



**PRELIMINARY STATEMENT OF THE AFRICAN UNION
OBSERVER MISSION ON THE 2011 PRESIDENTIAL
ELECTION IN NIGERIA**

16 APRIL 2011

A. INTRODUCTION

In response to the invitation of the Independent National Electoral Commission of Nigeria (INEC) and in accordance with the Guidelines for African Union Election Observation and Monitoring Missions, H. E. Jean Ping, Chairperson of the African Union (AU) Commission, dispatched an Observer Mission to the 2011 National Assembly (House of Representatives and Senate) and Presidential Elections in Nigeria.

The AU Observer Mission issued a preliminary statement on the National Assembly (NASS) Elections of 9 April, 2011 on Tuesday 12 April, 2011.

During the Presidential Elections, the AU Mission is led by H.E. John Agyekum Kufuor, former President of the Republic of Ghana. Members of the Mission are drawn from Elections Management Bodies (EMBs), National Parliaments, the Pan African Parliament, Ambassadors, eminent persons and members of civil societies from various African countries. The Mission Observers are from Cameroon, Egypt, Ethiopia, Ghana, Kenya, Lesotho, Liberia, Malawi, Sierra Leone, South Africa, Sudan, Swaziland, Uganda, Zambia and Zimbabwe. Egypt, Kenya, Malawi, Sudan, Uganda and Zimbabwe also sponsored delegates to the Mission.

The Mission is assisted by a team of technical staff from the AU Commission Headquarters in Addis Ababa, Ethiopia; the Pan-African Parliament in Midrand, South Africa; and the Johannesburg-based Electoral Institute for the Sustainability of Democracy in Africa (EISA).

B. DEPLOYMENT FOR THE 16 APRIL, 2011 PRESIDENTIAL ELECTIONS

On Thursday 14 April, 2011 the AU Mission redeployed 14 observer teams to the Federal Capital Territory and the following States: Kaduna, Kano, Kogi, Kwara, Lagos, Niger, Ondo, Oyo and Rivers.

Upon arrival, the teams visited INEC State offices to establish the level of preparedness of the Commission for the Presidential Elections and to familiarise themselves with polling units where they would observe on polling day.

C. OBSERVATIONS

After analysing the observations made by its different teams, the AU Mission makes the following findings:

I. LOCATION OF POLLING UNITS AND DISTRIBUTION OF ELECTION MATERIALS

- i. The polling units visited by the AU teams were commonly situated in public places, ranging from schools to community halls. In some other cases, polling units were established by the road side.
- ii. Polling units were generally established in the open, with officials, voters, party agents and observers exposed to harsh weather conditions..
- iii. In general, polling units were located within a reasonable reach from voters. However, in some rural areas, a number of polling units were far from voters and rendered their accessibility relatively difficult.
- iv. The distribution of materials was much better than during the National Assembly Election of 9 April, 2011. Polling materials were distributed to the wards on the eve of the election day.

II. OPENING OF THE POLLS

- vii. In most polling units, by 7:30am when the AU teams arrived to observe the opening of the polling process, preparations were already under way and potential voters had started queuing.
- viii. Most polling units opened on time, after all procedures required by relevant regulations and common practices had been followed. However, some polling units did experience delays in opening. For example in Kwara State, at the University of Ilorin II.
- ix. In comparison with the NASS Elections, polling staff seemed to have a firmer grip on the voting procedures devised by INEC, and seemed to apply them with consistency.

III. ACCREDITATION OF VOTERS

- x. In line with the legal framework, accreditation of voters took place within the hours of 8:00am and 12:00pm in most of the polling units. However, it was extended beyond 12:00pm in a number of polling units where the process did not commence on time.
- xi. The challenge of missing names from voters register persisted in a few of the polling units visited. But the cases were far fewer.
- xii. The AU team in Kaduna State observed that contrary to INEC guidelines, accreditation and voting were simultaneously carried out in a number of polling stations. This happened in Sabon Tasha Ward, at Mando Primary School and

Abuja Road-New Extension, where voters were allowed to vote immediately after their accreditation.

IV. BALLOTING

- xiii. In most polling units, voting commenced immediately after accreditation, although there were inconsistencies in the commencement of the voting process. In some stations, presiding officers complied with the stipulated procedure of counting accredited voters before commencement of the polls while, in other stations, this procedure was not complied with.
- xiv. Voting generally took place in a free and orderly manner. A remarkable feature of the polling process was how the people actively involved themselves in ensuring that the polls were a success. The Mission did not observe any major hindrance or disturbance that could have negatively affected the polling.
- xv. Contrary to the directives of INEC that each polling unit should have a maximum of 300 voters, but many of the polling units visited were over-crowded and posed a problem in terms of crowd control. But despite long queues and challenging weather conditions, voters demonstrated eagerness and determination at the polling units visited.
- xvi. Most of the polling staff showed high professional conduct and commitment to their duties. They followed the prescribed procedures for voting and remained steadfast throughout the duration of the polling.
- xvii. There was an impressive presence of party agents and domestic observers in most polling units visited. In general, polling booths were arranged in such a way that the secrecy of the ballot was protected. In some instances, however, either ballot booths were not provided or they were improperly placed and this impinged on the secrecy of the poll.
- xviii. Challenges noted during polling include:
 - Missing names from the voters' register in a number of polling units;
 - Lack of clarity on the role of party agents and representatives of candidates;
 - Voting by seemingly under-age people;
 - Prolonged wait between the commencement of accreditation and the actual voting, generally under challenging weather conditions;
 - Polling units located relatively far from potential voters, especially in rural areas;
 - Absence of ballot booths in a number of polling units;
 - Inconsistencies in the application of procedures as directed in the INEC manual.

V. CLOSING OF POLLING PROCESS

- xix. In some polling units, voting closed at 4:00pm, but in other counting has already been concluded.

VII. COUNTING AND COLLATION

- xx. Counting procedures started immediately after the closure of polling operations and continued without interruption till the end of the operation, when the results for the polling unit were publicly announced by the presiding officer.
- xxi. The counting of votes was publicly done in the presence of party agents, security personnel, national and international observers and voters who stayed behind after casting their votes.
- xxii. The process was generally orderly and peaceful, and was conducted in an open and transparent manner. There was no major incident, except determination of spoilt ballot.

VIII. SECURITY ARRANGEMENTS

- xxiii. The AU teams did not observe any significant security incident during the polling, and when the incident occurred it was handled professionally by members of the Nigeria Police present, deployed in reasonable numbers in all the polling units visited.
- xxiv. The AU Mission noted that the presence of members of the police forces was discreet and contributed to the peaceful and orderly environment that prevailed during the voting. The security measures established at polling units did not give the impression of intimidating or instilling fear in voters. On the contrary, the neutral, professional and friendly role played by police officers seemed to contribute to the generally peaceful atmosphere in which the presidential polls took place.

D. FINDINGS AND RECOMMENDATIONS

Based on the observations and findings of its different teams, the African Union Observer Mission makes the following recommendations for the improvement of future electoral processes, and as a contribution to any political reforms that relevant authorities in Nigeria might envisage and carry out:

- The Mission noted that INEC had embarked on an inclusive voter registration process ahead of the 2011 elections. However, the voters' registers as they stood for the Presidential Elections were not as accurate and complete as they should be. Cases of omitted or missing names were observed throughout the country, while voters were in possession of valid voter's cards. The AU Mission therefore recommends that in future the voters' registers be released well in advance of election day in order to allow candidates, political parties and voters to verify its accuracy and correct any possible errors.

- INEC and relevant stakeholders should undertake extensive and continuous voter education initiatives to enable the electorate to understand their rights and obligations, and the whole electoral process.
- The Mission noted the high level of spoiled ballot papers due, in most cases, to the spilling of ink on the ballot paper and inconsistency in the application of procedures. The Mission noted the discrepancy in the way presiding officers would validate or invalidate ballot which posed problem. It would also appear that the quality of the ink used to mark the voter's choice on the ballot was not up to the required standards. The Mission is of the view that electoral legislation should be reviewed to provide for alternative voting procedures in place of thumb printing.
- In the subsequent elections, INEC should not only provide polling booths at all polling units to ensure the secrecy of the ballot, but also give clear directives on how and where the ballot booths should be arranged in polling units.
- Voting by under-age was one of persistent problems observed in the recently held elections. To address this, the Mission suggests that INEC, in conjunction with other relevant authorities, should put in place measures for proper screening and registration of prospective voters, in strict compliance with constitutional and legal requirements.
- Over-crowding in polling units should be addressed. The initial plan by INEC to have 300 voters per polling unit is commendable. INEC should make clear and strict provisions for the full implementation of this arrangement.

E. CONCLUSION

On the basis of their observations and using the 2002 Declaration on the Principles Governing Democratic Elections in Africa, the African Union Election Observer Mission conclude that the 2011 Presidential Elections in the Federal Republic of Nigeria were conducted in a manner that allowed the people of Nigeria to express their democratic choice without any major hindrance.

The Mission would like to congratulate INEC, its leadership and staff at all levels, for its commitment, dedication and a sterling effort in overcoming all the challenges towards the delivery of successful and credible elections in the country.

The African Union Mission wishes to acclaim the people of Nigeria, political parties and candidates, as well as all the stakeholders involved in the current electoral process, for the peaceful conduct of the 2011 Presidential Elections.

It has come to the attention of the AU Mission that some acts of violence have erupted in some States since the commencement of the announcement of results. The AU Mission would like to appeal to the top political leadership and other stakeholders across the board to restrain their supporters from engaging in violent acts and to safeguard the integrity of the federal State. The Mission encourages all parties to seek redress through constitutional and legal mechanisms.

The Mission notes with regret a number of violent incidents and the bomb blasts in some States and sends its heartfelt condolences to the families of people who lost their lives in these tragic incidents.

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AU Observer Mission Leader: 2011 Nigeria Presidential Elections

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