



**Second Report by the National Democratic Institute and The Carter Center  
on the 2003 Nigerian Electoral Process**

**March 16-21, 2003**

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**EXECUTIVE SUMMARY**

**T**his report is the product of a pre-election assessment team organized by The National Democratic Institute for International Affairs (NDI) and The Carter Center that visited Nigeria March 16-21, 2003. The report details the team's observations and respectfully includes specific recommendations for ways to improve the conduct of the elections in the few weeks remaining before the first set of elections on April 12. The team was warmly received by all with whom it met, for which it expresses its gratitude, and urges all Nigerians to work together to ensure the integrity of the 2003 election process.

NDI and the Center have been involved in the Nigerian electoral process since September 2002 through periodic electoral assessments and an NDI field office operating in Abuja. An initial NDI/Carter Center assessment mission in September 2002 focused on the voter registration process and electoral preparations. In November 2002, NDI/Carter Center conducted a second assessment mission that produced a baseline report of the electoral environment and suggested specific recommendations to improve the process. This mission is the third and final NDI/Carter Center pre-election assessment before the April 12 National Assembly elections.

As noted in its November 2002 assessment, NDI and The Carter Center continue to view positively the enthusiasm of Nigerians to participate in the election process as voters, candidates and observers. **However, with fewer than three weeks remaining before the National Assembly elections, crucial aspects of the electoral process are unresolved. NDI and The Carter Center are deeply concerned that deficiencies and other flaws related to the organization and conduct of the upcoming elections, if not addressed and corrected, could irreparably harm public faith in the country's democratic process. Four areas are particularly critical:**

- **The Status of the Voter Register**

The voter register may not be complete and has not been adequately displayed for public review and claims and objections. In the eyes of many Nigerians, delays and inadequacies in this crucial aspect of the electoral process have adversely affected the Independent National Election Commission's (INEC) preparations for the elections and threaten to undermine the proper conduct of the election processes. The team urges INEC to complete this process and allow for display of the register as soon as possible before the elections.

- **Security**

The team noted widespread concerns about the disturbing level of political violence throughout the country. All Nigerians committed to peaceful elections should work to ensure that the remaining weeks of the political campaigns are conducted peacefully and to refrain from any intimidation or violence on election day. The team also expressed concern over the lack of a well-publicized national security plan, as suggested in the NDI/Carter Center November pre-election report. Such a plan would serve as a deterrent to violence and would provide a framework for resolving any conflicts as they erupt. The team was encouraged by INEC's efforts to gain political party endorsement of the political party Code of

Conduct, and by INEC's assurance that all parties have now signed the Code. All parties should distribute and widely publicize it among party activists as a means to reduce inter-party tensions.

- **Observer Accreditation**

The team was impressed by the energy and commitment of the increasing number and range of Nigerian civil society organizations interested in observing the 2003 elections. However, the current provisions for accrediting domestic observers, unless changed, will make it exceedingly difficult for these independent nonpartisan organizations to play their vital role in the electoral process. The team strongly recommends that INEC provide a simple and straightforward process to facilitate timely accreditation for domestic observers.

- **Building Confidence in the Electoral Process**

The team heard numerous reports suggesting that electoral irregularities are anticipated, if not expected. While the corrosive influence of money in the political process is known, there is an absence of public scrutiny of campaign finance practices and no mechanism for investigating reports of abuses. The team recommends that INEC and civil society organizations work together to monitor these issues.

The team notes the important role of the media in the political process and found encouraging the efforts by an ad hoc media coalition to stage candidate debates. The delegation urges all media organizations to strengthen their commitment to covering the diversity of political views in Nigeria.

## **I. THE TEAM AND ITS WORK**

The pre-election team included Dr. David Carroll, associate director of the Carter Center's Democracy Program; Mr. Makram Ouais, NDI senior program manager; Dr. David Pottie, senior program associate of the Carter Center's Democracy Program; and Ms. Titi Pitso, NDI senior program officer.

The team's main purpose was to follow up on the assessment and recommendations of the first NDI/Carter Center team conducted in November 2002. That team included the Honorable Hage Geingob, former Prime Minister of Namibia; Ron Gould, former assistant chief electoral officer of Elections Canada and former commissioner of the 1994 Independent Electoral Commission of South Africa; Charles Costello, director of the Carter Center's Democracy Program; Barrie Hofmann, NDI deputy director for central and west Africa; and Wayne Propst, NDI Nigeria country director.

Team members met with a cross section of Nigerian political party leaders, election authorities, representatives of civil society, the private sector, media and the international community. The team expresses appreciation to everyone with whom it met for freely sharing their views on the electoral process.

As noted in its November 2002 pre-election assessment report, NDI and The Carter Center believe that an accurate and complete assessment of any election must take into account all aspects of the electoral process. These include:

- the legal framework for elections
- an accurate and complete voters register
- the campaign period
- the voting process
- the counting process
- the tabulation of results
- election petitions and the application of sanctions for election violations
- the process for the transfer of power

All activities in the pre-election period, including electoral preparations and the overall political environment, must be given considerable weight when evaluating the democratic nature of elections. The team does not pre-judge the overall process in this report and realizes that no election can be viewed in isolation from the political context in which it takes place.

## **II. ELECTORAL CONTEXT**

As Nigeria enters the final weeks of preparations leading up to the National Assembly and presidential elections, the team and many Nigerians with whom it met fear a repeat of the serious flaws that were evident in the 1998-99 election process. Election-related violence and the prospect of ballot box stuffing, rigging and vote tabulation fraud need to be forestalled by immediate steps if the elections are to meet minimum accepted international standards.

The team noted that progress has been made in several areas of concern that were highlighted in the NDI/Carter Center November 2002 pre-election report: Since that time, INEC has released an election calendar, established a consultative process for political parties and civil society organizations to enhance transparency in the conduct of elections, issued a political party Code of Conduct and registered additional political parties bringing the total number of participating parties to 30. INEC is to be commended for these positive steps.

The team was also encouraged that many civil society organizations are preparing to observe the elections, including many for the first time. In addition to the Transition Monitoring Group -- a civil society coalition that led the domestic observation effort to the 1998-99 elections and whose membership has soared in the last few months -- labor, interfaith and faith-based groups, women's and professional organizations are all engaged in domestic monitoring efforts. These groups are professionalizing their efforts through: training; the sharing of common materials and checklists; and upgraded communication, reporting and information technology systems to provide credible data upon which to base their assessments of the election. These efforts will contribute to the transparency and accountability of the electoral process.

## **III. OBSERVATIONS AND RECOMMENDATIONS**

### **The Status of the Voter Register**

The team was deeply concerned that the voter registration process remains incomplete and the overwhelming majority of Nigerians have not had an adequate opportunity to review the voter register. INEC has indicated that the voter register was displayed at numerous wards in various parts of the country on a staggered schedule. However, many parties, voters, and observers report that there was very little public information about the display and that they were unable to locate and review the register. As a result, many Nigerians do not know if they will be able to cast their ballots on election day. In addition, INEC has not released information about the total number of registered voters, nor about the number of multiple registrants expunged from the voter register. The process for acquiring voter cards is also unclear.

INEC's inability to complete voter registration in a timely, transparent and public manner has already adversely affected Nigeria's 2003 electoral process. Unresolved problems with the voter register will result in increased tensions during the elections and may disenfranchise large numbers of eligible voters and allow others to vote fraudulently. (The team recognizes that the voter registration process is before the courts and awaits the timely resolution of this matter.)

The team recommends the completion and public display of the voter register for claims and objections as far in advance of election day as possible. INEC assured the team that they intend to undertake a well-publicized display of the voter register at polling stations three days before the election (too late for most remedial action), and that registered voters will be able to collect their voter cards at that time. The commission has also stated that it intends to provide a CD-ROM of the final voter register to all political parties before the elections, but the time has already passed for using the data effectively. The team also recommends that INEC publicly clarify the procedures for acquiring a voter card.

### **Security**

Nigeria's pre-election period has been characterized by rising political tension, thuggery, and assassination of candidates and political activists. Although the NDI/Carter Center November 2002 team recommended the establishment of a well-publicized national security plan, it appears that little action has been taken in this regard, and no serious, concrete steps have been made evident to the public that would reassure them. Ongoing violence is threatening Nigeria's hard-won efforts to conduct its second consecutive open election.

While the team welcomed President Obasanjo's initiative to organize an all-party summit on election security, the atmosphere in Nigeria remains one of violence and insecurity. The team therefore recommends a greater public commitment on the part of election officials, security forces, and political parties to work together to ensure the creation of a peaceful and secure environment for elections. As part of this, the police should reassure parties, candidates, and voters that they will provide adequate security on election day. This needs to include steps to ensure the integrity of balloting and vote counting, not just to deter violence.

The team was encouraged by INEC's release of a political party Code of Conduct designed to inhibit acts of intimidation and election violence. All political parties should immediately take concrete steps to ensure that the candidates, party officials, and supporters conduct themselves in a tolerant and peaceful manner throughout the remaining weeks before the elections. Nigerian voters should hold political parties to these standards.

### **Observer Accreditation**

The team found that the INEC process for accrediting domestic observers threatens to undermine the deployment of a significant number of independent monitors on election day. Whereas party agents can simply present a letter from their respective political parties, domestic observers must complete and sign individual forms accompanied by two photographs. Given the constraints of time and the limited resources of both INEC and the observer organizations to take on added tasks, it is unlikely that the current accreditation process can be completed successfully for most of the anticipated tens of thousands of domestic observers.

Nigerian citizens have a right to participate in their own elections as nonpartisan observers. The team has met with INEC to discuss a more streamlined accreditation process. One possible course of action is to give civil society observer organizations the requested number of badges in exchange for lists of the names of observers to be deployed upon completion of their training.

### **Building Confidence in the Electoral Process**

Unfortunately, the team heard frequent reports from Nigerians that suggest that a high level of vote-buying, ballot box stuffing, and other electoral corruption is once again anticipated. The team was similarly concerned about the lack of public scrutiny of campaign finance practices, and reports about abuses.

While recognizing that "money politics" have prevailed in Nigeria's electioneering and will take time to correct, the team recommends that INEC and civil society organizations work together to monitor campaign finance issues, and ensure that political parties abide by regulations in the Electoral Law and the political party Code of Conduct regarding campaign spending limits and the use of state resources.

The team was encouraged by reports of a series of presidential debates broadcast to the Nigerian public. However, many of the Nigerians whom the team met complained of the influence of money and politics in the nation's media. There are widespread concerns about media bias in the state media and the influence of paid political advertising in the form of news articles.

The Nigerian media may best contribute to the country's forthcoming elections through balanced election coverage, with equitable time distribution among parties and access for the views of all political parties. The team urges all media to strengthen their commitment to covering the diversity of political views in Nigeria and internal monitoring mechanisms to that effect.