



CAMEROON RENAISSANCE MOVEMENT (CRM)

**PROPOSALS FOR THE REFORM OF THE ELECTORAL SYSTEM IN THE LIGHT OF THE DOUBLE
LEGISLATIVE AND MUNICIPAL ELECTIONS OF SEPTEMBER 2013, THE SENATORIAL
ELECTIONS OF APRIL 2013 AND THE PRESIDENTIAL ELECTION OF OCTOBER 7, 2018**

EXPLANATORY STATEMENT

In 2012, after several decades of challenged elections and dialogue of the deaf between the Government on one side, the opposition and civil society on the other, an Electoral Code was adopted.

But instead of creating serenity and confidence in the electoral process, this Code has, on the contrary, reinforced the mistrust of the national electoral system within the political class and public opinion, because of the lack of consensus in its preparation and vote.

Admittedly, the current Electoral Code entails some improvements; but it must be acknowledged that from its first trial on the occasion of the senatorial elections and the 2013 combined legislative and council elections, it revealed numerous gaps and shortcomings as well as certain inconsistencies and dysfunctions in its provisions which favoured irregularities along the entire electoral process.

In order to remedy this, the present bill amending certain provisions of the Electoral Code is submitted to the consideration and vote of the august Assembly.

The National Assembly

Deliberate and adopt the following bill:

Article 1: Articles 12, 13, 14, 23, 24, 26, 29, 47, 54, 55, 56, 62, 67, 69, 70, 84, 85, 87, 96, 98, 102, 104, 106, 115, 123, 149, 164, 165, 166, 181, 182, 183, 194, 195, 288, 296, 297 of Law No. 2012/017 of 21st December 2012 amending and supplementing certain provisions of Law no. 2012/001 of 19th April laying down the Electoral Code are modified as follows:

Article 12 (new):

(1) The Electoral Board shall comprise eighteen (18) members, including 1 (one) President and 1 (one) Vice-President.

It shall be composed as follows:

- Eight (08) members representing the parties represented in the National Assembly and the Senate;
- Three (03) members representing the other political parties not represented in the National Assembly, but which took part in the last legislative elections, according to the number of municipal councillors;
- Three (03) members from the three parties whose candidates arrived at the head of the last presidential election;
- Three (03) members from the three parties whose candidates came top in the last presidential election;

Three (03) members representing the administration chosen by the President of the Republic, who have had no affiliation to a political party for at least three years prior to their appointment, nor shown by their activities or their public behaviour partisan preferences;

- One (01) representative of the civil society chosen by the President of the Republic, who has had no affiliation to a political party for at least three years prior his/her appointment, nor shown by his/her activities or his/her public behaviour partisan preferences.

(2) The representatives of the political parties shall be designated by the political parties concerned and their names formally transmitted to the President of the Republic.

(3) The composition of the Electoral Council shall be established by decree of the President of the Republic.

(2) (Deleted)

(3) The Electoral Board shall elect its President by an absolute majority of its members for a term of three (03) years renewable twice. In case of a tie, a second round is held to decide amongst the candidates. If the tie persists, the oldest candidate shall be declared elected.

(4) The Electoral Board shall elect its Vice-President by an absolute majority of its members for a term of three (03) years renewable twice. In case of a tie, a second round is held to decide amongst the candidates. If the tie persists, the oldest candidate shall be declared elected.

(5) The President and Vice-President of the Electoral Council shall not be from the same political party. Neither shall they be the representatives of the administration.

(5) (Deleted)

(6) The term of office of the members of the Electoral Board shall be five (05) years renewable once. However, at the end of the second year of the second term, a third of the councillors whose term of office has been renewed shall be drawn by lot and replaced by new members elected by an absolute majority of the remaining members of the Electoral Board.

(7) The members of the Electoral Board shall be chosen from personalities of Cameroonian nationality recognised for their competence, their moral integrity, their intellectual honesty and their sense of patriotism.

(8) Before taking office, the members of the Electoral Board shall take the following oath before the Constitutional Council: "I swear to fully and faithfully discharge my duties and to exercise my office without fear or favour in accordance with the Constitution and laws in force, to ensure the confidentiality of proceedings and votes, to abstain from taking public positions and to decline any consultation on matters falling within the purview of Elections Cameroon."

(9) They shall be subject to the obligation to declare their property and assets.

Article 13 (new):

(1) (Unchanged)

(2) The resignation referred to in Paragraph 1 above shall be duly established by the Electoral Board. In such case, the member whose resignation has been established shall be replaced through the same mechanism that appointed him/her. The elected candidate shall complete the term of the resigning member.

He/she shall take the oath in accordance with the provisions of Article 12 (8) above.

Article 14 (new):

(1) The temporary incapacity of a member shall duly be recorded by the Electoral Board. If this impediment extends beyond a period of six (06) months, the functions of the person concerned may be terminated by a decision of the Electoral Board taken by a majority of its members in accordance with the conditions set out in Article 13 (2) above.

(2) The member appointed to replace the incapacitated member shall serve the remainder of the latter's term. He/she shall take the oath as set out in Article 12 (6) above.

Article 23 (new):

(1) (Unchanged)

(2) (new) The Director General and the Deputy Director General of Elections shall be chosen from Cameroonian personalities recognised for their competence, moral integrity, intellectual honesty, sense of patriotism and spirit of neutrality and impartiality, and who have had no political affiliation for at least three years before they could present their candidacy. They shall be appointed by the Electoral Council following a call for applications.

Article 24 (new):

(1) The Director General and the Deputy Director General of Elections shall be appointed by the Electoral Board for a term of six (6) years, renewable once.

(2) In the event of vacancy of the office of Director General or Deputy Director General of Elections, he/she shall be replaced in accordance with the procedure described in article 23 (2) above. In the event that the Director General and the Deputy Director General of Elections are candidates for their own succession, their candidatures shall be added directly to the three (03) files selected at the end of the call for candidacy and submitted to the vote of the Electoral Board.

Article 26 (new):

(1) (Chapeau unchanged)

- (3rd indent) drawing up electoral registers with competent joint commissions.

To this end, it shall, as soon as the electorate is convened, take a decision recalling the exhaustive list of documents to be provided in order to be a candidate in the elections announced, reminding the administration, the political parties and the candidates of the provisions of Article 295 of this Electoral Code and the documents required to obtain the tax or tax-exemption certificate;

(2) (The remainder unchanged)

Article 29 (new):

(1) The recruitment of regional, divisional and council representatives of ELECAM shall be made by selection on the basis of a call for applications, by a commission chaired by the Director General and comprising: three (03) heads of the General Directorate of Elections; six (06) members of the Electoral Council, one (01) member representing the administration, four (04) members representing the political parties represented in Parliament, one (01) member representing the other political parties not represented in the National Assembly, but which took part in the last legislative elections.

(2) This commission shall decide on the modalities, launches the call for application and supervises the recruitment of the staff of the regional, divisional and council representations.

The remainder unchanged

Article 47 (new):

(1) (Unchanged)

(2) (new): Where the electoral incapacity of an elected candidate is established, the court having jurisdiction to deal with the dispute in respect of the elections concerned shall cancel the election of the person concerned, or, if he/she has already taken his/her functions, stripped him/her of his/her term.

Article 54 (new):

(1) For each polling station, there shall be a local voting commission composed as follows:

President: a person appointed by the head of divisional branch of Elections Cameroon after consulting the political parties taking part in the election. The opposition of the majority of the said political parties to the designation of a personality shall impose the replacement of the latter by the same procedure.

Members: the representatives of each candidate, list of candidates or political party.

(2) No later than the sixth day before the election, the names of the representatives of the Administration and of the candidates, lists of candidates or political parties, chosen from the voters registered on the electoral register of the electoral district concerned, shall be notified to the branch of Elections Cameroon. However, the political parties taking part in the election may replace their representatives in local polling stations until polling day; in this case the replacement decision shall be notified to the president of the polling station, who shall mention it on the minutes of the elections of the said polling station. No candidate representative, list of candidates or political party may be expelled or replaced by the chairperson of the local polling commission. He/she can only be replaced, if necessary, by the officials of the political party that has appointed him/her.

Article 55 (new):

The votes shall be counted in the presence of tellers, based on one teller per political party that has participated in the elections. In the case where there are less than four (04) tellers representing the political parties concerned, the chairperson of the local polling commission shall designate among the electors registered on the list of the polling station concerned, one or more persons to complete the number of tellers.

Article 56 (new):

(1) (new continued) However, upon arrival, no later than two (02) hours after the start of the voting operations, the missing representative(s) holding a mandate issued by the local leader of their political party, the representatives appointed by the president of the local voting commission immediately shall cease their functions and give way to them. Mention shall be made in the reports.

Article 62 (new):

(1) The local polling commission shall draw up minutes of all voting operations in as many copies as there are members plus two (02). These minutes shall be signed by the president and the members present. Each signatory member shall receive one copy, each copy being authentic. The reports and appended documents of the local polling commission shall be sent immediately by the chairperson of the commission to the divisional supervisory commission or to the council supervision commission, as the case may be. The chairperson of the local voting commission shall also send a copy to the person in charge of the council branch of Elections Cameroon.

(2) (new) Immediately after the closure of the voting operations, a commission supervised by the head of the council branch of Elections Cameroon composed of the representatives of the political parties that have taken part in the election and duly designated by these parties, shall transmit a copy of the reports of the local polling commissions, with accompanying documents, to the divisional supervisory commission or the council supervisory commission, if any.

(3) (Unchanged)

Article 64 (new):

(1) The divisional supervisory commission, whose seat shall be the chief-town of the division, shall comprise:

President: the head of the divisional branch of Elections Cameroon.

Members:

- a representative of each candidate or list of candidates or political parties.

(2) The composition of the divisional supervisory commission is established by an act of the head of the regional branch of Elections Cameroon.

(3) (Deleted)

(4) The defaulting member may be replaced by the authority or candidate who appointed him/her, by simple notification to the chairperson of the divisional supervisory commission.

Article 67 (new):

(1) Deliberations of the divisional supervisory commission shall be carried out on the basis of reports transmitted by the presidents of the local polling commissions.

(2) In case of miscalculation, the divisional supervisory commission shall rectify or correct the corresponding reports. It shall cancel the reports showing irregularities in the voting process and proclaim the results of the elections in the constituency concerned within five (05) days of the closing of the poll.

In case of rectification, adjustment or cancellation, the divisional supervisory commission shall mention it in its reports.

(3) The deliberations of the divisional supervisory commission shall be recorded in reports signed by the chairperson and commissioners, established in as many copies as members plus two (02). Each signatory member shall receive one copy, each copy being authentic. These reports and appended documents are sent within seventy-two (72) hours to the National Commission for the Final Counting of Votes.

(4) (Unchanged)

Article 68 (new):

(1) A National Commission for the Final Counting of Votes is hereby set up. It shall be composed as follows:

Chairperson: one (01) member of the Electoral Board of Elections Cameroon, appointed by the President of the Electoral Council.

Members:

- five (05) representatives of Elections Cameroon, appointed by the Director General of Elections;
- one (01) representative of each candidate or political party taking part in the election, appointed by the candidate or his political party.

(2) The composition of the National Commission for the Final Counting of Votes shall be approved by a resolution of the Electoral Board.

(3) The list of members of the National Commission shall be notified to the Constitutional Council and made available to the public.

Article 69 (new):

(1) (Unchanged)

(2) It shall correct any clerical errors in the counting of votes. It shall cancel the reports showing irregularities in the voting process and proclaims the results of the elections within ten (10) days of the closing of the poll.

In the event of adjustment or cancellation, the National Commission for the Final Counting of Votes shall mention it in its reports.

(3) (Unchanged)

(4) (Unchanged)

Article 70 (new):

(1) (Unchanged)

(2) The electoral registers shall be drawn up in alphabetical order. They shall be published online and by posting at least thirty (30) days before the polling date.

(3) (Unchanged)

(4) (Unchanged)

(5) (Unchanged)

Article 84 (new):

(1) In the event of the renewal of voter cards or new registrations on the electoral registers, the voter card shall be drawn up and immediately returned to its holder or to the new registrant as the case may be.

(2) The voter cards not withdrawn by their holders shall not be withdrawn or used to vote on the day of the election.

(2) (Deleted)

Article 85 (Deleted)

Article 87 (new):

(1) The election campaign for the legislative and municipal elections shall open on the 15th (fifteenth) day preceding the election. The one for the presidential election shall open thirty (30) days before the election day. The election campaign shall close at midnight on the eve of the election day.

(2) (Unchanged)

(3) (Unchanged)

(4) (Unchanged)

Article 95a (new):

(1) Presidential candidates have the same airtime and coverage in the State-owned media during the election campaign.

(2) For the legislative, senatorial, regional and municipal elections, competing political parties shall have the same airtime and coverage in the State-owned media.

Article 96 (new):

(1) (Unchanged)

(2) (Unchanged)

(3) Each polling station shall have five hundred (500) voters. However, a polling station may have fewer than five hundred (500) voters when it is impossible to reach this number.

(4) Every polling station shall be in a public place. No polling station shall be installed in a barracks, a military camp, a central or deconcentrated police, gendarmerie or other military, paramilitary or similar structure, or in the premises or compound of a traditional chiefdom.

Article 98 (new):

(1) new: The polling day is a working day for judicial officers and judicial police officers. They may, without any special prior exemption, freely issue acts of election fraud.

(1 old) (Unchanged)

(2) Each polling station shall be provided with the electoral material necessary for the completion of voting operations. Electoral operations start in a polling station only with the effective presence of all the voting material, including the single ballot.

Article 102 (new):

(1) No person shall be allowed to vote unless his/her name appears on the electoral register of the polling station concerned and unless he/she is identified by the members of the local polling commission, or, as the case may be, by the biometric identification terminal.

(2) (Unchanged)

(3) (Unchanged)

Article 103 (new):

(1) (Unchanged)

(2) Subject to full biometrics, two (02) or three (03) representatives of the political parties or of the candidates participating in the election shall be designated by drawing lots before all the members of the local voting commission, where there are respectively at least two (02) or three (03) participating political parties or candidates; these people shall proceed to the identification of the voter at the entrance of the polling station.

The chairperson of the local polling commission notes the actual vote.

Article 104 (new):

(1) After having been identified, every elector shall himself/herself take an envelope and each of the ballot papers placed at their disposal, and compulsorily enter the polling booth where they shall make their choice.

(2) (Unchanged)

(3) (Unchanged)

Article 106 (new):

(1) Subject to full biometrics, the vote of each elector is recorded by his/her signature and the affixing of his/her fingerprint in indelible ink on the electoral register.

(2) (cancelled)

(3) The electoral register shall be established in as many copies as political parties represented on the local polling commission. Each representative of a political party signing the list shall receive a copy. All copies are authentic.

(4) Under penalty of automatic cancellation of the vote, initialled copies of the electoral register, as well as the score sheet, shall be appended to the reports to be transmitted to the council and divisional commissions of supervision of the elections.

Article 115 (new):

(1) The results of the vote shall immediately be recorded in the reports. The latter, written in as many copies as there are members plus two (02), shall be closed and signed by them. All copies are authentic.

(2) (Unchanged)

(3) The original shall be sent by the chairperson of the local voting commission to the person in charge of the Council Branch of Elections Cameroon for archiving.

Article 123 (new)

(1) Candidacy papers shall be submitted in duplicate within thirty (30) days of the date of convening of the electorate.

(2) (Unchanged)

(3) (Unchanged)

(4) (Unchanged)

(5) (Unchanged)

Article 149 (new):

(1) (Unchanged)

(2) (new) However, in view of their particular situation, certain constituencies may be specially divided by decree of the President of the Republic issued at least three (03) months before the convening of the electorate.

Article 164 (new):

(1) Candidatures shall, within thirty (30) days from the convening of the electorate, be made out in nomination paper in triplicate, bearing the legalised signature of candidates.

(2) Such nomination paper shall be submitted and registered, against a receipt, at the General Directorate of Elections or at the divisional branch of Elections Cameroon of the constituency concerned. If need be, a copy of thereof shall be submitted to the Constitutional Council within fifteen (15) days by the candidate or the representative, against acknowledgment of receipt.

(3) (Unchanged)

(4) (Unchanged)

(5) (Unchanged)

Article 165 (new):

(1) The nomination paper shall include for each candidate, substantive or alternate:

- (New) a copy of his/her birth certificate
- (Unchanged)
- (Unchanged)
- (Unchanged)
- (Unchanged)
- (Unchanged)
- (Deleted)
- (Unchanged)

Article 166 (new):

(1) The deposit to be paid for candidates in parliamentary elections shall be set at five hundred thousand (500,000) FCFA.

(2) The deposit shall be paid by list in the form and manner provided for in Article 124 (2).

(3) (new) The original of the certificate of deposit payment is attached to the list of candidates for the constituency concerned.

(4) The deposit shall be refunded by the State Treasury in the cases provided for by Article 147 of this Law.

Article 181 (new):

(1) Candidatures shall, within thirty (30) days from the convening of the electorate, be made out in nomination paper in three (03) copies, bearing the legalised signature of candidates and submitted at the council branch of Elections Cameroon against a receipt.

(2) (Unchanged)

(3) (Unchanged)

Article 182 (new):

(1) The nomination paper shall include for each candidate:

- (New) a copy of his/her birth certificate
- (Unchanged)
- (Unchanged)
- (Unchanged)
- (Unchanged)
- (Unchanged)
- (Unchanged)
- (Deleted)
- (Unchanged)

Article 183 (new):

(1) Each candidate for municipal elections shall pay a deposit of twenty-five thousand (25,000) FCFA.

(2) The deposit shall be paid by list in the form and manner provided for in Article 124 (2).

(3) (new) the original of the certificate of payment of the deposit shall be appended to the list of candidates for the constituency concerned.

Article 194 (new):

(1) (Unchanged)

(2) (Unchanged)

(3) The competent administrative court shall give a ruling within fifteen (15) days from the day the petition was filed.

Article 195 (new):

(1) The municipal councillor whose election is challenged shall not take office before the intervention of a decision having the authority of res judicata.

(2) (Unchanged)

(3) (Unchanged)

Article 281 (new):

(1) (old article 281, unchanged)

(2) (new): The basis for calculation and the distribution keys of the subsidy shall be communicated to the political parties concerned before the establishment of the distribution table.

Article 285 (new):

(1) (old article 285, unchanged)

(2) (new): The basis for calculation and the distribution keys of the subsidy shall be communicated to the political parties concerned before the establishment of the distribution table.

Article 288 (new):

(1) (Unchanged)

(2) The following penalties shall also be punishable under article 122-1 of the Penal Code:

- The administrative authority who participates directly or indirectly in the election campaign of a candidate or political party, or in the elaboration of the electoral strategy of a candidate or party.

- Any member of the Government or equivalent person, any official or agent of the State, any personnel of the defence and security forces and any person who uses the logistical means of the State or a decentralised community to take part in an election campaign.

Article 296 (new):

(1) (Unchanged)

(2) (new) The organisations to be admitted as observers shall be those with the logistical and human resource capacity to deploy in at least three (03) of the ten (10) regions of the country to observe the different stages of the electoral process, in particular the declaration of the candidatures, the pre-electoral litigation, the electoral campaign, the vote, the counting and the proclamation of the results, as well as the electoral litigation.

Each of the above steps shall be the subject of a mandatory report of the accredited organisation made public and copies of which shall be sent to interested parties.

Article 297 (new):

(1) (Chapeau unchanged):

- (Unchanged)

- (Unchanged)
- (Unchanged)
- (Unchanged)
- (Unchanged)
- (Unchanged)
- (Unchanged)
- (Unchanged)
- (Unchanged)
- (Unchanged)

Further:

- The electoral calendar shall be set by law;

On the Constitution

Preamble

- (Old) The State shall ensure the protection of minorities and shall preserve the rights of indigenous populations in accordance with the law;
- (New) the State shall ensure the protection of minorities and shall preserve the rights of the populations in accordance with the law;

Voting age

- The voting age shall be eighteen (18);
- Voting is mandatory.

Executive Power

Chapter I The President of the Republic

ARTICLE 6 (Old):

(1) The President of the Republic shall be elected by a majority of the votes cast through direct, equal and secret universal suffrage.

(2) (new in the sense of the constitutional amendment of 2008) The President of the Republic is elected for a term of seven (7) years. He is eligible for re-election.

(3) The election shall be held not less than twenty (20) days and not more than fifty (50) days before the expiry of the term of the President of the Republic in office.

(4) (new) In the event of a vacancy of the Presidency of the Republic as a result of death, resignation or permanent incapacity duly ascertained by the Constitutional Council, the polls for the election of the new President of the Republic shall compulsorily be held no less than twenty (20) days and no more than one hundred and twenty (120) days after the office becomes vacant.

a- The President of the Senate shall as of right act as interim President of the Republic until the new President of the Republic is elected. Where the President of the Senate is unable to exercise these powers, they shall be exercised by his Vice, following the order of precedence.

b- The Interim President of the Republic – the President of the Senate or his Vice – shall neither amend the Constitution nor the composition of the Government. He/she shall not organise a referendum or run for the office of President of the Republic.

c- However, where the organisation of the presidential election requires, the interim President of the Republic may, after consultation with the Constitutional Council, amend the composition of the government.

(5) Candidates for the office of President of the Republic must be Cameroonian by birth, enjoy their civic and political rights and must have attained the age of 35 (thirty-five) by the date of the election.

(6) The conditions for electing the President of the Republic shall be laid down bylaw.

Article 6 (new):

(1) The President of the Republic and the Vice-President of the Republic, one of whom must be French-speaking and the other English-speaking, shall be elected by a majority of the votes cast through direct, equal and secret universal suffrage in two rounds.

(2) (new) The President of the Republic and Vice-President of the Republic shall be elected for a term of five (05) years renewable once.

(3) Unchanged.

(4) (new) In the event of a vacancy of the Presidency of the Republic as a result of death, resignation or permanent incapacity duly ascertained by the Constitutional Council, the Vice-President of the Republic completes the current term.

- The Vice-President who completes a term begun by the President of the Republic cannot modify the Constitution. He cannot use the referendum. He may be a candidate for election to the Presidency of the Republic.

(5) Candidates for the office of President of the Republic and Vice-President of the Republic must be Cameroonian by birth, enjoy their civic and political rights, know how to write and speak English and French, and must have attained the age of 35 (thirty-five) by the date of the election.

The Senate

ARTICLE 20 (old)

(1) The Senate shall represent the regional and local authorities.

(2) Each region shall be represented in the Senate by 10 (ten) Senators of whom seven (7) shall be elected by indirect universal suffrage on a regional basis and three (3) appointed by the President of the Republic.

(3) Candidates for the post of Senator and personalities appointed to the post of Senator by the President of the Republic must have attained the age of forty (40) by the date of the election or appointment.

(3) Senators shall serve a term of five (5) years.

Article 20 (New)

(1) The Senate shall represent the decentralised territorial units.

(2) Each region shall be represented in the Senate by 10 (ten) Senators elected by indirect universal suffrage on a regional basis.

(3) Candidates for the post of Senator and personalities appointed to the post of Senator by the President of the Republic must have attained the age of forty (40) by the date of the election or appointment.

(4) Senators shall serve a term of five (5) years.

Judicial Power

ARTICLE 37 (old)

(3) The President of the Republic shall guarantee the independence of judicial power.

He shall appoint members of the bench and of the legal department. He shall be assisted in this task by the Higher Judicial Council which shall give him its opinion on all nominations for the bench and on disciplinary action against judicial and legal officers. The organisation and functioning of the Higher Judicial Council shall be defined by law.

Article 37 (New)

The Higher Judicial Council shall guarantee the independence of the Judicial Power.

It shall appoint the bench and of the legal department. The organisation and functioning of the Higher Judicial Council shall be determined by law.

The Constitutional Council

Art. 50 (Old)

(1) Rulings of the Constitutional Council shall not be subject to appeal. They shall be binding on all public, administrative, military and judicial authorities, as well as all natural persons and corporate bodies. (2) A provision that has been declared unconstitutional may not be enacted or implemented.

Article 50 (New)

(1) Rulings of the Constitutional Council shall not be subject to appeal. They shall be binding on all public, administrative, military and judicial authorities, as well as all natural persons and corporate bodies.

(2) A provision that has been declared unconstitutional shall not be enacted or implemented.

ARTICLE 51 (Old)

The Constitutional Council shall comprise eleven (11) members designated for an eventually renewable term of office of six (6) years. These members shall be chosen from among personalities of established professional renown.

They must be of high moral integrity and proven competence.

(2) Members of the Constitutional Council shall be appointed by the President of the Republic. They shall be designated as follows:

- three, including the President of the Council, by the President of the Republic;
- three by the President of the National Assembly after consultation with the Bureau;
- three by the President of the Senate after consultation with the Bureau;
- two by the Higher Judicial Council.

ARTICLE 51 (New)

(1) The Constitutional Council comprises eleven (11) members, designated for a term of nine (9) years non-renewable. The members of the Constitutional Council shall be chosen from the personalities of established professional reputation. They must be of high moral integrity and proven competence.

(2) A member of the Constitutional Council must not have had an affiliation to a political party for at least five (5) years prior to his/her designation, nor shown partisan preferences through his/her activities or public behaviour.

(3) Members of the Constitutional Council shall be appointed by the President of the Republic. They shall be designated as follows:

- three (03) appointed by the President of the Republic, including a professor of public law who specialises in constitutional law, a professor of political science and a fourth-grade magistrate or a lawyer. At least one of the personalities must be a woman and another anglophone;

- two (02), including one anglophone and one francophone, from a simple majority vote in the National Assembly Plenary after consulting the office and the Speaker of the National Assembly on morality, competence and the professional reputation of candidates who should not be parliamentarians, shall be selected after a call for applications formulated by the National Assembly on the specific criteria;
- two (02), including one anglophone and one francophone, from a simple majority vote of the Senate Plenary, after consulting the Senate Office and the Senate Speaker on the morality, competence and professional reputation of the candidates who must not be parliamentarians, shall be selected after a call for applications formulated by the Senate on the specific criteria;
- two (02) magistrates of at least the fourth grade, one of whom is a francophone and one anglophone, from a poll of which the college is composed of the members of the High Judicial Council sitting, if necessary, in extraordinary session; all candidates must first have received from the Chancellery and the Council of the Bar Association a favourable report on their morality, competence and professional reputation;
- two (02) lawyers including an anglophone and a francophone, from an internal poll to the Bar for which any candidate must have previously received from the General Assembly, the Council of the Order and the Chancellery, favourable reports on their morality, their competence and their professional reputation.

(4) The President of the Constitutional Council is elected by the members of the Constitutional Council for a non-renewable term of three years. He/she must know how to read and write French and English. In the event of a tie in a decision taken by vote, his/her vote shall be decisive.

Article 49 of Law No. 2004/004 of 21 April 2004 on the organisation and functioning of the Constitutional Council

Article 49 (Old): To be admissible, the petition must contain the surname, forename(s), quality and address of the petitioner as well as the name of the elected representative(s) whose election is challenged. It must also be justified and include a summary of the pleas of fact and law on which it is based. The petitioner must append to the petition the documents produced in support of his pleas.

Article 49 (New)

To be admissible, the petition must contain the surname(s), forename(s), quality and address of the petitioner. It must also be justified and include a summary of the pleas of fact and law on which it is based. The petitioner must append to the petition the documents produced in support of his pleas.

Decentralised Territorial Units

ARTICLE 57 (Old)

(3) The Regional Council shall be headed by an indigene of the Region elected from among its members for the life of the Council.

The President of the Regional Council shall be the executive organ of the Region. In this capacity, he shall be the interlocutor of the State representative. He shall be assisted by a Regional Bureau elected at the same time as himself from among the members of the Council. The Regional Bureau shall reflect the sociological components of the Region.

Article 57 (New)

(3) The Regional Council shall be headed by a person elected within it for the duration of the Council's term of office.

The President of the Regional Council shall be the executive organ of the Region. In this capacity, he/she shall be the interlocutor of the State representative. He/she shall be assisted by a Regional Bureau elected at the same time as himself/herself from among the members of the Council. The Regional Bureau shall reflect the sociological components of the Region.

Article 58 (Old)

(1) A delegate, appointed by the President of the Republic shall represent the State in the Region. In this capacity, he shall be responsible for national interests, administrative control, ensuring compliance with laws and regulations, as well as maintaining law and order. He shall, under the authority of the Government, supervise and co-ordinate civil State services in the Region.

(2) He shall exercise the supervisory authority of the State over the Region

Article 58 (New)

(1) A delegate, appointed by the President of the Republic, shall represent the State in the Region. In this capacity, he/she shall be responsible for national interests, ensuring compliance with laws and regulations as well as maintaining the security of the State; he/she shall collaborate with the President of the Regional Council to ensure respect for public order; he/she supervises and coordinates, under the authority of the Government, the services of the civil administrations of the State in the region.

Article 2: This law shall be registered, published according to the procedure of urgency and inserted in the Official Gazette in English and French.

Yaoundé, on