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Interim Statement on the Gubernatorial, State and Reschedule National Assembly Elections

Thursday, 28 April 2011

Delivered at the Sheraton Hotel, Abuja

Ladies and gentlemen of the press, on behalf of the National Steering Committee (NSC) of Project 2011 Swift Count, it is our pleasure to share our preliminary findings on the gubernatorial, state assembly and rescheduled national assembly elections.

Summary

As you already know, Project 2011 Swift Count is jointly carried out by the Federation of Muslim Women's Associations in Nigeria (FOMWAN), Justice Development and Peace/Caritas (JDPC), the Nigerian Bar Association (NBA) and Transition Monitoring Group (TMG). Thus reflecting the rich diversity of Nigeria, it brings together Christians and Muslims, as well as organizations with citizen election observation and legal expertise.

Similar to the Presidential election, Project 2011 Swift Count deployed close to 8,000 accredited observers -- over 7,000 stationary observers at polling units and close to 1,000 mobile observers-- to observe the conduct of accreditation of voters, voting and counting at polling units during the gubernatorial, state and the reschedule national assembly elections. We will be closely following the official results to be announced by Independent National Electoral Commission (INEC) for the gubernatorial elections in Plateau, Borno, Kano, Imo, Delta and Oyo, and will be comparing these results with the data submitted by our observers in those states.

Based on observer reports from a representative random sample (1373) of those polling units holding elections on 26 April, Project 2011 Swift Count finds that across the country the processes of accreditation, voting, and counting of ballots were consistent with the findings observed from the presidential elections held on 16 April 2011. Certain improvements in the election processes during the past 3 weeks were noted, particularly a decline in shortage of election materials at polling units and the bolstering of security around polling units.

Certain problems continue to exist-- in particular the number of incidents recorded by our observers exceeded what were recorded during the presidential election. While we expected observer harassment to diminish during this election, to our disappointment, it actually increased. Political party agents, local government chairmen, political thugs, and community members intimidated and chased out our observers from several polling units, and in some cases even

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pummelled and kidnapped observers. We observed that there is increasingly desperation on the part of politicians in the way our observers were being harassed and intimidated. These deplorable acts of harassment and intimidation cut across all zones but were more pronounced in the South East and South South. As a result, our observers were unable to observe in some polling units across the country.

It is particularly alarming that INEC and the security forces did not take heed of our previous recommendation to take all necessary steps to ensure accredited observers have free access to polling units. As a matter of fact, reports received from observers suggested that some INEC officials and security forces were aware of the intimidation and harassment of our observers but took no action to protect them. This significant level of harassment closes the democratic space for citizens' engagement. In addition, the trend of harassment and intimidation recorded was inconsistent with the positive trend established during the recently conducted National Assembly and Presidential election.

Reports from our observers show incidence of ballot box snatching/stuffing has increased during this election, with South East and South South, again, experiencing the highest such incidents. Other incidents reported included instances of partisan polling officials, stealing of ballot papers, suspension of voting, and violence.

The violence that ensued after the Presidential election has lingered in certain areas. Incidents of violence have increased from the Presidential and the National Assembly elections. Once again, Project 2011 Swift condemns the bomb blast in Maiduguri that occurred on the eve of the elections and the killings of innocent citizens and the destruction of properties across the country. It is worrying that the security forces are yet to bring to justice the perpetrators of this wanton violence. While grieving with the families of the deceased and injured, the partner organizations strongly condemn any act of violence and call upon Nigerians to refrain from violence in the days following the state elections and to respect the rule of law. We also strongly condemn leaders of local communities, in particular local government chairmen, who have taken the law into their hands by depriving citizen groups, accredited by INEC, of their mandate to observe the elections. We urge the appropriate authorities, in particular the security agencies, to swiftly bring to justice any culprit found compromising the integrity of the elections.

Our findings today are only about the processes of accreditation of voters, voting and counting at polling units where elections were held (723 of the 774 LGAs). Project 2011 Swift Count continues to observe the collation process and to collect and analyse individual polling station results in order to verify the official results to be announced by INEC for gubernatorial elections in the six selected states where possible. We will issue additional statements as appropriate.

Methodology

The primary objective of Project 2011 Swift Count is to help promote free, fair, peaceful, credible and legitimate elections in Nigeria that are conducted in accordance with international and regional standards as well as the laws and the constitution of our country and the *"Declaration of Global Principles for Nonpartisan Election Observation and Monitoring by Citizen Organisations"*.

The Swift Count methodology provides voters, political contestants and electoral authorities with an accurate, real-time picture of the conduct of the accreditation of voters, the voting and counting process, serving as a deterrent to anyone attempting to manipulate the process. Project 2011 Swift Count will also be able to provide voters and political contestants greater confidence that the official results accurately reflect the ballots cast.

Swift Count uses samples of polling units for each election that have been carefully selected by trained Nigerian statisticians, based on time-tested statistical principles to ensure that they are both representative and unbiased. This methodology, combined with the latest technology—text messages transmitted by cell phones to a central data base, enables Project 2011 Swift Count to present an objective, nonpartisan, real-time picture of the conduct of the election and to verify the accuracy of the official INEC results.

Findings

Observers Access to Polling Units

Similar to our findings from the Presidential election, Project 2011 Swift Count accredited observers faced significant challenges in gaining access to the polls during the State elections. These challenges were, however, more pronounced than during the Presidential election. There has been a significant increase in the number of observers reporting harassment and intimidation by local government chairs, political party agents, party thugs and/or members of the community. Some of our accredited observers were chased out of the polling units, some beaten, and others kidnapped or detained. While these reports came from all zones, they are most concentrated in South South and South East. Observers in Delta, Imo and Borno reported the highest number of such incidents. To exacerbate the situation, in some areas, INEC and security officials who were informed of these harassments did nothing to protect the accredited observers. We should, however, put on record that in some cases, detained/kidnapped observers were rescued by security agencies.

Election Officials Preparedness and Opening of Polling Units

Our findings suggest a slight decline in INEC's logistical readiness compared to the Presidential election. As of 7:30 am, our observers at 38% of polling units reported that officials were present and ready for the State elections as compared to 42% of polling units that were ready at the same time during the Presidential election. Logistical problems were more pronounced in the South East and South South zones where 21% and 24% observers respectively reported officials' presence as at 7:30am.

Accreditation of Voters

In general, accreditation of voters went well except in certain polling units. It is significant to note that contrary to INEC procedures, and as it has been the practice in the previous two elections, voters were accredited and voted at the same time. Similar to the Presidential election, at more than a third of polling units, most voters left the polling unit after being accredited. As stated in our statement on presidential elections, both issues could undermine the safeguards put in place by INEC to prevent multiple voting.

Most of our findings concerning the accreditation of voters are consistent with those from the Presidential election:

- Similar to the Presidential election, Project 2011 Swift Count observers reported that at 73% of polling units, accreditation of voters started by 9:00 am. In Oyo in the South West accreditation began before 9:00 am in 91% of polling units observed; while in Plateau in North Central, 96% of observers reported the start of accreditation before 9 am.

- Late opening of polling units was a particular problem in South East and South South. In the South East, the majority of polling units (59%) opened late, between 9am and noon; and in the South South most (46%) began late between 9am and noon. This was particularly a problem in the Imo (67%) and Delta (56%) states.
- 36% of our observers reported that more than half of the accredited voters left the polling unit after being accredited, which is consistent with what was observed during the Presidential election when 34% of our observers reported more than half of accredited voters left the polling unit.
- On average, our observers reported the presence of 3 polling officials and 4 political party agents at polling units.
- 94% of our observers reported that there were security personnel at the polling unit consistent with our findings during the presidential elections (93%).
- 7% of our observers reported that few voters were accredited to vote who did not have a voter's card. In Plateau, however, 26% reported such incidents.
- At the national level, 74% reported that everyone who arrived before accreditation of voters finished was allowed to be accredited compared to 84% in South West, with Oyo having the highest percentage (89%). On the other hand, 59% in North East reported this finding.
- 96% of our observers reported that voters' names were ticked in the register of voters when being accredited, similar to the 95% recorded during the presidential election
- 91% of our observers reported that voters' cuticles were marked when being accredited, with Borno (79%) trailing behind the national average.
- 9% of our observers reported incidents of harassment or intimidation at polling units during accreditation similar to the 6% recorded during the Presidential election. These incidents were, however, higher in the South South (14%).

Voting

Generally, voting was conducted without serious problems. However, as noted above, voting at some polling units occurred simultaneously with accreditation of voters, rather than after. In addition, a number of observers witnessed people being accredited to vote after accreditation had concluded.

- Consistent with the Presidential election, our observers reported that voting began by 1:00 pm at 81% of the polling units in which elections took place.
- 15% of our observers reported that people were accredited to vote after conclusion of accreditation. This is consistent with the percentage reported for the Presidential election. This issue was of greatest concern in the South East (23%) and South South (29%) where observers reported people being accredited to vote after accreditation concluded. South West, however, has far fewer reports of such incidences (6.5%).
- 12% of our observers reported incidents of harassment or intimidation during the voting process, which is slightly higher than the Presidential election. Certain states

such as Delta (21%), Imo (26%), Borno (20%) and Kano (17%) reported higher percentage than the national average.

Other findings related to the voting process are consistent with those from the Presidential.

- At 93% of polling units, our observers reported that no one was permitted to vote without a voter's card.
- 99% of our observers reported that every ballot paper was stamped and signed before being given to voters.

Counting

Overall, the counting process proceeded without any significant challenges. The marked improvement seen in the Presidential election continued in these elections as well.

- Consistent with Presidential election, Project 2011 Swift Count observers reported that the ballot papers were properly sorted and counted at 99% of polling units.
- At 94% of polling units, our observers reported that all political party agents present agreed with the results as announced by the polling officials. This tracks closely with what was reported for the Presidential and National Assembly elections.
- 9% of our observers reported that polling officials did not post the official results at the polling unit as required by INEC. This is similar to the Presidential election where results were not posted at 7% of polling units.
- At 6% of polling units, our reported incidents of harassment or intimidation during the counting process, this is consistent with what was reported for the Presidential election. Delta and Imo (both at 12%) had double the amount of the national average.

Critical Incidents

A total of 937 critical incident reports were received from our mobile observers deployed by Project 2011 Swift Count in all 34 states. This is an increase compared to 628 reports received during the presidential election. The situation, particularly in Delta, Akwa Ibom, Imo and Rivers, pose a great threat to citizens' franchise. It sets a negative template against the backdrop of a popular desire for credible elections in those states. The reported critical incidents were concentrated in South South (more than 40%), and to some degree in South East (close to 20%). Delta had a total of 178 total incidents, with intimidation and harassment being the topmost; Akwa Ibom recorded 161 incidents, with violence being in the majority; while Imo had 76 incidents reported, with violence and intimidation leading the list.

- The most frequently reported incidents were: intimidation or harassment; violence, vote buying/bribery; ballot box snatching/stuffing; and illegal voting.
- Compared to the Presidential and National Assembly elections, there were fewer incidents of shortage of election materials and campaigning or campaign materials in or around polling units.
- However, there were significantly more reports of ballot box snatching, violence and intimidation/harassment.

Conclusions and Recommendations:

The State elections have not yet concluded. Results are still being collated and INEC is yet to announce the official results. Project 2011 Swift Count calls upon all Nigerians to remain calm and peaceful during this period. We will continue to observe the process and will provide independent verification of the official results as announced by INEC.

Project 2011 Swift Count will deploy observers in Kaduna and Bauchi on Thursday 28 April 2011. Based on our initial findings from the gubernatorial elections, Project 2011 Swift Count makes the following recommendations:

- The four partner organizations call on all Nigerians to respect the rule of law and reject violence at all cost;
- While condemning the deplorable acts of harassment and intimidation, we urge INEC and security agencies to fulfil their mandate to protect and provide access to polls to accredited citizen observers in future elections;
- INEC should swiftly bring to justice any perpetrators of election fraud and violence;
- In the days after the elections, political parties should publicly condemn all acts of violence and any elections fraud;
- We urge all those who do not agree with the outcome of the elections to access the election petition tribunals to resolve their objections; and
- The security agencies, political parties, communities, and indeed, all stakeholders should refrain from any action that prevents accredited observers from carrying out their mandate in the remaining State elections.

Project 2011 Swift Count again recognizes the dedication of the National Youth Service Corps (NYSC) members who are serving as polling officials despite the many challenges. We also commend all Nigerians for their determination to exercise their right to vote.

We urge all Nigerians to remain calm and wait upon INEC to conclude the electoral process and to use laid down procedures to resolve claims and objections.

Finally, we applaud the thousands of our members across the country who have volunteered to observe these elections even in the midst of such intimidations and violence.

God Bless Nigeria



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Learn more about Project 2011 Swift Count at www.pscnigeria.org