlighted instances that question the arguments above. According to Honourable Adamou Koupit, the fact that some Councillors are former members of the ruling party and government, poses a problem,<sup>96</sup> he questions their objectivity in handling matters that have to do with the interest of their former parties, “elements of impartiality are lacking due to the background of some members”, Arrey Ntui adds.<sup>97</sup> Adamou Koupit also asserts that their impartiality was confiscated in 2008 with a constitutional amendment which made their mandate renewable,

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<sup>89</sup> Interview with Barrister Akere Muna, Leader of NOW Movement and presidential candidate of UNIVERS, Yaoundé, August 2025.

<sup>90</sup> Interview with a Member of the Constitutional Council, Yaoundé, June 2025.

<sup>91</sup> Interview with Registrar in Chief of the Constitutional Council, Yaoundé, August 2025.

<sup>92</sup> Interview with Professor Gatsi Tazoh, Public Law Specialist, Yaoundé, August 2025.

<sup>93</sup> Interview with Anya Nkene, Research Officer at the Constitutional Council, PhD Research fellow in Constitutional Law, Yaoundé, June 2025.

<sup>94</sup> Interview with a legal research officer at the Ministry of Territorial Administration (MINAT), Yaoundé, August 2025

<sup>95</sup> Interview with Barrister Mbufung, Head of Legal Affairs Division – ELECAM, Yaoundé, June 2025.

<sup>96</sup> Interview with Honourable Adamou Koupit, UDC Parliamentarian, Yaoundé, August 2025

<sup>97</sup> Interview with Arrey Ntui, Senior Conflict Analyst for Cameroon at International Crisis Group, Yaoundé, July 2025.

turning them into aspirants of either a mandate renewal, or promotion to other duties.<sup>98</sup> According to another informant, these Members are bound to pay allegiance to their appointer who is himself at the helm of a political party that participates in elections,<sup>99</sup> a stance supported by the fact that the Constitutional Council has never ruled against the interest of the ruling party, as an informant upholds.<sup>100</sup>

Professor Prosper Nkou Mvondo, to demonstrate this impartiality, made reference to the fact that a former Member of the Constitutional Council (late Councillor Emmanuel Bonde), was still listed as a Member of the ruling party's political bureau,<sup>101</sup> and also pointed out that one served as Head of the Conciliation and Arbitration Chamber of the National Olympics Committee (late Councillor Joseph Marie Bipoun Woum),<sup>102</sup> a duty incompatible with his status, he points out.<sup>103</sup>

Drawing on the 2018 elections, a respondent observes that it is difficult to determine whether the Constitutional Council operates fairly. This may be because personal interests can overshadow objectivity.<sup>104</sup> The respondent disclosed that some Council members requested the ruling party's high-ranking officials to allow them to perform their duties impartially, but were denied due to the high stakes involved.<sup>105</sup> For example, in Mayo Sava, the home constituency of President of the National Assembly, the Council faced significant challenges in ruling objectively on electoral irregularities due to political pressure.<sup>106</sup> Similar situations occurred in other constituencies associated with key regime figures. Given these circumstances, the respondent asserts that the impartiality of Constitutional Council members has been compromised.<sup>107</sup>

An informant counters the aforementioned arguments by asserting that the Constitutional Council has, on several occasions, rendered decisions unfavourable to the ruling party,<sup>108</sup> he cites the case of SDF vs CPDM during 2020 legislative elections, which saw the Constitutional Council dismiss CPDM's candidate, Herve Emmanuel Kom's candidacy for dual nationality, in favour of Jean Michel Nintcheau of the SDF,<sup>109</sup> another example used by this

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<sup>98</sup> Interview with Honourable Adamou Koupit, UDC Parliamentarian, Yaoundé, August 2025

<sup>99</sup> Interview with Barrister Mujme Fombad, Legal Consultant to CRTV and Adviser to SDF's Counsel during 2020 legislative litigations, Yaoundé, July 2025.

<sup>100</sup> Interview with Barrister Akere Muna, Leader of NOW Movement and presidential candidate of UNIVERS, Yaoundé, August 2025.

<sup>101</sup> Consult this page to view members of the ruling party's political bureau, <https://www.rdpcpdm.cm/le-bureau-politique-2/>, accessed on August 24, 2025 at 9:57 pm

<sup>102</sup> Nathan Ndoumbe, "Cameroun – Comité national olympique : Pr. Joseph Marie Bipoun Woum prend les commandes de la Chambre de conciliation et d'arbitrage (CCA) », Actu Cameroun (January 2018), available online at <https://actucameroun.com/2018/01/20/cameroun-comite-national-olympique-pr-joseph-marie-bipoun-woum-prend-commandes-de-chambre-de-conciliation-darbitrage-cca/>, accessed on August 24 at 10 :06 pm

<sup>103</sup> Interview with Prosper Nkou Mvondo, University Law Professor and Leader of UNIVERS Party, Yaoundé, August 2025.

<sup>104</sup> Focused group discussion with anonymous CPDM and MRC militants, conference call, July 2025.

<sup>105</sup> *Ibid*

<sup>106</sup> *Ibid*

<sup>107</sup> *Ibid*

<sup>108</sup> Interview with Barrister Louis Eyangoh Gabriel, CPDM's lead Counsel, Yaoundé, July 2025.

<sup>109</sup> Manfred Essome, "Contentieux préélectoral : Hervé Emmanuel Nkom, irrecevable", *Villes et Communes* (December 2019), available online at <https://www.villesetcommunes.info/actu/contentieux-preelectoral-herve-emmanuel-nkom-irrecevable/>, accessed August 24, 2025 at 10 :22 pm

informant was the cancellation, at the request of SDF, of elections won by CPDM in many constituencies in the Northwest and Southwest regions during the 2020 legislatives.<sup>110</sup> A petition which obtained a favourable ruling. With regards to the political background of some Members, this informant questions why Councillor Paul Nkwi's Membership, who is a former SDF hardliner, having served in the capacity of adviser to the shadow cabinet,<sup>111</sup> does not raise brows, he dismisses prior political allegiances as not having a bearing on the impartiality of members, also using the French Constitutional Council as an example, whose former President, Laurent Fabius,<sup>112</sup> was a staunch socialist.<sup>113</sup> He also makes mention of the US Supreme Court, whereby nine (9) out of eleven (11) Members have political leanings, with six (6) republicans and three (3) democrats, yet argues their political affiliation does not impact their impartiality.<sup>114</sup>

### **On transparency of procedures and decisions**

The majority of informants concur that the Constitutional Council exhibits a high degree of transparency in its operations.<sup>115</sup> This assertion is supported by the Council's procedural protocols.<sup>116</sup> Upon receiving a petition, the Council promptly notifies the concerned parties and provides them with a copy of the respective petition.<sup>117</sup> Additionally, all petitions are displayed on a public noticeboard, and hearings are open to the public<sup>118</sup> and occasionally broadcast live on media platforms.<sup>119</sup> Decisions resulting from these hearings are communicated to the parties involved,<sup>120</sup> enabling them to comprehend the rationale behind the rulings.<sup>121</sup> Another informant adds that unlike ordinary courts which prohibit filming by individuals during hearings, the Constitutional Council permits such gestures.<sup>122</sup>

However, some informants, including Arrey Ntui of the International Crisis Group, argue that transparency could be further enhanced by making deliberations public, a practice observed in other jurisdictions. They suggest that

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<sup>110</sup> Moki Edwin Kindzeka, "Cameroon Court Orders Partial Election Rerun in Troubled English-Speaking Regions", Voice of Africa (February 2020), available online at [https://www.voanews.com/a/africa\\_cameroon-court-orders-partial-election-rerun-troubled-english-speaking-regions/6184854.html](https://www.voanews.com/a/africa_cameroon-court-orders-partial-election-rerun-troubled-english-speaking-regions/6184854.html), accessed on August 24, 2025 at 10:33 pm

<sup>111</sup> "Sur le plan politique, Paul Nchoji Nkwi a été conseiller politique du shadow cabinet du Front social-démocrate du Cameroun (SDF), pour les affaires sociales, le développement de la jeunesse et le sport", <https://actucameroun.com/2018/02/13/paul-nchoji-nkwi-membre-conseil-constitutionnel-passionne-danthropologie/>, accessed August 2025 at 11 pm

<sup>112</sup> Adhérent du Parti socialiste depuis 1974, il dirige le cabinet de François Mitterrand à partir de 1978. Il a lui-même relaté son ascension à ce poste : « Mitterrand m'a dit : " Accepteriez-vous d'être mon directeur de cabinet ? " J'ai répondu oui tout de suite. <https://www.info.gouv.fr/les-anciens-premiers-et-premieres-ministres-de-la-ve-republique/laurent-fabius>, accessed August 24, at 11'05 pm

<sup>113</sup> Interview with Barrister Louis Eyangoh Gabriel, CPDM's lead Counsel, Yaoundé, July 2025.

<sup>114</sup> *Ibid*

<sup>115</sup> Interviews with the Registrar in Chief of the Constitutional Council, a Member of the Constitutional Council, a

<sup>116</sup> Interview with a Member of the Constitutional Council, Yaoundé, June 2025.

<sup>117</sup> Interview with Denis Emilien Atangana, President of Front des Démocrates Camerounais (FDC), Yaoundé, July 2025.

<sup>118</sup> Interview with Honourable Adamou Koupit, UDC Parliamentarian, Yaoundé, August 2025

<sup>119</sup> Interview with Barrister Fombad, CRTV Legal Consultant, Yaoundé, August 2025

<sup>120</sup> Interview with Barrister Louis Eyangoh Gabriel, CPDM's lead Counsel, Yaoundé, July 2025.

<sup>121</sup> *Ibid*

<sup>122</sup> Interview with a Legal Research Officer at ELECAM, Yaoundé, July 2025.

the Council should publish details on which members voted for or against a decision. This would allow the public to understand the perspectives of individual members on the issues brought before the Council.<sup>123</sup> Currently, the motivations behind petitions remain opaque, a situation that warrants rectification.<sup>124</sup>

One informant proposes that transparency could be further strengthened by providing petitioners with detailed guidance on each step of the litigation process.<sup>125</sup> Prosper Nkou Mvondo, another informant, criticizes the President of the Constitutional Council for what he perceives as dictatorial behaviour. He argues that the President often makes unilateral decisions after hearing defence counsels, without consulting other members of the Council, as evidenced in a few cases.<sup>126</sup>

### **On fairness and comprehensibility of electoral dispute laws**

“The law on electoral disputes is clear, interpretation depends on an individual’s cognitive abilities”, an informant says, he believes provisions on electoral disputes found in the electoral code and constitution are impersonal, universal and equitable”,<sup>127</sup> the Registrar in Chief of the Constitutional Council supports this view by stating that the Council interprets the law equitably,<sup>128</sup> another informant substantiates this stance with an opinion that procedures involved in seizing the Council are very explicit in the electoral code,<sup>129</sup> alongside competences of the Constitutional Council.<sup>130</sup> The principle that ignorance of the law is not an excuse is well-established in legal discourse. It is in the best interest of individuals to seek out and comprehend the law, both in its spirit and in its letter. An informant has emphasized this point, urging stakeholders to familiarize themselves with the legal provisions concerning electoral disputes. The informant further notes that these laws already exist and cannot be unilaterally created by Members. The circumstances that necessitated the drafting of electoral bills can be most effectively elucidated by the Legislator.<sup>131</sup>

While the existing provisions on electoral disputes are relatively fair and comprehensible, an informant suggests that there is potential for further enhancement. The informant posits that the current limitations of the provisions, which restrict access to the Constitutional Council to candidates, political parties participating in elections, and government election representatives, could be broadened. By doing so, a wider range of stakeholders would be empowered to seek recourse through the Constitutional Council, thereby potentially enhancing the inclusivity and

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<sup>123</sup> Interview with Arrey Ntui, Senior Conflict Analyst for Cameroon at International Crisis Group, Yaoundé, July 2025.

<sup>124</sup> Interview with Barrister Akere Muna, Leader of NOW Movement and presidential candidate of UNIVERS, Yaoundé, August 2025

<sup>125</sup> Interview with Honourable Adamou Koupit, UDC Parliamentarian, Yaoundé, August 2025

<sup>126</sup> Interview with Prosper Nkou Mvondo, University Law Professor and Leader of UNIVERS Party, Yaoundé, August 2025.

<sup>127</sup> Interview with Barrister Louis Eyangoh Gabriel, CPDM’s lead Counsel, Yaoundé, July 2025.

<sup>128</sup> Interview with Registrar in Chief of the Constitutional Council, Yaoundé, August 2025.

<sup>129</sup> See Sections 129, 130, 131, 132, 133 and 134 of the Electoral code, available online at <https://www.assnat.cm/images/lois-adoptees/electoral-code.pdf>, accessed August 25 at 9:35 am

<sup>130</sup> Interview with Jean de Dieu Momo, Leader of PADDEC, Yaoundé, July 2025.

<sup>131</sup> Interview with a Member of the Constitutional Council (anonymous), Yaoundé, June 2025.

effectiveness of the electoral dispute resolution process.<sup>132</sup> Another informant agrees with this perspective by highlighting the inadequacy of the time allocated for submitting pre-electoral litigations (2 days)<sup>133</sup> and post-electoral petitions (72 hours).<sup>134</sup> The informant argues that these timeframes are insufficient. Additionally, the informant notes that the periods for ruling on pre-electoral petitions (10 days)<sup>135</sup> and post-electoral petitions (15 days)<sup>136</sup> are also inadequate for efficiently addressing complaints of national significance. Therefore, the informant suggests that these timeframes should be extended to more appropriate durations.<sup>137</sup>

According to an informant, the electoral code requires revision to ensure a level playing field for all stakeholders. The informant suggests that the electoral board may be unduly influenced by the government, given that its chairman is a retired MINAT senior civil administrator<sup>138</sup> and its director general is a former head of political affairs at the Ministry of Territorial Administration.<sup>139</sup> These affiliations could potentially motivate the electoral board to manipulate legal provisions in cases where the interests of the ruling party are at stake.<sup>140</sup> Barrister Mujem Fombad is of the perspective that legal provisions on electoral disputes are relatively understandable, noting that most political actors, find difficulties to comprehend these laws and procedures without guidance from lawyers.<sup>141</sup>

According to a respondent, there are three main sources of legal provisions on electoral disputes: the Constitution, the organic laws of the Constitutional Council, and the electoral code. However, the electoral code is often used to judge electoral petitions, which the informant believes is inappropriate due to its shortcomings. Despite calls for the revision of the electoral code to include measures such as penalties for electoral malpractices, which could help reduce conflicts arising from irregularities, the informant accuses the regime of being reluctant to make these changes. The informant suggests that the regime prefers an electoral code that works in its favour.<sup>142</sup>

For over 12 years since its promulgation in 2012, the electoral code has never been modified, a respondent notes that it has not taken into account evolutions since inception. Laws evolve with time, he says, and are experimental

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<sup>132</sup> Interview with a Legal Research Officer at ELECAM, Yaoundé, July 2025.

<sup>133</sup> See section 129 of the electoral code

<sup>134</sup> See section 133 (1) of the electoral code

<sup>135</sup> See section 131 (1) of the electoral code

<sup>136</sup> See article 137 of the electoral code

<sup>137</sup> Interview with Anya Nkene, Research Officer at the Constitutional Council, PhD Research fellow in Constitutional Law, Yaoundé, June 2025.

<sup>138</sup> Consult this link to see the professional journey of Dr Enow Abrams Egbe, [https://portail.elecam.cm/team\\_member/dr-enow-abrams-egbe/](https://portail.elecam.cm/team_member/dr-enow-abrams-egbe/)

<sup>139</sup> « *Fin connaisseur des rouages de l'administration, Docteur Essousse Erik a passé la majeure partie de sa carrière au ministère de l'Administration Territoriale et plus précisément à la Direction des Affaires Politiques où il a occupé les fonctions de Chef de Service, Sous-Directeur des libertés publiques et Directeur Adjoint des affaires politiques* », [https://portail.elecam.cm/team\\_member/m-essousse-erik/](https://portail.elecam.cm/team_member/m-essousse-erik/)

<sup>140</sup> Interview with Barrister Akere Muna, Leader of NOW Movement and presidential candidate of UNIVERS, Yaoundé, August 2025

<sup>141</sup> Interview with Barrister Mujem Fombad, CRTV Legal Consultant, Yaoundé, August 2025

<sup>142</sup> Interview with Honourable Adamou Koupit, UDC Parliamentarian, Yaoundé, August 2025

in nature, the electoral code does not reflect contemporary reality, such as deadlines for submissions after the close of polls, which is practically impossible for an electoral actor per se, based in Kousseri.<sup>143</sup> Electoral laws have its limitations, a respondent affirms, but when compared with legal provisions under the National Elections Observatory, it is an upgrade.<sup>144</sup>

### **On the efficiency of the Constitutional Council in resolving electoral disputes**

Informants hold different perspectives on the Constitutional Council's efficiency, all stemming from their arguments raised all through the interview process. Informants at the Constitutional Council itself for instance are convinced that the institution is efficient, however, this is with reserves, as some ameliorations will consolidate this efficiency, some posit.

A Member notes that the autonomy of his peers should be reinforced. Given the delicate nature of their job which demands taking sensitive political decisions, which at times compromise their security. Efforts to revise the status of Councillors, such as ensuring their protection both at home and out of home, will go a long way to curb security vulnerabilities. He states, that a permanent security post should be stationed at their homes. This informant also suggests working conditions can be bettered through an increase in remuneration; to optimise efficiency, the means have to be put at their disposal.<sup>145</sup>

Another informant posits that the Constitutional Council is efficient to an extent for the following reasons; self-restraint in their jurisdiction, perception of bias, appointment mechanism, political background of some members. He understands that the Constitutional Council cannot be unanimously perceived by political actors, disappointed actors would always point it out as being bias and ineffective, typical of the political game.<sup>146</sup> Despite the negative remarks, the Constitutional Council has no choice than to resolve conflicts efficiently and she is good at what she does, states an informant.<sup>147</sup> The Constitutional Council may be good at applying the law, but these laws are flawed, an informant highlights, he apports the blame to the Legislator whom he thinks should go back to the drawing board and revise legal frameworks governing elections in Cameroon, for the Constitutional Council to be considered fully efficient, the electoral code must be revised to avail the political rights of petitioners.<sup>148</sup>

“We cannot expect a court that tries matters at first and last instance to be perfect”, the Constitutional Council has its lapses, but it is significantly efficient, says an informant.<sup>149</sup> One informant views efficiency from an angle of

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<sup>143</sup> Interview with Prosper Nkou Mvondo, University Law Professor and Leader of UNIVERS Party, Yaoundé, August 2025.

<sup>144</sup> Interview with Denis Emilien Atangana, President of *Front des Democrates Camerounais* (FDC), Yaoundé, July 2025.

<sup>145</sup> Interview with a Member of the Constitutional Council (anonymous), Yaoundé, June 2025.

<sup>146</sup> Interview with Professor Gatsi Tazoh, Public Law Specialist, Yaoundé, August 2025.

<sup>147</sup> Interview with Barrister Louis Eyangoh Gabriel, CPDM's lead Counsel, Yaoundé, July 2025.

<sup>148</sup> Interview with Anya Nkene, Research Officer at the Constitutional Council, PhD Research fellow in Constitutional Law, Yaoundé, June 2025.

<sup>149</sup> Interview with a Legal Research Officer at ELECAM, Yaoundé, July 2025.

professionalism, citing that the Constitutional Council as at 2023, was composed of seven (7) reputable Jurists, whose mastery of electoral justice is reflected in its decisions.<sup>150</sup> An informant adds that efficiency can be strengthened by enlarging the number of people who can bring matters to the Constitutional Council, and by clarifying the competences of the said Council,<sup>151</sup> another perspective holds that the Constitutional Council is efficient by virtue of the fact that her decisions are dogma.<sup>152</sup>

Arrey Ntui of International Crisis Group opines that the Constitutional Council might not be perfect but were able to hold a televised hearing in 2018, which is a positive note, also, it called for a re-run of elections in many constituencies in the Northwest and Southwest during the 2020 legislatives, which is another encouraging gesture. However, it can adopt a more robust approach towards cases of irregularities, which will foster public trust, an indicator of efficiency, says the informant.<sup>153</sup> Instilling public trust will be challenging if the electoral code is not revised, as Akere Muna states that it is poorly drafted, he terms the Constitutional Council as a judge of appearance who can only work with tools put at its disposal. He adds that 1990 liberty laws or the electoral code can be supplemented to include provisions that resolve internal disputes within associations, to save the Constitutional Council the embarrassment of a recurrent inability to pronounce itself on matters concerning internal party squabbles, which are gradually becoming an integral part of electoral disputes.<sup>154</sup> An informant reiterates Akere Muna's stance by stating that the laws used by the Constitutional Council to resolve electoral disputes are bias and crafted to protect the ruling party, thus it cannot be efficient.<sup>155</sup>

Ultimately, the Constitutional Council should inform the public about its procedures in a bid to reduce mistakes committed by petitioners. An informant humorously noted that the Council primarily rejects petitions filed after deadlines, and deems most of its decisions unfair. If the Council educates people about its activities, the trend of rulings could change from negative to positive. The public will only view the Council as efficient if it delivers justice.<sup>156</sup>

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<sup>150</sup> Interview with Barrister Mbufung, Head of Legal Affairs Division – ELECAM, Yaoundé, June 2025.

<sup>151</sup> Interview with Jean de Dieu Momo, Leader of PADDEC, Yaoundé, July 2025.

<sup>152</sup> Interview with Denis Emilien Atangana, President of *Front des Democrates Camerounais* (FDC), Yaoundé, July 2025.

<sup>153</sup> Interview with Arrey Ntui, Senior Conflict Analyst for Cameroon at International Crisis Group, Yaoundé, July 2025.

<sup>154</sup> Interview with Barrister Akere Muna, Leader of NOW Movement and presidential candidate of UNIVERS, Yaoundé, August 2025

<sup>155</sup> Interview with Barrister Mujem Fombad, Legal Consultant to CRTV and Adviser to SDF's Counsel during 2020 legislative litigations, Yaoundé, July 2025.

<sup>156</sup> Interview with Honourable Adamou Koupit, UDC Parliamentarian, Yaoundé, August 2025

## CONCLUSION

This study sought to understand what the general public and election stakeholders think of the Constitutional Council's effectiveness in resolving electoral disputes, the aim was achieved via two channels, a survey which accumulated two hundred and nineteen (219) responses, and an interview which targeted 35 informants, summing the total number of respondents to two hundred and fifty-four (254).

Survey questions were mostly answered by youths within the age bracket of twenty to thirty-five (20-35), making up a hundred (100) in total, majority of respondents were also male (over 140), and a great tier of respondents targeted individuals originating from the Northwest (105) and Southwest (74) regions. Sixty two percent (62%) of survey respondents admitted to have a considerable knowledge of electoral justice. Perceptions on the Constitutional Council's independence, public trust, transparency, efficiency in resolving conflicts, perception on the way cases of electoral fraud and irregularities are handled, on fairness of rulings, on the constitutional council's impact on peace and stability, and on public confidence in the electoral process were all gathered. Impressions recorded an overall negative score, demonstrating a general bad perception of the Constitutional Council from the public.

Added to this survey are interviews and focused group discussions which were conducted to understand perspectives of stakeholders on the Constitutional Council's effectiveness in resolving electoral disputes. Stake holders such as the Constitutional Council, Ministry of Territorial Administration, Political Parties (UNIVERS, CPDM, PADDEC, FDC, UDC, MRC) and Elections Cameroon, with some reputable names like Akere Muna, Nkou Mvondo, Jean de Dieu Momo, a CPDM Senator and Member of the Constitutional Council were amongst informants.

Perspectives on the mastery of procedures involved in seizing the Constitutional Council, on decisions of the Constitutional Council vis-a-vis the law and evidence, on satisfaction of petitioners with the rulings of the Constitutional Council, the Constitutional Council's independence from political influence, impartiality of Members of the Constitutional Council, transparency of procedures and decisions, fairness and comprehensibility of electoral dispute laws, and on the efficiency of the Constitutional Council in resolving electoral disputes, were thoroughly discussed. Stakeholders shared varying perspectives, leaning in favour and against the Constitutional Council on thematics raised. Although some stakeholders believe in the institution's efficiency, others hold contrary opinions, yet majority agree on the fact that there is room for improvement.

## REFERENCES

### PRIMARY SOURCES

Name of informant	Profession / status	Age	Place of interview	Date of interview
Informant X	CPDM Senator	x	Yaounde	August ,2025
Informant Y	Legal Research Officer at ELECAM	y	Yaounde	June, 2025
Informant YZ	Legal Research Officer at MINAT	yz	Yaounde	August, 2025
Informant XYZ	Member of the Constitutional Council	xyz	Yaounde	June, 2025
Denis Emilien Atangana	President of <i>Front des Democats Camerounais</i> (FDC) Political Party	37	Yaounde	July, 2025
Mujem Fombad	Lawyer, Adviser to SDF's Counsel during 2020 Legislative Elections	55	Yaounde	July, 2025
Kumfa Marcel Mbufung	Director of Legal Affairs Division, ELECAM	54	Yaounde	June, 2025
Gatsi Tazo	Professor of Constitutional Law, University of Buea	40	Yaounde	August, 2025
Louis Gabriel Eyangoh	Lawyer, CPDM's Lead Counsel	//	Yaounde	June, 2025
Hamadjoda Ketsakva Kanena	Registrar-in-Chief of the Constitutional Council	45	Yaounde	August, 2025
Jean de Dieu Momo	President of <i>Patriotes Démocrates Pour Le Développement du Cameroun</i> (PADDEC) / Minister Delegate of Justice	60	Yaounde	July, 2025
Anya Nkene Abeh Vincent	Legal Research Officer at the Constitutional Council	34	Yaounde	June, 2025
Arrey Elvis Ntui	Senior Conflict Analyst, International Crisis Group (ICG)	47	Buea	July, 2025
Akere Tabeng Muna	Lawyer, President of Now Movement, 2018 Presidential Candidate	73	Yaounde	July, 2025
Nkou Mvondo	Professor of Public Law at the University of Ngaoundere, President of <i>UNIVERS</i> Political Party	60	Yaounde	August, 2025

Adamu Koupit	Member of House of Assembly, <i>Union démocratique du Cameroun (UDC) Party</i> Militant	57	Yaounde	August, 2025
Ewule Lifafe	International Law and Human Rights Lecturer, Magistrate at the Southwest Court of Appeal	30	Yaounde	June, 2025
Pefela Gildas Nyugha	Elections Management Lecturer at Heritage Higher Institute of Peace and Development Studies (HEHIPEDS), Magistrate at the Legal Department of the High Court of Mezam and Court of First Instance of Bamenda	38	Yaounde	May, 2025
Aboko Atokoro	CPDM Militant	30	Yaounde	June, 2025
Ekane Frank	CPDM Militant	35	Online	June, 2025
Nguea Arnold Ngeka	CPDM Militant	33	Online	June, 2025
Informant xx	CPDM Militant	40	Yaounde	June, 2025
Kome Hilton Ngone	CPDM Militant	33	Yaounde	June, 2025
Aboko Anki	CPDM Militant	//	Yaounde	June, 2025
Akwo Gilbert Nkwelle	CPDM Sympathiser	31	Online	June, 2025
Roger Mangieb Orock	CPDM Militant	26	Online	June, 2025
Elvis Nkwete Tiazeh	CPDM Militant	//	Online	June, 2025
Yogo Bienvenue	CPDM Sympathiser	//	Online	
Daryl-Palma Asongu Nguatem	FSNC Sympathiser	31	Online	July, 2025
Agbor Tazo	MRC Sympathiser	33	Online	July, 2025
Tasi Nimbong Parker	MRC Sympathiser	30	Online	
Enongene Rex Nkumbe	Political Scientist / FSNC Sympathiser	36	Online	July, 2025
Informant yy	MRC Militant	39	Yaounde	July, 2025
Gabriel Tchaiwou Nzengang	MRC Militant	//	Online	July, 2025

Serge Lemfom Kifem	SDF Militant	//	Online	July, 2025
Informant ix	FSNC Militant	28	Online	July, 2025
Agah Smith	SDF Sympathiser	37	Online	July, 2025
Yvan Pascal Dongmo Kegne	MRC Sympathiser	//	Yaounde	July, 2025

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