

Legal and Policy Frameworks Governing the Constitutional Council of Cameroon's Jurisdiction on Electoral Matters

Ndille Ndille Njume^{1*}, Anya Vincent Nkene Abeh²

¹Electoral Politics Scholar, Heritage Higher Institute of Peace and Development Studies, Yaounde – Cameroon, ndillendille9@gmail.com

²PhD Research Fellow in Constitutional Law, University of Buea

*Corresponding Author

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ABSTRACT

The political transition to pluralist democracy in Cameroon during the 1990s prompted constitutional reforms, including the 1996 revision that created the Constitutional Council to ensure electoral regularity and resolve state institutional conflicts. This study examines the legal and policy frameworks governing the Constitutional Council's jurisdiction over electoral matters. Using a qualitative methodology, this study systematically reviews international conventions, treaties, and national laws. The findings reveal that five international legal instruments, five national legal instruments, four international policy frameworks, and one national policy guideline contain provisions that empower the Constitutional Council as an election arbiter. International frameworks such as the International Covenant on Civil and Political Rights and African Charter on Human and Peoples' Rights do not elaborate on electoral dispute resolution mechanisms, whereas the AU Declaration on the Principles Governing Democratic Elections in Africa and the African Charter on Democracy, Elections and Governance provide more specific guidance. The study concludes that despite the existence of comprehensive legal and policy frameworks, the Electoral Code remains the most frequently applied instrument for resolving electoral disputes, while international policy frameworks lack enforceable mechanisms. It is recommended that Cameroon harmonise its domestic electoral laws with binding international standards and strengthen institutional mechanisms to ensure effective and timely resolution of electoral disputes by the Constitutional Council.

Key words: Constitutional Council, Elections, Jurisdiction, Legal frameworks, Policy Frameworks

RESUME

La transition politique vers une démocratie pluraliste au Cameroun dans les années 1990 a engendré des réformes constitutionnelles, notamment la révision de 1996 qui a créé le Conseil constitutionnel afin de garantir la régularité des élections et de résoudre les conflits institutionnels de l'État. Cet article examine les cadres juridiques et politiques régissant la compétence du Conseil constitutionnel en matière électorale. À l'aide d'une méthodologie qualitative, l'étude analyse systématiquement les conventions internationales, les traités et les instruments nationales. Les résultats révèlent que cinq instruments juridiques internationaux, cinq instruments juridiques nationaux, quatre cadres politiques internationaux et une directive politique nationale contiennent des dispositions conférant au Conseil constitutionnel le rôle d'arbitre électoral. Toutefois, si des cadres internationaux tels que le Pacte international relatif aux droits civils et politiques et la Charte africaine des droits de l'homme et des peuples ne précisent pas les mécanismes de règlement des différends électoraux, la Déclaration de l'Union africaine sur les principes régissant les élections démocratiques en Afrique et la Charte africaine de la démocratie, des élections et de la gouvernance offrent des orientations plus spécifiques. L'étude conclut que, malgré l'existence de cadres juridiques et politiques exhaustifs, le Code électoral demeure l'instrument le plus fréquemment utilisé pour résoudre les différends électoraux, tandis que les cadres politiques internationaux sont dépourvus de mécanismes exécutoires. Il est recommandé au Cameroun d'harmoniser sa législation électorale nationale avec les normes internationales contraignantes et de renforcer les mécanismes institutionnels afin d'assurer un règlement efficace et rapide des litiges électoraux par le Conseil constitutionnel.

Mots clés : Conseil constitutionnel, élections, compétence, cadres juridiques, cadres politiques

INTRODUCTION

Electoral processes are not void of conflicts and these conflicts in most democracies are managed by institutions with a legal mandate, Cameroon not being an exception. This paper explores the legal frameworks that elaborate on the Constitutional Council's jurisdiction. The Constitution, for instance, spells out the competence of the Constitutional Council on electoral matters, while the Electoral Code offers detailed provisions on dispute resolution mechanisms. International treaties and charters compel the Constitutional Council to observe global standards while discharging its duties, not ignoring policy frameworks that guide its performance in upholding electoral justice. The Constitutional Council embodies Cameroon's justice system with respect to national elections. Its jurisdiction over electoral matters is guided by international legal frameworks such as the Universal Declaration of Human Rights (UDHR), International Covenant on Civil and Political Rights (ICCPR), African Charter on Human and Peoples' Rights (ACHPR), AU Declaration on the Principles Governing Democratic Elections in Africa and African Charter on Democracy, Elections and Governance (ACDEG). National legal frameworks such as; the 1996 Constitution with amendments through 2008, the Electoral Code, the Constitutional Council's standing orders, the law regulating the organisation and functioning of the Constitutional Council and the law on the rules and regulations governing membership of the Constitutional Council. The Constitutional Council's jurisdiction is also informed by international policy frameworks such as the declaration on criteria for free and fair elections, United Nations sustainable development goals, United Nations Office for the Coordination of Humanitarian Affairs' (UNOCHA) Guideline for States on the effective implementation of the right to participate in public affairs and the Organisation of American States' (OAS) Guide for strengthening electoral processes. The only national policy framework identified by this chapter is Decree No. 2018/104 of 7 February 2018 which lays down the organisation and functioning of the Secretariat General of the Constitutional Council, which examines the administrative structure of the Council, particularly how it plays on electoral issues.

An Overview of Electoral Conflicts in Cameroon

The return to pluralist democracy in the 1990s in Cameroon was inaugurated by the holding of the first competitive legislative elections in March 1992,¹ followed by presidential elections on 12 October of the same year. Since then, Cameroon has experienced a regular cycle of electoral disputes, starting with the violence surrounding the birth of the Social Democratic Front, and the "heavily contested 1992 presidential election".²

The maiden multiparty elections in 1992 were coordinated by the Ministry of Territorial Administration and Decentralisation,³ but this government agency was criticised for its lack of impartiality; thus, opposition political actors pushed the government to consider the creation of an election management body. "The National Elections Observatory (NEO) was created to give a little more credibility to the electoral process".⁴ Despite this change, the management of elections in Cameroon was still at the heart of controversies between the government and the opposition political parties, often met with conflicts.⁵

According to Olinga, "the creation in December 29, 2006 of Elections Cameroon (ELECAM) was aimed at improving the electoral process in Cameroon and make it credible, the consolidation of the electoral processes' credibility was confirmed in April 19, 2012 by the promulgation of the electoral code, placing elections in a new

¹ Election Watch, "Cameroon", *Journal of Democracy*, 3, No2 (April 1992), 122-24, accessed June 13, 2025, <https://www.journalofdemocracy.org/articles/election-watch-76/>

² The SDF believed they won the 1992 presidential election, but the Supreme Court judge that heard its petition alleging fraud said his "hands were tied" - and let the official results granting victory to incumbent Paul Biya, with 40% of the vote, stand, (Randy Joe Sa'ah, BBC News, June 2023), <https://www.bbc.com/news/world-africa-65891543>

³ Jean Pierre Loic NKULU ATANGANA, "Le monitoring des élections présidentielles au Cameroun de 1992 à 2011", *MEMOIRE Online* (2012), available at https://www.memoireonline.com/01/20/11442/m_Le-monitoring-des-elections-presidentielles-au-Cameroun-de-1992--201146.html, accessed June 13, 2025

⁴ Fombad, Charles Manga. "Election Management Bodies in Africa: Cameroon's 'National Elections Observatory' in Perspective." *African Human Rights Law Journal* 3 (2003): 25-51.

⁵ Prof. Ngo Tong Chantal, "Political alternation in Cameroon, between boycotting elections and a closed electoral system", *ON POLICY AFRICA* (2024), available at <https://onpolicy.org/political-alternation-in-cameroon-between-boycotting-elections-and-a-closed-electoral-system/>, accessed June 15, 2025

legal and institutional environment”.⁶ This law contains multiple texts governing the organization of election at each level. It brings together provisions common to the different elections and a referendum while establishing their specificity. “The electoral code coincided with the advent of the debate on a biometric electoral register as a guarantor of transparency and credibility of the electoral process”.⁷ Notwithstanding, elections in Cameroon continued to be at the centre of controversy. The creation of the Constitutional Council in 2018 did not calm this controversy on the fairness of elections in Cameroon, however, this controversy has not stopped participation in elections.⁸

These four decades of pluralist elections in Cameroon have been marked by electoral conflicts, the outcomes of presidential elections from October 1992 to October 2018 offer a list of violent actions to contest electoral results. This was illustrated in the 2018 presidential election through “electoral hold up” protests organised by MRC militants which saw the designation of Maurice Kamto as “President elect”, these acts were met with repression and imprisonment of demonstrators by law enforcement agents.⁹

Resolution of Electoral Conflicts in Cameroon

West Cameroon (1961 – 1971)

In British Cameroon, pursuant to the Macpherson Constitution, many Cameroonians sat in legislative organs in Nigeria, notably in the House of Representatives and in Regional Assemblies. These different Houses were replaced in 1962 by a Federal Assembly.¹⁰ The West Cameroon Federal Assembly comprised 37 elected members,¹¹ from different parties such as the Kamerun National Democratic Party (KNDP), Cameroons People's National Convention (CPNC) and One Kamerun (OK).¹² The Constitution of West Cameroon holds no account of procedures governing ascension into the legislature, however, sources have it that Elections into the West Cameroon Parliament (also called the West Cameroon House of Assembly) during the Federal Republic of Cameroon were guided by the West Cameroon Electoral Law,¹³ which was modelled on British parliamentary procedures.¹⁴

Electoral disputes in West Cameroon were handled by the High Court of West Cameroon, which acted in an electoral jurisdiction. This was in line with British common law traditions, unlike East Cameroon, which followed French legal procedures.¹⁵ Disputes mainly involved challenges to the conduct of elections, validity of candidatures, or vote rigging. Cases were generally lodged by opposing candidates or political parties (e.g., the Kamerun National Democratic Party, Cameroon People's National Convention).¹⁶

The process for resolving electoral disputes generally involved several stages. First, a formal complaint or petition had to be filed within a specified timeframe after the election results were declared. This petition would

⁶ Olinga, Alain Didier. “*Le nouvel environnement juridique et institutionnel des élections au Cameroun.*” Presses universitaires d'Afr; (2007).

⁷ Obame, Yves Valery. “*Gouverner par la biométrie : dynamiques d'institutionnalisation d'une réforme techno politique dans la compétition électorale au Cameroun*”. Thèse de doctorat en sociologie politique, Université de Yaoundé 1, 2022.

⁸ Marie Mimesse Me Fame, “Electoral Participation in Cameroon: Variations in Voter Turnout”, *The International Journal of Humanities & Social Studies*, 8, No11, (November 2020), 2321 – 9203, accessed June 13, 2025, file:///C:/Users/HP/Downloads/tijhss,+HS2011-041.pdf

⁹ Laurent Larcher, “*Cameroun : ouverture du procès de l'opposant Maurice Kamto*”, *La Croix* (September 2019),

¹⁰ National Assembly, “Parliamentary History”, accessed June 16, 2025, <https://www.assnat.cm/index.php/en/national-assembly/parliamentary-history>

¹¹ West Cameroon Constitution of October 1961, Chapter 2, Part 1 (6), available at <https://condor.depaul.edu/mdelance/images/Pdfs/West%20Cameroon%20Constitution.pdf>, accessed June 16, 2025

¹² David Mokam, “The Search for a Cameroonian Model of Democracy or the Search for the Domination of the State Party: 1966-2006”, *Cadernos de Estudos Africanos*, 23, (2012), 85-108, accessed June 16, 2025, <https://journals.openedition.org/cea/533#quotation>

¹³ -Interview with Dr. Magistrate Pefela Gildas Nyugha, Senior Lecturer at Heritage University Insitute and Magistrate at the Mezam High Court, Yaounde, June 2025

¹⁴ In the UK, MPs are elected using the 'first past the post' system. You vote once for a candidate in your constituency and the candidate with the most votes becomes your MP.

¹⁵ Interview with Dr. Magistrate Pefela Gildas Nyugha, Senior Lecturer at Heritage University Insitute and Magistrate at the Mezam High Court, Yaounde, June 2025

¹⁶ Interview with Hamajdoda Ketseva Kanena, registrar in Chief of the Constitutional Council, Yaounde, June 2025

detail the grounds for the challenge and the relief sought, such as the annulment of results or a recount. The High Court would then hear the case, allowing both the petitioner and the respondent (usually the declared winner or the electoral commission) to present evidence and arguments. This could involve calling witnesses, examining ballot papers, and reviewing electoral procedures.¹⁷

The decisions of the High Court on electoral matters were often subject to appeal. Depending on the specific legislation in force at the time, appeals could be directed to the Federal Supreme Court. The Federal Supreme Court, as the highest judicial body in the federation, played a crucial role in ensuring uniformity in the application of electoral laws and in resolving disputes that had broader federal implications. Its rulings set precedents that guided future electoral dispute resolutions.¹⁸ At Federal level, Presidential elections occurred every five years¹⁹ on renewable terms, with no form of opposition, thus electoral disputes were not entertained.

East Cameroon (1960 – 1966)

The Constitution of East Cameroon was promulgated on March 4, 1960.²⁰ Its electoral framework saw members of the national assembly elected for a mandate of five (5) years via direct universal suffrage, meanwhile Presidential elections were done through indirect suffrage, with voting limited to an electoral college composed of members of the national assembly, provincial general counsellors and delegates of municipal assemblies.²¹ There are little or no records of electoral adjudication mechanisms during this era despite a disputed legislative election in April 1960 between Ahidjo's Union Camerounaise (UC) and Um Nyobe's Union des Populations du Cameroun (the party had been banned and later re-allowed to participate in elections) which saw the former sweep majority of legislative seats. As a response to the heightened tensions between both parties, Ahidjo banned all political associations in 1966, officially creating a one-party state under the Cameroon National Union which merged the UC and other parties. This move centralized power and reduced the scope for electoral competition.²²

One Party Era (1966 – 1991)

On 1 September 1966, an agreement was made by President Ahidjo's Cameroon Union and Vice President Foncha's National Democratic Party along with two other small parties to establish a one-party state led by the Cameroon National Union (UNC),²³ this was consolidated by the dissolution of the federation in 1972.²⁴ One primary source of electoral disputes, even within a one-party framework, stemmed from internal party dynamics. While external opposition was suppressed, competition for positions within the ruling party could be intense. These internal contests, particularly for nominations to legislative or local government positions, could lead to accusations of irregularities, favouritism, or manipulation of party rules. Such disputes were typically handled through internal party mechanisms, which were often opaque and subject to the discretion of party leadership.²⁵

Some sources posit that elections were largely formalities, the party, and often its leader, nominated the candidates, and the people were called upon to "ratify" these choices. Therefore, there was no real electoral competition or associated litigation, as there was no plurality of choice, electoral commissions were competent

¹⁷ Interview with Dr. Magistrate Ewule Lifafe, Pupil Magistrate at the National School of Administration and Magistracy, Yaounde, June 2025

¹⁸ Interview with Mr Anya Nkenen Vincent Abekh, Legal Research Officer at the Constitutional Council, June 2025

¹⁹ Constitution of the Federal republic of Cameroon, Title III (10), available at <https://condor.depaul.edu/mdelance/images/Pdfs/Federal%20Constitution%20of%20Cameroon.pdf>, accessed June 16, 2015

²⁰ *Digitheque* MJP, "Cameroun, Constitution du 4 mars 1960", accessed December 2025, <https://mjp.univ-perp.fr/constit/cm1960.htm>

²¹ See Article 12 of the 1960 Constitution, <https://mjp.univ-perp.fr/constit/cm1960.htm>

²² Polity IV Project, "Cameroon", 1, chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/<https://www.systemicpeace.org/polity/P5Cameroon2018.pdf>

²³ Polity IV Project, "Cameroon", 1, chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/<https://www.systemicpeace.org/polity/P5Cameroon2018.pdf>

²⁴ Joseph Nfi, "The Dismantling of the Cameroon Federation in 1972: The Petroleum Factor", *International Journal of Liberal Arts and Social Science*, 5, No 6 (2017), 39-45, accessed June 16, 2023,

https://www.researchgate.net/publication/382913740_The_Dismantling_of_the_Cameroon_Federation_in_1972_The_Petroleum_Factor

²⁵ Interview with Hamajdoda Ketseva Kanena, registrar in Chief of the Constitutional Council, Yaoundé, June 2025

to settle electoral disputes, and their decisions were considered final. Judges did not intervene in this process, particularly due to the absence of real litigation.²⁶

Several electoral laws were passed before 1990 to organize elections, but they primarily confirmed the preeminent role of electoral commissions and the single party in the process, electoral disputes were purely political as there was no section in the administrative bench of the supreme court in charge of electoral disputes.²⁷ It was unthinkable for competitors to challenge the Party's decisions, because elections appeared to be a façade as the party's nomination process left no room for contestation.

It can be said that electoral disputes during Cameroon's one-party era were fundamentally shaped by the absence of genuine multi-party competition. Disputes were primarily internal to the ruling party, focused on procedural irregularities rather than overall outcomes, and resolved through political rather than independent legal mechanisms. The legal and institutional frameworks were designed to reinforce the single party's dominance, leaving little effective recourse for those who felt aggrieved by the electoral process. However, during the 1988 twin elections (Presidential and Legislative), for the first time since 1960, voters had a choice of candidates in the National Assembly election, with two or more CPDM candidates contesting each constituency, and a total of 324 candidates running for the 180 seats in the enlarged Assembly. Nevertheless, the CPDM won all 180 seats with a 90.3% turnout.²⁸

Multiparty Era (1992 – Present)

The resolution of electoral disputes in Cameroon during the multiparty era can be traced back to March 1992 with the holding of the first multiparty legislative elections, later that year in August 1992, presidential elections were organised in which the Supreme Court was designated as the competent authority to resolve electoral disputes,²⁹ amongst cases heard by this organ was the famous case of the SDF demanding a cancellation of results for alleged fraud, the then judge of this institution, Alexis Dipanda Mouelle, responded to this petition by saying that “his hands are tight”.³⁰

Disputes arising from subsequent elections in the country like the 1996 municipal elections were adjudicated by the Supreme Court, this election saw opposition parties win 104 of a total of 336 seats, a total of 96 appeals were submitted to the Supreme Court relating to alleged irregularities. The court annulled 18 election results but announced that it was unable to rule in most of the case.³¹

At the end of January 1997, the legislative election which had been scheduled for March was indefinitely postponed, officially to address complaints by opposition parties about problems with voter registration and to allow time for the establishment of the Constitutional Council, which was to be responsible for announcing results, in October 1997, Presidential elections, boycotted by main opposition parties like SDF, UNDP and UDC, propelled CPDM's victory to “92.57 %”,³² little or no petitions were filed against the final results. In early March 1997, a revised electoral law was passed, which gave the Supreme Court (sitting in lieu of the Constitutional

²⁶ Interview with Dr. Magistrate Pefela Gildas Nyugha, Senior Lecturer at Heritage University Institute and Magistrate at the Mezam High Court, Yaoundé, June 2025

²⁷ The ordinance of 72/6 of 26 August 1972 on the organization and functioning of the supreme court in its section 9 outlined the competence of the administrative bench and did not mention electoral litigations

²⁸ Ipu.org, e-reports on CAMEROON, available at http://archive.ipu.org/parline-e/reports/arc/CAMEROON_1988_E.PDF, accessed June 16, 2025.

²⁹ ENCYCLOPÆDIA UNIVERSALIS, “Cameroun. Réélection contestée du président Paul Biya”, October 1993, available at <https://www.universalis.fr/evenement/11-23-octobre-1992-reelection-contestee-du-president-paul-biya/>, accessed June 13, 2025

³⁰ According to Dr Y, Ni John Fru Ndi came close to winning in the October 1992 presidential election, but through some constitutional gymnastics and some play by the Supreme court, his win was pulverized and given to the governing party. The Supreme Court judge who heard his petition alleging fraud, said his “hands were tied” – and let the official results granting victory to incumbent Paul Biya, with 40% of the vote, stand. <https://afrolegends.com/2023/06/14/goodbye-to-a-courageous-leader-ni-john-fru-ndi-and-ushering-the-multi-party-era-in-cameroon/>, accessed June 2025

³¹ Tata Mangwo Bernice, “Political News Reporting: A comparative study of the coverage of the 1996 municipal Elections by Cameroon Tribune (English Language articles) and the Herald”, *CONSEIL AFRICAIN ET MALGACHE POUR L'ENSEIGNEMENT SUPERIEURE* (November 1996), available at <https://dicames.online/jspui/bitstream/20.500.12177/7279/1/Tatah%20Bernice%20Mangwo.pdf>, accessed June 13, 2025

³² AFRICAN ELECTIONS DATABASE, “Elections in Cameroon”, <https://africanelections.tripod.com/cm.html>

Council), the authority to assume the role which supervisory commissions had played in tabulation of votes, and enabled the government to create new constituencies. According to the NGO “Article 19”³³ (A Global Campaign for Freedom of Expression);

Over 1,000 candidates representing a total of 45 parties competed in 74 constituencies during the May 1997 legislative elections, following the election, opposition parties complained of widespread irregularities, including polling sites which had been moved or closed, and intimidation of activists, some of these problems also were reported by international observers like the International Foundation for Election Systems (IFES). Within two days of the poll, the SDF and the UNDP called for the annulment of the entire election and subsequently lodged an appeal with the Supreme Court which was rejected. Before the official announcement of the results, a total of 150 petitions and protests were submitted by 11 political parties to the Supreme Court. Three weeks after the poll, the Supreme Court declared a CPDM majority, with 109 of the 180 seats. The remaining official results were: SDF, 43 seats; UNDP, 13 seats; five seats to the UPC and three seats to smaller parties. The Supreme Court cancelled the results in three constituencies: the Mayo-Banyo, Mayo-Rey, and Nde. Elections in these areas were held again on 3 August 1997. The CPDM won additional seats in the constituencies where elections were repeated, bringing the total number of ruling party seats to 116.³⁴

On June 30, 2002, legislative elections were held, the electoral campaign opened with 42 political parties in the running for the legislative elections, and 26 for the municipal elections, many more than in the last municipal elections in 1996 and the last legislative elections in 1997. Municipal elections were due to be held in 2001, but municipal councillors had their term of office prolonged by one year.³⁵

A few oppositions political parties as well as one party of the presidential majority, the National Union for Democracy and Progress (NUDP), called for the cancellation of the elections and lodged various petitions with the Supreme Court. “The latter ruled on 17 July 2002, nullifying election results in nine electoral constituencies on account of various irregularities, such as the falsification of statements by the administrative authorities, fraudulent entries on electoral lists or the presence of ineligible persons on a list of candidates”.³⁶ By-elections were held on 15 September 2002 to fill the 17 seats left vacant further to these decisions. Final results showed that the Cameroon People's Democratic Movement (CPDM) had won an overwhelming majority with 149 seats. The Social Democratic lost ground winning only 22, the National Union for Democracy and Progress (NUDP) picked up only one seat, the remaining seats going to two others opposition parties, the Cameroon Democratic Union and the Cameroon People's Union. Two years later, Presidential elections were organised, irregularities were denounced by the SDF to the extent of lodging a complaint at the Supreme Court for the complete cancellation of results, however, it was rejected.³⁷

Legislative elections of the year 2007 was organised in July, it saw 45 parties and 1,274 candidates vie for 180 seats at stake, CPDM emerged winner, winning majority of the seats, the outcome was however contested by the SDF and other opposition parties who alleged election fraud and challenged the results in court. As many as 103 cases were filed with the Supreme Court, which subsequently invalidated the elections results in five constituencies.³⁸ Elections were repeated on 30 September, when the CPDM took 15 of the seats at stake, while the SDF took two. The final results gave 153 seats to the CPDM, and six to its ally, the National Union for

³³ ARTICLE 19 is a Non-Profit Organisation works for a world where all people everywhere can freely express themselves and actively engage in public life without fear of discrimination. It does this do this by working on two interlocking freedoms: the Freedom to Speak, and the Freedom to Know. When either of these freedoms come under threat, ARTICLE 19 speaks with one voice. <https://www.article19.org/what-we-do/>, accessed June 2025

³⁴ Article 19, “Cameroon, a transition in crisis”, *refworld* (October 1997), <https://www.refworld.org/reference/countryrep/art19/1997/en/50585>

³⁵ AFRICAN ELECTIONS DATABASE, “Elections in Cameroon”, <https://africanelections.tripod.com/cm.html>

³⁶ Archives of the INTER-PARLIAMENTARY UNION on 2002 legislative elections in Cameroon, http://archive.ipu.org/parline-e/reports/arc/2053_07.htm

³⁷ The October 2004 presidential elections, including the process, the monitoring efforts, the election results, the reaction of government organizations and opposition parties, as well as the treatment of opposition party members by government authorities (2004-May 2005) [CMR43537.FE], <https://www.ecoi.net/en/document/1228816.html>

³⁸ Archives of the INTER-PARLIAMENTARY UNION on 2007 legislative elections in Cameroon, http://archive.ipu.org/parline-e/reports/arc/2053_07.htm

Democracy and Progress. The main opposition, SDF lost six seats, taking 16. The UDC and the MP won four and one seats respectively.

It can be observed that before 1992, the socio-political context of Cameroon justified the absence of a jurisdiction specially dedicated to electoral matters due to a one-party system. But, since the advent of the multiparty politics, pluralist elections have given rise to the intervention of electoral dispute management bodies, a duty which has been assigned to the Constitutional Council since the revision of the 1996 constitution with regard to presidential and parliamentary elections, as well as referendum consultations. This organ, fully went operational in February 2018 via Presidential Decrees No. 2018/105 of 7 February 2018 appointing the members of the Constitutional Council, and No. 2018/106 of the same day appointing the President of the Constitutional Council. Amongst its function, this institution is charged with ensuring the regularity of presidential, legislative and senatorial elections, it arbitrates disputes arising from these elections and proclaims results. From 2018 to 2023, the “Constitutional Council has passed 107 rulings on electoral matters”,³⁹ ranging from cancellation of results, confirmation of the ineligibility of candidates to outright rejection of petitions for various motives.

This chapter provides a comprehensive overview of frameworks governing the constitutional council’s jurisdiction on electoral matters to underscore the importance of how policies and laws can shape institutions.

THEORETICAL FRAMEWORK

Legal Pluralism

Legal pluralism refers to the idea that in any one geographical space defined by the conventional boundaries of a nation state, there is more than one law or legal system.⁴⁰ The theory recognizes that many different legal systems can exist at the same time in one country or one issue area. These different systems can include state laws, international treaties, customary laws, and policy guidelines. This theory does not see law as only one single system from the government. Instead, it sees law as many layers that overlap and sometimes compete with each other.⁴¹

This framework is very appropriate for this study because the paper itself examines ten different legal and policy instruments that all claim to govern the same institution. The study looks at five international legal frameworks, five national legal frameworks, four international policy frameworks, and one national policy framework. Legal Pluralism helps the researcher understand how these different instruments interact.

First, the study deals with both hard law and soft law.⁴² Hard law includes binding treaties like the International Covenant on Civil and Political Rights and the African Charter on Democracy, Elections and Governance. It also includes national laws like the Constitution and the Electoral Code. Soft law includes non-binding documents like the UN Sustainable Development Goals, the OAS Guide for Strengthening Electoral Processes, and the UNOCHA Guidelines. Legal Pluralism helps explain how both binding and non-binding rules can influence the Constitutional Council at the same time. The study notes that international policy frameworks are “advocative” and do not have real enforceable mechanisms, while national laws are more pragmatic. Legal Pluralism allows the researcher to study both types of rules without dismissing the soft law as unimportant.

Second, this theory helps explain the relationship between international law and national law in Cameroon. The Constitution states in Article 45⁴³ that duly approved treaties override national laws. Legal Pluralism helps the researcher examine how this constitutional rule brings international standards into the domestic legal space. The

³⁹ *Archives du Conseil Constitutionnel, Statistiques des Décisions de L’année 2018-2023, le Conseil Constitutionnel a rendu plusieurs décisions*, <https://conseil-constitutionnel.cm/statistique/>

⁴⁰ Margaret Davies, “Legal Pluralism”, in Peter Cane, and Herbert M. Kritzer (eds), *The Oxford Handbook of Empirical Legal Research* (2010; online edn, Oxford Academic, 18 Sept. 2012), <https://doi.org/10.1093/oxfordhb/9780199542475.013.0034>, accessed 26 Apr. 2026.

⁴¹ The Lawyers and Jurists, “Legal Pluralism”, <https://www.lawyersjurists.com/article/legal-pluralism/>, accessed April 26, 2026.

⁴² Ramsey Haggerty, “Soft Law and Hard Law”, *UAB Institute for Human Rights Blog*, March 2026, <https://sites.uab.edu/humanrights/2026/03/26/soft-law-and-hard-law/>, accessed March 2026 at 3:15 pm

⁴³ See article 45 of Law No. 96-6 of 18 January 1996 to amend the Constitution of 2 June, 1972, chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://www.assnat.cm/images/The_constitution.pdf

study mentions that the Constitutional Council is bound by international treaties like the ACHPR and ACDEG. Legal Pluralism shows how these international instruments become part of the Council's working environment.

Third, Legal Pluralism is useful because the study shows that having many laws does not always mean having clear laws. The study concludes that despite the existence of fifteen different frameworks, the Electoral Code is the most frequently applied instrument. This is a typical finding in legal pluralism research. When many legal orders exist together, some are used more than others. Some remain in the background. The theory helps explain why the Constitutional Council might prefer to use the national Electoral Code rather than international treaties when solving disputes.

LITERATURE REVIEW

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.⁴⁴ 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.⁴⁵ 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.⁴⁶ 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.⁴⁷ 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.⁴⁸

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.⁴⁹ In later work, Fombad described the Constitutional Council as a "faithful servant of an unaccountable system" because its structure limits its ability to act as an independent check on government power.⁵⁰

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

⁴⁴ 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>

⁴⁵ 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>

⁴⁶ 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.

⁴⁷ 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>

⁴⁸ 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>

⁴⁹ 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>

⁵⁰ 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.oup.com/display/10.1093/law/9780198810216.001.0001/law-9780198810216-chapter-4>

be controversial.⁵¹ 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.⁵² Obame studied the introduction of biometric voter registration in Cameroon and showed how techno-political reforms have shaped electoral competition.⁵³

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.⁵⁴ 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.⁵⁵

The African Elections Database and the Inter-Parliamentary Union have also published reports on Cameroon's legislative and presidential elections. These reports document the frequent invalidation of election results in certain constituencies and the repetition of elections, which shows that electoral disputes have been a constant feature of Cameroon's multiparty era.

Enonchong wrote about the Constitution and governance in Cameroon. The author examined the 2008 constitutional amendment that removed presidential term limits and discussed how the Constitutional Council was designed to function. The study noted that the Council's members are appointed by presidential decree, which raises questions about their independence. The standing orders of the Council also restrict individual access, meaning ordinary citizens cannot easily bring cases before it.⁵⁶

Recent literature has focused on the Council's actual performance since it became operational in 2018. *Verfassungsblog* analysed the Constitutional Council's decision to exclude opposition leader Maurice Kamto from the 2025 presidential election. The analysis criticized the Council for using narrow formalism and selective interpretation of the Electoral Code. The author argued that the Council failed to develop clear standards for party nominations and instead relied on questionable prior jurisprudence. This recent case illustrates ongoing concerns about whether the Council acts as an impartial arbiter.⁵⁷

International standards for electoral dispute resolution have been developed by several organizations. The Inter-Parliamentary Union adopted the Declaration on Criteria for Free and Fair Elections, which calls for independent authorities to determine electoral complaints promptly. The African Union's Declaration on the Principles Governing Democratic Elections in Africa and the African Charter on Democracy, Elections and Governance require member states to establish competent legal entities to arbitrate electoral disputes. The United Nations

⁵¹ Balingene Kahombo, "The Origin of The Congolese Constitutional Court: Organisation and Jurisdiction", Hermann Legal, Chrome-Extension://Efaidnbmnnnibpcajpcglclefindmkaj/Https://Www.Hamann-Legal.De/Upload/6Balingene.Pdf

⁵² 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>

⁵³ 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 1*, 2022. <https://www.isa-sociology.org/en/junior-sociologists/dissertation-abstracts/list-of-abstracts/1387>

⁵⁴ 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

⁵⁵ ARTICLE 19, "Cameroon: A Transition in Crisis", *Article 19 Blog*, October 1997, chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://www.article19.org/data/files/pdfs/publications/cameroon-a-transition-in-crisis.pdf

⁵⁶ Laura-Stella Enonchong, "The Constitutional Council and democratic advancement" in *The Constitution and Governance in Cameroon* (London: Routledge, 2020) 151 -163, <https://www.taylorfrancis.com/books/oa-mono/10.4324/9781351028868/constitution-governance-cameroon-laura-stella-enonchong?refId=0bb800e0-15a5-4d33-86b9-0639f6d1b7b2&context=ubx>, accessed August 28, 2025 at 9 am

⁵⁷ Laura-Stella Enonchong, "The Constitutional Council's Role in Excluding Cameroon's Main Opposition Leader from the 2025 Presidential Election", *Verfassungsblog*, October 2025, <https://verfassungsblog.de/cameroon-council-elections/>

Office of the High Commissioner for Human Rights has also issued guidelines on the right to participate in public affairs, which include recommendations on electoral dispute mechanisms.

At the national level, scholars have examined Cameroon's Electoral Code of 2012. On Policy Africa analysed contested provisions of Cameroonian electoral law, including the high amounts of electoral guarantees required from candidates and the appointment procedures for ELECAM members. The study noted that opposition parties consider these provisions unfair.⁵⁸ The Constitution of Cameroon, particularly Articles 45, 48, and 51, has been analysed by constitutional scholars who note that while the Constitution establishes the Council's jurisdiction, it does not provide detailed procedural rules, which leaves gaps filled by the Electoral Code and standing orders.

METHODOLOGY

The research relies heavily on secondary sources, which are legal documents such as the 1996 Constitution of Cameroon as amended through 2008,⁵⁹ the Electoral Code of April 2012,⁶⁰ Law No. 2004 of 21 April 2004 on the organisation and functioning of the Constitutional Council,⁶¹ Law No. 2004/005 of April 2004 on the rules governing membership of the Constitutional Council,⁶² Decree No. 2018/104 of 7 February 2018 on the organisation and functioning of the Secretariat General of the Constitutional Council,⁶³ and the Standing Orders of the Constitutional Council adopted in July 2019. The researcher also examined international legal instruments such as the Universal Declaration of Human Rights,⁶⁴ the International Covenant on Civil and Political Rights,⁶⁵ the African Charter on Human and Peoples' Rights,⁶⁶ the African Charter on Democracy, Elections and Governance,⁶⁷ and the AU Declaration on the Principles Governing Democratic Elections in Africa.⁶⁸ In addition, policy frameworks including the Inter-Parliamentary Union Declaration on Criteria for Free and Fair Elections,⁶⁹ the United Nations Sustainable Development Goals,⁷⁰ the UNOCHA Guidelines for States on the effective implementation of the right to participate in public affairs,⁷¹ and the Organisation of American States' Guide for Strengthening Electoral Processes⁷² were looked at.

These legal documents were gathered from the Constitutional Council's library, official websites, and online legal databases. The researchers however conducted interviews with key informants who have direct knowledge of the Constitutional Council's work. These included the Registrar in Chief of the Constitutional Council, a

⁵⁸ Vanessa Aboudi, "The contested legal provisions of Cameroonian electoral law", *ON POLICY AFRICA*, September 2024, <https://onpolicy.org/the-contested-legal-provisions-of-cameroonian-electoral-law/>

⁵⁹ Law No. 96-6 of 18 January 1996 to amend the Constitution of 2 June, 1972, chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://www.assnat.cm/images/The_constitution.pdf

⁶⁰ 8th legislative period, legislative year 2012, 1st extraordinary session of April 2012, chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://www.assnat.cm/images/lois-adoptees/electoral-code.pdf

⁶¹ Law N° 2004/004 of 21 April 2004 to lay down the organisation and functioning of the constitutional council (French version only), chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://www.legal-tools.org/doc/277c8a/pdf

⁶² Law No.2004/005 of 21 April 2004 to lay down the rules and regulations governing membership of the Constitutional Council, <https://lc-doc.com/document/law-no2004005-of-21-april-2004-to-lay-down-the-rules-and-regulations-governing-membership-of-the-constitutional-council>

⁶³ Nathan Ndoumbe « Cameroun : Organisation et fonctionnement du Secrétariat général du Conseil constitutionnel », *Actu Cameroun*, February 2018 , <https://actu cameroun.com/2018/02/08/cameroun-organisation-fonctionnement-secretariat-general-conseil-constitutionnel/>

⁶⁴ United Nations, Universal Declaration of Human Rights, <https://www.un.org/en/about-us/universal-declaration-of-human-rights>

⁶⁵ General Assembly resolution 2200A (XXI), "International Covenant on Civil and Political Rights", *United Nations*, December 1966, <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-civil-and-political-rights>

⁶⁶ African Charter on Human and Peoples' Rights, African Union, <https://au.int/en/treaties/african-charter-human-and-peoples-rights>

⁶⁷ African Charter on Democracy, Elections and Governance, African Union, <https://au.int/en/treaties/african-charter-democracy-elections-and-governance>

⁶⁸ OAU/AU Declaration on the Principles Governing Democratic Elections in Africa, Veritas Z, 2002, <https://www.veritaszim.net/node/2407>

⁶⁹ Unanimously adopted by the Inter-Parliamentary Council at its 154th session, <https://www.ipu.org/impact/democracy-and-strong-parliaments/ipu-standards/declaration-criteria-free-and-fair-elections>

⁷⁰ UNDP, "What are the Sustainable Development Goals?", <https://www.undp.org/sustainable-development-goals>

⁷¹ ICCROM, "Guidelines for States on the effective implementation on the right to participate in public affairs", <https://ocm.iccrom.org/documents/guidelines-states-effective-implementation-right-participate-public-affairs>

⁷² electoral good practices guide for strengthening electoral processes, chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://scm.oas.org/pdfs/2021/CP44440EGOODGUIDE.pdf

Senior Lecturer and Magistrate at the Mezam High Court, a Pupil Magistrate at the National School of Administration and Magistracy, and a Legal Research Officer at the Constitutional Council. These interviews were held in Yaounde in June 2025. The purpose of the interviews was to get practical information about how the Constitutional Council handles electoral disputes and how the registry manages petitions.

Other sources include books, journal articles, online reports, and official documents from organisations such as the Inter-Parliamentary Union, Article 19, the African Elections Database, and the National Assembly of Cameroon. These sources provided background information on the history of electoral conflicts in Cameroon and the development of the Constitutional Council.

The researcher used content analysis to study legal and policy documents. This means texts were carefully read to find specific provisions that mention the Constitutional Council's powers on electoral matters. He identified and grouped the provisions according to whether they came from international law, national law, international policy, or national policy. The researcher also compared the different instruments to see which ones give clear rules on electoral dispute resolution and which ones are only general guidelines.

The information from the interviews was used to support and explain the findings from the legal documents. The researcher checked the interview responses against the written laws to understand how the Council applies the rules in practice.

On an ethical note, it is worth mentioning that information was obtained from public legal documents and officials who agreed to be interviewed. The interviews were conducted with professionals who hold public positions, and the information gathered was used only for academic purposes. One limitation of this study is that it relied mainly on written laws and a small number of interviews. The researchers did not use statistical data or survey methods because the study focused on legal texts and institutional procedures rather than numerical data. AI was utilised in improving grammar tone, rephrasing and structuring.

Legal Frameworks Governing the Constitutional Council of Cameroon's Jurisdiction on Electoral Matters

These are soft and hard laws with a binding and non-binding effect, which can either be legally enforced before a court or not. Soft law is used to denote agreements, principles and declarations that are not legally binding meanwhile hard law refers generally to legal obligations that are binding on the parties involved.⁷³ These laws, which inform the Constitutional Council's jurisdiction vis-à-vis elections are of international and national extraction as outlined in the following paragraphs.

International Legal Frameworks

These are treaties signed, ratified or acknowledged by Cameroon, they are specific to the conduct of elections, including the manner in which disputes are managed. Five (5) have been identified in this regard, which are the Universal Declaration of Human Rights (UDHR), International Covenant on Civil and Political Rights (ICCPR), the African Charter on Human and Peoples' Rights (ACHPR), the AU Declaration on the Principles Governing Democratic Elections in Africa and the African Charter on Democracy, Elections and Governance (ACDEG).

Universal Declaration of Human Rights

This declaration (soft law) was adopted by the United Nations in 1948, Cameroon being a member state of the United Nations, adhered to the declaration. Article 8 of the UDHR advocates for equal access to justice⁷⁴ meanwhile article 21(3) endorses democratic elections.⁷⁵ Conflicts that emanate in the course of people

⁷³ "Hard law/soft law", European Centre for Constitutional and Human Rights, accessed November 2019, 2025, <https://www.ecchr.eu/en/glossary/hard-law-soft-law/>.

⁷⁴ Article 8 of the UDHR reads "Everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the constitution or by law." accessed September 25, 2025, <https://www.ohchr.org/en/universal-declaration-of-human-rights/illustrated-universal-declaration-human-rights>

⁷⁵ Article 21(3) says that "The will of the people shall be the basis of the authority of government; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free

exercising the right to vote or selecting their leaders are therefore supposed to be heard and resolved in a competent tribunal as prescribed by this declaration, considering that equal access to justice itself is a fundamental human right.

International Covenant on Civil and Political Rights

Ratified by Cameroon on June 27, 1984,⁷⁶ this covenant promotes civil and political rights such as free and fair electoral systems. In article 25, it stipulates that "Every citizen shall have the right and the opportunity... without unreasonable restrictions: (b) to vote and to be elected at genuine periodic elections which shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the electors."⁷⁷ Even though this article does not itself detail mechanisms for resolving disputes that may compromise elections, it implies the existence of a dispute-resolution mechanism with an obligation to legitimise the electoral process. The Human Rights Committee,⁷⁸ responsible for the enforcement of the ICCPR, has also developed these rights, including the importance of effective remedies for violations of electoral rights.⁷⁹ That is, any electoral system, including Cameroon's, must have effective and neutral complaint mechanisms.

African Charter on Human and Peoples' Rights

Cameroon ratified the African Charter on Human and People's Rights on June 20, 1989.⁸⁰ It states in article 13 that: "Every citizen shall be free to participate in the government of his country, directly, or through representatives freely chosen in accordance with the law."⁸¹ In a similar vein, the ICCPR and the African Charter's Article 13 emphasize that free and fair elections are crucial. The African Commission on Human and Peoples' Rights is the chief organ for interpreting and monitoring the ACHPR. The commission believes that Member-States should establish practical mechanisms to resolve electoral disputes.⁸²

African Charter on Democracy, Elections and Governance

This charter was adopted by member states of the African Union in order to promote liberal democracy. Article 17 (2) deals with electoral disputes in a very clear and direct manner and requires that state parties shall "establish and strengthen national mechanisms that redress election related disputes in a timely manner."⁸³ Article 18 (2) also reiterates this intention by providing that "the Commission may at any time, in consultation with the State Party concerned, send special advisory missions to provide assistance to that State Party for strengthening its electoral institutions and processes."⁸⁴ Cameroon, as a signatory to ACDEG, is also bound by the terms of the

voting procedures.", accessed September 25, 2025, <https://www.ohchr.org/en/universal-declaration-of-human-rights/illustrated-universal-declaration-human-rights>

⁷⁶ United Nations Treaty Collection, "International Covenant on Civil and Political Rights", accessed July 01, 2025, available at https://treaties.un.org/pages/showDetails.aspx?objid=0800000280004bf5&clang=_en

⁷⁷ Article 25 (b) of the International Covenant on Civil and Political Rights, by UN General Assembly resolution 2200A (XXI) of 16 December 1966, available at <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-civil-and-political-rights>, accessed July 01, 2025.

⁷⁸ The Human Rights Committee is the body of independent experts that monitors implementation of the International Covenant on Civil and Political Rights by its States parties, <https://www.ohchr.org/en/treaty-bodies/ccpr>

⁷⁹ The right to participate in public affairs, voting rights and the right of equal access to public service (Art. 25): 12/07/96. CCPR/C/21/Rev.1/Add.7, General Comment No. 25.

<https://www.equalrightstrust.org/ertdocumentbank/general%20comment%202025.pdf>

⁸⁰ Consideration of Reports submitted by States Parties under the Terms of Article 62 of the African Charter on Human and Peoples' Rights. Concluding Observations and Recommendations on the Second Periodic Report of the Republic of Cameroon, available at <https://achpr.au.int/sites/default/files/files/2022-09/achpr47conclstaterrep2cameroon2010eng.pdf>, accessed July 01, 2025

⁸¹ Article 13 of the African Charter on Human and Peoples' Rights, available at https://au.int/sites/default/files/treaties/36390-treaty-0011-african-charter-on-human-and-peoples-rights_e.pdf, accessed July 01, 2025

⁸² In a resolution on elections in Africa - ACHPR/Res.433(LXV)2019, this commission in point 10, invites member states to provide support for the prevention of possible post-electoral conflicts. <https://achpr.au.int/en/adopted-resolutions/433-resolution-elections-africa-achpres433lxv2019>

⁸³ Article 17 (2) of the African Charter on Democracy, Elections and Governance, accessed July 01, 2025, available at http://archive.ipu.org/idd-e/afr_charter.pdf

⁸⁴ Article 18 (2) of the of the African Charter on Democracy, Elections and Governance, accessed July 01, 2025, available at http://archive.ipu.org/idd-e/afr_charter.pdf

agreement that require the establishment of a fair and transparent judicial procedure for election disputes. She ratified this treaty on August 24, 2011.⁸⁵

AU Declaration on the Principles Governing Democratic Elections in Africa

This declaration was arrived at in July 2002 in Durban – South Africa by head (OAU Member states) of states, to strengthen the democratic process on the continent. In article III (c), it obliges State Parties to establish competent legal entities to arbitrate electoral disputes. It reads, “We commit our governments to..... “establish impartial, all-inclusive, competent and accountable national electoral bodies staffed by qualified personnel, as well as competent legal entities including effective constitutional courts to arbitrate in the event of disputes arising from the conduct of elections”.⁸⁶ This article clearly makes provisions for the creation of an electoral tribunal to settle electoral conflicts, on which rests the competence of the Constitutional Council in Cameroon’s context.

Furthermore, article IV (13) provides that “every citizen and political party shall accept the results of elections proclaimed to have been free and fair by the competent national bodies as provided for in the Constitution and the electoral laws and accordingly respect the final decision of the competent Electoral Authorities or, challenge the result appropriately according to the law.”⁸⁷ This implies that rulings on electoral disputes are binding, final, or can be subject to appeal in accordance with legal provisions. In the case of Cameroon, rulings of the Constitutional Council are “final”⁸⁸ and “unappealable”.⁸⁹

National Legal Frameworks

National legal frameworks in this context are hard laws either established by institutions, decreed by the President of the republic or adopted by parliament such as the 1996 constitution amended through 2008, the electoral code of April 2012, law regulating the organisation and functioning of the constitutional council, law regulating the organisation and functioning of the Constitutional Council’s Secretariat General, law on the rules and regulations governing membership of the Constitutional Council, and the Constitutional Council’s standing orders. All these documents hold specific provisions that empower its operation (the Constitutional Council) as an election arbiter as seen in the coming paragraphs.

Law No. 96/06 Of 18 January 1996 on The Cameroon Constitution

The Constitution outlines in article 48 that the Constitutional Council is the competent authority on electoral matters, specifically the regularity of presidential and parliamentary elections. It also empowers the Council to proclaim results of these elections. All International treaties examined above have a binding effect due to article forty-five (45) of the Constitution which reads “Duly approved or ratified treaties and international agreements shall, following the publication, override national laws, provided the other party implements the said treaty or agreement.” In this regard, the Constitution does not only empower the Constitutional Council as an electoral conflict peace broker, but reinforces international legal instruments acknowledging her jurisdiction.

Within the framework of resolving electoral conflicts, the Constitution states that challenges arising from parliamentary and presidential elections can be brought to the attention of the Constitutional Council by candidates or political parties that took part in the elections in the concerned constituency or anyone acting as a government agent in the election. By so doing, the Council can deliver a ruling within 15 days, which can

⁸⁵ List of Countries which have signed, ratified/acceded to the African Charter On Democracy, Elections and Governance, available at https://au.int/sites/default/files/treaties/36384-sl-African_Charter_On_Democracy_Elections_And_Governance.Pdf, accessed July 01, 2025

⁸⁶ See Article III (c) of the AU Declaration on the Principles Governing Democratic Elections in Africa, <https://www.eisa.org/pdf/au2002declaration.pdf>

⁸⁷ See article IV (13) of the AU Declaration on the Principles Governing Democratic Elections in Africa, <https://www.eisa.org/pdf/au2002declaration.pdf>

⁸⁸ Section 136 of the Electoral Code stipulates that the decisions of the Constitutional Council relating to elections, election results and candidatures shall be final.

⁸⁹ Article 50 (1) of the 1996 Constitution says that rulings of the Constitutional Council shall not be subject to appeal.

however be reduced to 8 days at the request of the President of the Republic.⁹⁰ The Constitution is thus the oldest national legal instrument that bestowed on the Constitutional Council, the power to broker peace between electoral competitors.

Law No. 2012/001 Of 19 April Relating to The Electoral Code

The electoral code is a key piece of legislation that details the entire electoral process including adjudication procedures, it is very categorical on the Constitutional Council's competence in hearing electoral disputes.

Pre-electoral phase

Pre-electoral disputes as will be examined in the next chapter are mostly concerned with the eligibility of candidates, the electoral code through a series of sections, orientates the hearing of such disputes by the Constitutional Council.

The electoral code makes provisions for the Constitutional Council to scrutinise the eligibility of presidential and parliamentary aspirants through its articles 125 – 131. It requires candidates to forward copies of their candidacy papers to the said Council, ensures that the Electoral board notifies the Council of her decisions to accept or reject candidacies, as well the Treasury to forward copies of candidate caution fees.

Section 125 (3) of the electoral code stipulates that; “The decision to reject a candidacy or to publish candidacies may be appealed before the Constitutional Council...”.⁹¹ Section 129 further consolidates this provision by stating that “Objections or petitions relating to the rejection or acceptance of candidates, as well as those relating to the colour, initials or emblem adopted by a candidate may be brought before the Constitutional Council by any candidate or political party taking part in the election or any person serving as a Government representative in the said election, within a maximum period of 2 (two) days following the publication of the list of candidates”,⁹² meanwhile section 130 establishes petitioning protocols, especially sub section 4 – 5 which says that petitions shall be notified within 24 hours to the parties concerned and equally gives the concerned parties a maximum of 24 hours to react to these petitions. It should be noted that section 131 of the electoral code gives the Constitutional Council at most 10 days to rule on pre-electoral disputes.

Post electoral phase

Still making reference to Chapter two (2) of this study, post-electoral disputes dwell on issues related to the invalidation/cancellation of results, section 132 (2) endorses the Constitutional Council as the sole arbiter of post electoral disputes (national) by stipulating that “ The Constitutional Council shall rule on all petitions filed by any candidate, any political party which took part in the election or any person serving as a representative of the Administration for the election, requesting the total or partial cancellation of election operations.”⁹³ These petitions must reach the Constitutional Council, according to section 133 (1), within no more than 72 (seventy-two) hours of the close of the poll, implying that any petition filed after this period shall be declared time barred. Section 133 (3) is keen on the point that petitions must be accompanied by “facts”,⁹⁴ like pre-electoral protocols, these petitions shall be posted within 24 hours of its submission, meanwhile the parties concerned have 48 hours to reply, contrasting with pre-electoral provisions which enables replies within 24 hours.

It should be noted that section 134 of the electoral code does not compel the Constitutional Council to hear post-electoral petitions, especially if the said petition is considered inadmissible or does not influence the outcome of elections, she is however obliged to issue a reasoned decision. In line with article 50 of the Constitution which holds that decisions of the Constitutional Council are not subject to appeal, section 136 of the electoral code

⁹⁰ Article 48 – 49 of the 1996 Constitution, with amendment through 2008, available at https://www.constituteproject.org/constitution/Cameroon_2008, accessed July 01, 2025

⁹¹ Section 125 (3) of the electoral code, available at <https://aceproject.org/electoral-advice/archive/questions/replies/7798903/986792279/ELECTORAL-CODE-OF-CAMEROON.pdf>, accessed July 02, 2025

⁹² Section 129 of the electoral code, available at <https://aceproject.org/electoral-advice/archive/questions/replies/7798903/986792279/ELECTORAL-CODE-OF-CAMEROON.pdf>, accessed July 02, 2025

⁹³ Section 132 (2) of the Electoral code, available at <https://aceproject.org/electoral-advice/archive/questions/replies/7798903/986792279/ELECTORAL-CODE-OF-CAMEROON.pdf>, accessed July 01, 2025

⁹⁴ Under pain of rejection, the petition shall specify the alleged facts and means.

corroborates this article by stating that “The decisions of the Constitutional Council relating to elections, election results and candidatures shall be final.”

The electoral code is a fundamental document vis-à-vis electoral matters, based on the researcher’s courtroom experience, it is mostly cited when resolving electoral disputes, one can term it the handbook of electoral conflict resolution.

Law No 2004 of 21 April 2004 to lay down the organisation and functioning of the Constitutional Council

This law lays down the modus operandi of the Constitutional Council, conditions for referring matters to it as well procedure before the Council pursuant to article 52 of the Constitution, part 1 (general provisions), section 3 (2) of this legal instrument and section 40 of chapter six, reiterate the role of the Constitutional Council in policing presidential and parliamentary elections.⁹⁵ Sections 41 to 50 of this law lay down modalities for managing presidential and parliamentary electoral disputes in conformity with the electoral code, specifically issues pertaining to eligibility of candidates, contestation of results and petitioning protocols.⁹⁶

Law No. 2004/005 of April 2004 to lay down the rules and regulations governing membership of the Constitutional Council

This law lays down the rules and regulations governing membership of the Constitutional Council in line with article 51 (5) of the Constitution. This law contains 25 articles that spell out obligations, incompatibilities, immunities, benefits, privileges of Members of the Constitutional Council as well as conditions for termination of their appointment. In section 3 (2), Members pledge to be impartial in the discharge of their duties which includes resolving electoral disputes, they are bound to keep deliberations and voting secret, and to refrain from holding consultation or taking any public stand on matters falling within the jurisdiction of said Council, including electoral adjudication.

Standing orders of the Constitutional Council

Adopted in July 2019, the internal functioning of the Council is detailly enshrined in this legal instrument, regarding electoral disputes, these orders in article 10, mandate the President of the Constitutional Council to preside over court sessions, this explains why he chairs hearings on petitions related to electoral disputes. Procedural literature is contained in article 48 in which petitioners are called to sign and date their petitions for authenticity purposes, as well as provide summary statements, practical and legal grounds to substantiate their claims. Article 50 replicates the role of the Registry in managing petitions meanwhile articles 80 to 92 are more elaborate on procedures concerning electoral matters and provisions specific to presidential and parliamentary elections,⁹⁷ it gives the Constitutional Council jurisdiction over these matters in conformity with the electoral code.

Policy Frameworks Governing the Constitutional Council of Cameroon’s Jurisdiction on Electoral Matters

These are blue-prints aimed at ensuring electoral justice, they are established to shape the decision-making process of states vis-à-vis electoral rights, they range from highlighting the importance of the existence of complaints management mechanisms, to providing procedural content. This section explores international and national policy frameworks as examined below.

International Policy Frameworks

International policy frameworks in this study refer to action plans orchestrated by international organisations such as the Interparliamentary Council, United Nations, UN Office for the Coordination of Humanitarian Affairs’

⁹⁵ Part 1, section 3 (2) of the law on the organisation and functioning of the Constitutional Council, consulted at the Constitutional Council’s library

⁹⁶ Found in pages 2 – 3 of the law on the organisation and functioning of the Constitutional Council, consulted at the Constitutional Council’s library

⁹⁷ These provisions are a replica of the Constitution and the electoral code on issues pertaining to the eligibility of candidates, petitioning procedures, resolution of disputes, and proclamation of results.

and the Organisation of American States to guarantee electoral rights, with emphasis on the role of institutions in resolving electoral conflicts.

Declaration on criteria for free and fair elections

The Inter-Parliamentary Council which comprises one hundred and eighty-three (183) members including Cameroon, at its one hundred and fifty-fourth (154th) session adopted the declaration on free and fair elections which urges Governments and Parliaments throughout the world to be guided by four (4) principles and standards deemed to render an electoral process credible.⁹⁸ Article four (4) sub-section nine (9) consolidates electoral rights by stipulating that “States should ensure that violations of human rights and complaints relating to the electoral process are determined promptly within the timeframe of the electoral process and effectively by an independent and impartial authority, such as an electoral commission or the courts...” The Constitutional Council of Cameroon fills this void as the organ competent to hear election-related complaints. Operating as a court of law, she issues decisions which sanction violation of electoral rights.

United Nations sustainable development goals

The two thousand and thirty (2030) Agenda for Sustainable Development addresses democracy in Sustainable Development Goal sixteen (16) recognizing the indivisible links between peaceful societies and effective, accountable and inclusive institutions.⁹⁹ Sustainable Development Goal sixteen (16) calls on UN Member States to promote responsive, inclusive, participatory and representative decision-making, and to build effective, accountable and transparent institutions at all levels. Thus, Elections are an integral part of the Sustainable Development Goal sixteen (16): “Peace, Justice and Strong Institutions” offer specific guidelines to tackle imperative challenges such as building effective, accountable and inclusive institutions; guaranteeing election integrity and trust; and ensuring responsive, inclusive, participatory and representative decision-making at all levels.¹⁰⁰ The Constitutional Council subscribes to this policy by acting as a guarantor of electoral justice, which is a prerequisite for achieving the goal's targets.

United Nations Office for the Coordination of Humanitarian Affairs’ (UNOCHA) Guideline for States on the effective implementation of the right to participate in public affairs

UNOCHA works to ensure that elections meet international human rights standards, it does this using a range of methods from its headquarters and field locations, including advocacy, provision of technical assistance, monitoring of human rights in the electoral context and public or confidential reporting.¹⁰¹ It developed a guide containing one hundred and fourteen (114) articles aimed at informing citizen rights to participate in public affairs. Article thirty (30) is very specific on electoral justice as it reads; “States should develop an effective legal framework for the exercise of electoral rights, including with respect to the electoral system and electoral dispute mechanisms...”¹⁰² In compliance with this guideline, the Constitutional Council of Cameroon was established to resolve electoral disputes within a legal framework.

Organisation of American States’ (OAS) Guide for strengthening electoral processes

In a similar vein with the institution perused above, the Organisation of American States’ (OAS), an institution committed to democratic principles, in its quest to safeguard the integrity of electoral processes globally, developed a guide termed “Electoral Good Practices Guide for Strengthening Electoral Processes”. Section C

⁹⁸ Inter-Parliamentary Union, “Declaration on Criteria for Free and Fair Elections”, accessed November 19, 2025, <https://www.ipu.org/impact/democracy-and-strong-parliaments/ipu-standards/declaration-criteria-free-and-fair-elections>.

⁹⁹ United Nations, “Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels”, accessed November 20, 2025, <https://www.un.org/en/exhibits/page/sdgs-17-goals-transform-world#sdg16>

¹⁰⁰ Ali Mourad, “Democratic Elections and Sustainable Development: The Case of Electoral District and Representation in Lebanon”, *Beirut Arab University Journal* 1, no. 1 (November 2019): 1, <https://doi.org/10.54729/2789-8334.1007>.

¹⁰¹ OHCHR, “About elections and human rights”, accessed November 2025, <https://www.ohchr.org/en/elections>

¹⁰² United Nations Human Rights Office of the High Commissioner, “Guidelines for States on the effective implementation of the right to participate in public affairs”, accessed November 2019, chrome-extension://efaidnbmninnibpecajpegclefindmkaj/https://www.ohchr.org/sites/default/files/Documents/Issues/PublicAffairs/GuidelinesRightParticipatePublicAffairs_web.pdf

(3) of this guide is of specific concern to this study for its elaborate literature on mechanisms for challenging electoral outcomes. This section suggests that political actors be aware of possibilities for appealing electoral outcomes, and the electoral authorities who will hear and resolve such appeals. It recommends that constitutional, legal, and regulatory provisions governing electoral challenges or appeals be framed in clear and simple language to ensure that they are easily understood by the interested parties and observers, and in particular by the bodies responsible for settling disputes. OAS outlines that the means and mechanisms provided for in electoral process regulations must be accessible in terms of the time needed to apply them, distance, and cost, with a possibility to elicit a prompt resolution on the merits of the matter raised without unwarranted requirements or procedural obstacles. Finally, it recommends that the system for filing appeals or challenges possess expeditious, simple, swift, and effective procedures, with reasonable deadlines for both filing and settlement. It calls on appeals to be filed at any stage of the electoral process. The Constitutional Council of Cameroon’s jurisdiction on electoral matters can be said to be also informed by this guide by virtue of its existence and operational mechanisms.

National Policy Frameworks

National policy framework in this context refers to a guiding document that pivots the functioning of the Constitutional Council from an administrative angle, with emphasis on how it addresses electoral matters.

Decree No. 2018/104 of 7 February 2018 to lay down the organisation and functioning of the Secretariat General of the Constitutional Council

This decree¹⁰³ orientates the administrative and technical services necessary for the smooth functioning of the Constitutional Council. Article 12 (1) of this decree regulates the duties of the Registry amongst which include registration of petitions relating to disputes on presidential and parliamentary elections. Article (2) also obliges the registry to prepare files relating to petitions emanating from national elections,¹⁰⁴ meanwhile article thirteen (13) stipulates that the registry shall provide conflicting parties with documents on a dispute before the Constitutional Council and ease consultation of same.¹⁰⁵ In articles thirteen (13) for fifteen (15), the Registry is seen to play a liaison role between petitioners and the Secretary General of the Constitutional Council, who in turn reports to Members of the Constitutional Council.

Table 1: Summary of legal and policy frameworks

International Legal Frameworks	National Legal Frameworks	International Policy Frameworks	National Policy Frameworks
Universal Declaration of Human Rights	1996 constitution as amended through 2008	Declaration on criteria for free and fair elections	Decree regulating the organisation and functioning of the Constitutional Council’s Secretariat General
International Covenant on Civil and Political Rights	Electoral code of April 2012	United Nations sustainable development goal sixteen (16)	
African Charter on Human and Peoples' Rights	Law regulating the organisation and functioning of the Constitutional Council	United Nations Office for the Coordination of Humanitarian Affairs’ (UNOCHA) Guideline for States on the effective implementation of the right to participate in public affairs	

¹⁰³ *Présidence de la République, « Décret N°2018/104 du 07 février 2018 portant organisation et fonctionnement du Secrétariat Général du Conseil Constitutionnel »*, accessed November 20, 2025, <https://www.prc.cm/fr/actualites/actes/decrets/2667-decret-n-2018-104-du-07-fevrier-2018-portant-organisation-et-fonctionnement-du-secretariat-general-du-conseil-constitutionnel>

¹⁰⁴ Articles 12 (1) and (2) of the law to lay down the organisation and functioning of the Secretariat General of the Constitutional Council, consulted at the Constitutional Council’s library

¹⁰⁵ Article 13 of the law to lay down the organisation and functioning of the Secretariat General of the Constitutional Council, consulted at the Constitutional Council’s library

AU Declaration on the Principles Governing Democratic Elections in Africa	Law on the rules and regulations governing Membership of the Constitutional Council	Organisation of American States' (OAS) Guide for strengthening electoral processes	
African Charter on Democracy, Elections and Governance	Standing Orders of the Constitutional Council		
TOTAL			
5	5	4	1
Total Number of Legal Frameworks		Total Number of policy frameworks	
10		5	

Source: Field work, November 2025

CONCLUSION

This chapter has examined ten (10) legal frameworks governing the Constitutional Council's jurisdiction on electoral matters, that is, five (5) of international extraction which are the Universal Declaration of Human Rights (UDHR), International Covenant on Civil and Political Rights (ICCPR), the African Charter on Human and Peoples' Rights (ACHPR), the AU Declaration on the Principles Governing Democratic Elections in Africa and the African Charter on Democracy, Elections and Governance (ACDEG) and five (5) of national extraction namely; the 1996 constitution as amended through 2008, the electoral code of April 2012, law regulating the organisation and functioning of the constitutional council, law on the rules and regulations governing membership of the Constitutional Council and the Constitutional Council's standing orders. These laws lend credence to the Constitutional Council in her role as an elections arbiter.

Amongst the international frameworks, it was noticed that the ICCPR and ACHPR are not elaborate on mechanisms for the resolution of electoral conflicts meanwhile the AU Declaration and ACDEG are very categorical on this subject. Also, national frameworks like the Constitution of 1996 institute the Constitutional Council as an electoral dispute adjudication organ without procedural details, thereby necessitating the entry of the electoral code to illuminate this aspect with guidelines on what obtains during pre and post phases of the electoral cycle. Other laws like the law governing the functioning of the Constitutional Council draw inspiration from the electoral code to reiterate the institution's jurisdiction over electoral matters, impartiality of Councillors in hearing electoral disputes is seen in the rules and regulations governing membership of the Constitutional Council meanwhile the law regulating the functioning of the Constitutional Council's secretariat sheds light on the registry as a liaison agent between petitioners and the Secretary General. Although the standing orders of the Constitutional Council borrow from the provisions of the Constitution and electoral code to ascertain the Council's duty as an electoral judge, it provides details on who is to chair this exercise, as well as conditions for deputization. International policy frameworks (declaration on criteria for free and fair elections, United Nations sustainable development goals, United Nations Office for the Coordination of Humanitarian Affairs' (UNOCHA) Guideline for States on the effective implementation of the right to participate in public affairs, the Organisation of American States' (OAS) Guide for strengthening electoral processes) examined in this chapter appear to be advocative, without a real enforceable mechanism unlike the national policy framework (decree regulating the organisation and functioning of the Constitutional Council's Secretariat General) which is very pragmatic in structuring the administrative machinery of the Constitutional Council. Despite the existence of ten (10) laws and five (5) policies governing the Constitutional Council's jurisdiction on electoral matters, the electoral code is often applied in resolving electoral disputes.

REFERENCES

Primary Sources

Name of informant	Profession / status	Age	Place of interview	Date of interview
Anya Nkene Abeh Vincent	Legal Research Officer at the Constitutional Council	34	Yaounde	June, 2025
Hamadjoda Ketsakva Kanena	Registrar-in-Chief of the Constitutional Council	45	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

Secondary Sources

1. Aboudi, Vanessa. "The Contested Legal Provisions of Cameroonian Electoral Law." On Policy Africa, September 2024. <https://onpolicy.org/the-contested-legal-provisions-of-cameroonian-electoral-law/>.
2. African Commission on Human and Peoples' Rights. Concluding Observations and Recommendations on the Second Periodic Report of the Republic of Cameroon. <https://achpr.au.int/sites/default/files/files/2022-09/achpr47conclstaterrep2cameroon2010eng.pdf>.
3. African Commission on Human and Peoples' Rights. "Resolution on Elections in Africa." ACHPR/Res.433(LXV)2019. <https://achpr.au.int/en/adopted-resolutions/433-resolution-elections-africa-achprres433lxv2019>.
4. African Elections Database. "Elections in Cameroon." Accessed June 16, 2025. <https://africanelections.tripod.com/cm.html>.
5. African Union. African Charter on Democracy, Elections and Governance. Adopted 2007. http://archive.ipu.org/idd-e/afr_charter.pdf.
6. African Union. African Charter on Human and Peoples' Rights. https://au.int/sites/default/files/treaties/36390-treaty-0011-_african_charter_on_human_and_peoples_rights_e.pdf.
7. African Union. Declaration on the Principles Governing Democratic Elections in Africa. Durban, July 2002. <https://www.eisa.org/pdf/au2002declaration.pdf>.
8. African Union. "List of Countries Which Have Signed, Ratified/Accessed to the African Charter on Democracy, Elections and Governance." https://au.int/sites/default/files/treaties/36384-sl-AFRICAN_CHARTER_ON_DEMOCRACY_ELECTIONS_AND_GOVERNANCE.pdf.
9. Article 19. "Cameroon: A Transition in Crisis." Refworld, October 1997. <https://www.refworld.org/reference/countryrep/art19/1997/en/50585>.
10. Article 19. "What We Do." <https://www.article19.org/what-we-do/>. Azu, Miriam. "Lessons from Ghana and Kenya on Why Presidential Election Petitions Usually Fail." African
11. Human Rights Law Journal 15, no. 1 (2015): 150–66. <http://dx.doi.org/10.17159/1996-2096/2015/v15n1a7>.
12. Cameroon. Constitution of the Federal Republic of Cameroon. <https://condor.depaul.edu/mdelance/images/Pdfs/Federal%20Constitution%20of%20Cameroon.pdf>.
13. Cameroon. Constitution of West Cameroon. October 1961. <https://condor.depaul.edu/mdelance/images/Pdfs/West%20Cameroon%20Constitution.pdf>.
14. Cameroon. Decree No. 2018/104 of 7 February 2018 to Lay Down the Organisation and Functioning of the

15. Secretariat General of the Constitutional Council. <https://www.prc.cm/fr/actualites/actes/decrets/2667-decret-n-2018-104-du-07-fevrier-2018-portant-organisation-et-fonctionnement-du-secretariat-general-du-conseil-constitutionnel>.
16. Cameroon. Law No. 96-6 of 18 January 1996 to Amend the Constitution of 2 June 1972. https://www.assnat.cm/images/The_constitution.pdf.
17. Cameroon. Law No. 2004/004 of 21 April 2004 to Lay Down the Organisation and Functioning of the Constitutional Council. Consulted at the Constitutional Council's library. Cameroon. Law No. 2004/005 of 21 April 2004 to Lay Down the Rules and Regulations Governing Membership of the Constitutional Council. <https://lc-doc.com/document/law-no2004005-of-21-april-2004-to-lay-down-the-rules-and-regulations-governing-membership-of-the-constitutional-council>.
18. Cameroon. Law No. 2012/001 of 19 April 2012 Relating to the Electoral Code. <https://www.assnat.cm/images/lois-adoptees/electoral-code.pdf>.
19. Cameroon. Ordinance No. 72/6 of 26 August 1972 on the Organization and Functioning of the Supreme Court.
20. Constitutional Council of Cameroon. "Statistiques des Décisions de l'Année 2018–2023." <https://conseil-constitutionnel.cm/statistique/>.
21. Constitutional Council of Cameroon. Standing Orders of the Constitutional Council. Adopted July 2019. Consulted at the Constitutional Council's library. Davies, Margaret. "Legal Pluralism." In *The Oxford Handbook of Empirical Legal Research*, edited by Peter Cane and Herbert M. Kritzer. Oxford: Oxford University Press, 2010. Online edition, 2012. <https://doi.org/10.1093/oxfordhb/9780199542475.013.0034>.
22. ecoinet.net. "The October 2004 Presidential Elections, Including the Process, the Monitoring Efforts, the Election Results, the Reaction of Government Organizations and Opposition Parties, as well as the Treatment of Opposition Party Members by Government Authorities (2004–May 2005)." CMR43537.FE. <https://www.ecoi.net/en/document/1228816.html>.
23. Election Watch. "Cameroon." *Journal of Democracy* 3, no. 2 (April 1992): 122–24. <https://www.journalofdemocracy.org/articles/election-watch-76/>.
24. Enonchong, Laura-Stella. "The Constitutional Council and Democratic Advancement." In *The Constitution and Governance in Cameroon*, 151–63. London: Routledge, 2020. <https://www.taylorfrancis.com/books/oa-mono/10.4324/9781351028868/constitution-governance-cameroon-laura-stella-enonchong>.
25. Enonchong, Laura-Stella. "The Constitutional Council's Role in Excluding Cameroon's Main Opposition Leader from the 2025 Presidential Election." *Verfassungsblog*, October 2025. <https://verfassungsblog.de/cameroon-council-elections/>.
27. Encyclopædia Universalis. "Cameroun. Réélection Contestée du Président Paul Biya." October 1993.
28. <https://www.universalis.fr/evenement/11-23-octobre-1992-reelection-contestee-du-president-paul-biya/>.
29. European Centre for Constitutional and Human Rights. "Hard Law/Soft Law." <https://www.ecchr.eu/en/glossary/hard-law-soft-law/>.
30. Fombad, Charles Manga. "Election Management Bodies in Africa: Cameroon's 'National Elections Observatory' in Perspective." *African Human Rights Law Journal* 3 (2003): 25–51.
31. Fombad, Charles Manga. "The New Cameroonian Constitutional Council in a Comparative Perspective: Progress or Retrogression?" *Journal of African Law* 42, no. 2 (1998): 172–86. <https://doi.org/10.1017/S0021855300011815>.
32. Fombad, Charles M. "The Cameroonian Constitutional Council: Faithful Servant of an Unaccountable System."
33. In *Constitutional Adjudication in Africa*, 80. Oxford: Oxford Constitutions of the World, 2017. <https://oxcon.ouplaw.com/display/10.1093/law/9780198810216.001.0001/law-9780198810216-chapter-4>.
34. "Goodbye to a Courageous Leader: Ni John Fru Ndi and Ushering the Multi-Party Era in Cameroon." *Afrolegends*, June 14, 2023. <https://afrolegends.com/2023/06/14/goodbye-to-a-courageous-leader-ni-john-fru-ndi-and-ushering-the-multi-party-era-in-cameroon/>.

35. Haggerty, Ramsey. "Soft Law and Hard Law." UAB Institute for Human Rights Blog, March 2026. <https://sites.uab.edu/humanrights/2026/03/26/soft-law-and-hard-law/>.
36. ICCROM. "Guidelines for States on the Effective Implementation of the Right to Participate in Public Affairs." <https://ocm.iccrom.org/documents/guidelines-states-effective-implementation-right-participate-public-affairs>.
37. Inter-Parliamentary Union. "Archives on Legislative Elections in Cameroon." http://archive.ipu.org/parline-e/reports/arc/2053_07.htm.
38. Inter-Parliamentary Union. "Declaration on Criteria for Free and Fair Elections." Adopted unanimously at the 154th session. <https://www.ipu.org/impact/democracy-and-strong-parliaments/ipu-standards/declaration-criteria-free-and-fair-elections>.
39. Inter-Parliamentary Union. "E-Reports on Cameroon." http://archive.ipu.org/parline-e/reports/arc/CAMEROON_1988_E.PDF
40. Kaaba, O'Brien. "The Challenges of Adjudicating Presidential Election Disputes in Domestic Courts in Africa."
41. African Human Rights Law Journal 15, no. 2 (2015): 329–54. <http://dx.doi.org/10.17159/1996-2096/2015/v15n2a5>.
42. Kaaba, O'Brien, and Charles M. Fombad. "Adjudication of Disputed Presidential Elections in Africa." In *Democracy, Elections, and Constitutionalism in Africa*, edited by Charles M. Fombad and Nico Steytler. Stellenbosch Handbooks in African Constitutional Law. Oxford: Oxford Academic, 2021. <https://doi.org/10.1093/oso/9780192894779.003.0014>.
43. Kahombo, Balingene. "The Origin of the Congolese Constitutional Court: Organisation and Jurisdiction." *Hermann Legal*. <https://www.hamann-legal.de/upload/6Balingene.pdf>.
44. Larcher, Laurent. "Cameroun : Ouverture du Procès de l'Opposant Maurice Kamto." *La Croix*, September 2019.
45. Lawyers and Jurists, The. "Legal Pluralism." <https://www.lawyersnjurists.com/article/legal-pluralism/>.
46. Me Fame, Marie Mimesse. "Electoral Participation in Cameroon: Variations in Voter Turnout." *The International Journal of Humanities & Social Studies* 8, no. 11 (November 2020): 2321–9203.
47. Meledje, Djedjro Francisco. "Le Contentieux Électoral en Afrique." *Pouvoirs*, no. 129 (April 2009): 139–55. <https://revue-pouvoirs.fr/le-contentieux-electoral-en/>.
48. Mokam, David. "The Search for a Cameroonian Model of Democracy or the Search for the Domination of the State Party: 1966–2006." *Cadernos de Estudos Africanos* 23 (2012): 85–108. <https://journals.openedition.org/cea/533>.
49. Mourad, Ali. "Democratic Elections and Sustainable Development: The Case of Electoral District and Representation in Lebanon." *Beirut Arab University Journal* 1, no. 1 (November 2019). <https://doi.org/10.54729/2789-8334.1007>.
50. National Assembly of Cameroon. "Parliamentary History." <https://www.assnat.cm/index.php/en/national-assembly/parliamentary-history>. Ndoumbe, Nathan. "Cameroun : Organisation et Fonctionnement du Secrétariat Général du Conseil Constitutionnel." *Actu Cameroun*, February 8, 2018. <https://actucameroun.com/2018/02/08/cameroun-organisation-fonctionnement-secretariat-general-conseil-constitutionnel/>.
51. Nfi, Joseph. "The Dismantling of the Cameroon Federation in 1972: The Petroleum Factor." *International Journal of Liberal Arts and Social Science* 5, no. 6 (2017): 39–45.
52. 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/>.
54. Nkulu Atangana, Jean Pierre Loic. "Le Monitoring des Élections Présidentielles au Cameroun de 1992 à 2011."
55. Mémoire Online, 2012. https://www.memoireonline.com/01/20/11442/m_Le-monitoring-des-elections-presidentielles-au-Cameroun-de-1992--201146.html. Accessed June 13, 2025.
56. Nyarko, Michael Gyan, and Misha Ariana Plagis. "Supporting the Mandate of the African Court." *African Human Rights Policy Paper 2*. Pretoria: Centre for Human Rights, November 2020. <https://www.chr.up.ac.za/ahrpp2>.

57. Obame, Yves Valery. "Gouverner par la Biométrie : Dynamiques d'Institutionnalisation d'une Réforme Technopolitique dans la Compétition Électorale au Cameroun." PhD dissertation., Université de Yaoundé I, 2022. <https://www.isa-sociology.org/en/junior-sociologists/dissertation-abstracts/list-of-abstracts/1387>.
58. Office of the United Nations High Commissioner for Human Rights. "About Elections and Human Rights." <https://www.ohchr.org/en/elections>.
59. Office of the United Nations High Commissioner for Human Rights. Guidelines for States on the Effective Implementation of the Right to Participate in Public Affairs. https://www.ohchr.org/sites/default/files/Documents/Issues/PublicAffairs/GuidelinesRightParticipatePublicAffairs_web.pdf.
60. Olinga, Alain Didier. Le Nouvel Environnement Juridique et Institutionnel des Élections au Cameroun. Yaoundé : Presses Universitaires d'Afrique, 2007. <https://www.aes-pua.com/livre/droit/nouvel-environnement-juridique-institutionnel>.
61. Organisation of American States. Electoral Good Practices Guide for Strengthening Electoral Processes. <https://scm.oas.org/pdfs/2021/CP44440EGOODGUIDE.pdf>. Polity IV Project. "Cameroon." <https://www.systemicpeace.org/polity/P5Cameroon2018.pdf>.
62. Sa'ah, Randy Joe. "The SDF Believed They Won the 1992 Presidential Election." BBC News, June 2023. <https://www.bbc.com/news/world-africa-65891543>.
63. Tatab Mangwo, Bernice. "Political News Reporting: A Comparative Study of the Coverage of the 1996 Municipal Elections by Cameroon Tribune (English Language Articles) and the Herald." CONSEIL AFRICAIN ET MALGACHE POUR L'ENSEIGNEMENT SUPERIEUR, November 1996. <https://dicames.online/jspui/bitstream/20.500.12177/7279/1/Tatab%20Bernice%20Mangwo.pdf>.
64. United Nations. "Cameroun, Constitution du 4 Mars 1960." Digitheque MJP. <https://mjp.univ-perp.fr/constit/cm1960.htm>.
65. United Nations. International Covenant on Civil and Political Rights. General Assembly Resolution 2200A (XXI), December 16, 1966. <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-civil-and-political-rights>.
66. United Nations. "Goal 16: Promote Peaceful and Inclusive Societies for Sustainable Development, Provide
67. Access to Justice for All and Build Effective, Accountable and Inclusive Institutions at All Levels." <https://www.un.org/en/exhibits/page/sdgs-17-goals-transform-world#sdg16>.
68. United Nations. Universal Declaration of Human Rights. 1948. <https://www.un.org/en/about-us/universal-declaration-of-human-rights>.
69. United Nations Development Programme. "What Are the Sustainable Development Goals?" <https://www.undp.org/sustainable-development-goals>.
70. United Nations Human Rights Committee. General Comment No. 25: The Right to Participate in Public Affairs, Voting Rights and the Right of Equal Access to Public Service (Art. 25). CCPR/C/21/Rev.1/Add.7, July 12, 1996. <https://www.equalrightstrust.org/ertdocumentbank/general%20comment%2025.pdf>.
71. United Nations Treaty Collection. "International Covenant on Civil and Political Rights." https://treaties.un.org/pages/showDetails.aspx?objid=0800000280004bf5&clang=_en.