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EU Election Observation Mission (EOM) to Nigeria - 2003

Parliamentary (12 April), Presidential (19 April, possible runoffs 26-29 April,) and States' Elections (Governors, 19 April and States' Houses of Assembly 3 May)

National Assembly Elections highlight important areas for improvement for next rounds of Elections in Nigeria

First Preliminary Statement - Abuja, 14th April 2003

The National Assembly elections (Senate and House of Representatives) were the first in a series of important polls to be held in Nigeria, in the context of transition from civilian to civilian administration, crucial for the country and for the region as a whole.

The European Union Election Observation Mission (EU EOM) has been present in Nigeria since 11th March 2003, following an invitation from the Nigerian Ministry of Foreign Affairs. The Mission is led by **Chief Observer Mr. Max van den Berg, Member of the European Parliament**, Vice Chairman of the EP Committee on Development and Co-operation and Member of the Joint Parliamentary Assembly of the EU-ACP (African, Caribbean and Pacific States). In total, the EU EOM deployed 113 observers in 31 States throughout Nigeria to follow and report on the electoral process. Comprehensive findings and conclusions will be presented by the Chief Observer at a press conference to be held shortly after the 19th April elections.

Summary of preliminary findings:

- The EU EOM welcomes the fact that polling took place in a generally peaceful manner, despite isolated cases of violence. In contrast, the pre-election period was marred by violent incidents, including the killing of political contenders and party supporters.
- The participation of an increased number of political parties broadened the political spectrum and improved the quality of the debate. The presence of party agents and observers during voting and counting enhanced the transparency of the process. A number of safeguards were introduced to prevent widespread multiple voting on Election Day.
- However, the election process was marked by serious shortcomings and delays in the electoral preparations. In particular, voter registration has been the main source of difficulties and controversy. Candidate nominations, the monitoring of campaign finance and media coverage of the elections were also not implemented in an adequate manner. On Election Day, the main problems included late opening of most polling stations, lack of secrecy of the vote and in certain areas elections did not take place. Some observers witnessed serious irregularities in the collation of results, e.g. in Enugu

and Rivers State.

- Prior to the forthcoming polls, the electoral authorities should address the difficulties identified during the National Assembly Election Day, in particular regarding the handling of electoral materials and safeguarding the secrecy of the vote. The EU EOM encourages all stakeholders in the electoral process to provide for a peaceful environment. The EU EOM will remain in country to observe and report on the Presidential and Gubernatorial elections and the States Houses of Assembly elections.

Election Administration

- The legal framework allows for competitive elections, although it contains several inconsistencies. The electoral preparations by the Independent National Electoral Commission (INEC), and in particular the registration of voters, started too late and led to recurrent delays during the whole electoral process. Many deadlines were missed and certain legally prescribed tasks, such as the display of the voters register, were not fully adhered to. INEC also did not disseminate adequate guidelines and instructions on certain matters, for instance regarding political party campaigning. In many cases, observers reported that the distribution of sensitive electoral material, including ballot papers, was not documented.
- Voter registration has been the main source of difficulties and controversy. The establishment of a computerised register is commendable; however, the task and complexity of the process was seriously underestimated, especially given the time available. The initial registration exercise in September 2002 was marred by numerous problems and the make-up registration in January 2003, as well as the claims period, did not provide adequate opportunities for corrections. The number of total registered voters announced by INEC shortly before Election Day varied greatly (from 67.9 million applications to 60.8 voters in the final register) and fuelled suspicion, particularly as the process of detecting and deleting millions of applications was not transparent.
- Distribution of voter cards started late and created confusion, as there was conflicting information whether registered voters who had not been issued voter cards could still cast their ballots on Election Day. The practice in this field was not uniform.
- The challenge of organising a series of elections in Nigeria, given the size of the electorate and the limited infrastructure, was compounded by the late release of funds to INEC.

Pre-Election Environment

During the pre-election period, a number of violent incidents were reported, including the killing

of political contenders and party supporters. It appears that some of the violence was the result of the ruling parties in certain areas obstructing campaign events of competing political forces.

- The Supreme Court ruling annulling the INEC Guidelines for political party registration opened up the political spectrum for the general elections. The participation of an increased number of political parties broadened the political spectrum and improved the quality of the debate. For many of the newly registered parties however, time was short to properly prepare for these elections.

- The process of candidate nominations was characterised by serious discrepancies between lists submitted by the parties at local and central level as well as numerous incomplete applications and many last-minute changes. In most parts of the country, the final list of candidates was not displayed at constituency level as prescribed by law.
- INEC has not indicated how it intends to monitor and to enforce the legal provisions prescribing the limits on campaign expenditure.

Media Coverage

- The law provides for equal opportunity and airtime for all parties in public and private media; however, this was not achieved given the large number of parties registered and their varying degrees of campaign activity. Moreover, federally owned media were found to be biased in favour of the party of power, both in terms of amount of time devoted and the positive tone accorded to its activities. State-owned media showed a tendency to promote the local ruling party. In a welcome development however, most political parties were able to present their views to the electorate through the debates between presidential candidates broadcast on public and private media.
- Regulations on the 24-hour campaign silence were not strictly adhered to, despite National Broadcasting Commission warnings in advance.

Election Day – National Assembly elections (12 April 2003)

- On Election Day, polling took place in a generally peaceful manner. However, there were reports of isolated violent incidents in certain parts of the country, and particularly in Enugu, Delta, Rivers and Bayelsa. Observers reported that election officials generally conducted their task in an impartial manner.
- Almost all polling stations observed opened late due to delays in the distribution of election material, and no polling took place in certain areas of Bayelsa, Akwa Ibom, Enugu, Delta and Rivers, as confirmed by INEC. The distribution of voter cards on Election Day created confusion in many polling stations and sometimes required voters to queue up twice before casting their ballots. Moreover, in some polling stations observed, the number of registered voters far exceeded the aimed number of 500 and there were often long queues. Voters should be commended for their patience.
- The secrecy of the vote was compromised by the inadequate layout of many polling stations, the lack of screens and of appropriate measures by and training of election officials and security forces. Ballot papers and boxes were not always provided in sufficient quantities. The sealing of ballot boxes was not satisfactorily implemented, as well as the inking of voter's fingers in certain polling stations. Some of the other safeguards designed to prevent multiple voting, such as the stamping of voter cards, were properly applied.
- Political party agents accredited to observe the process were present in nearly all polling stations; their presence and that of domestic non-partisan observers enhanced the transparency of polling and counting. The count was generally carried out in an adequate manner and the declaration of results at the

constituency level contributed to increased transparency.

- However, in certain places, the count and collation were not conducted in accordance with established procedures. Some observers witnessed serious irregularities in the collation of results, e.g. in Enugu and Rivers State. A few observers were obstructed while carrying out their duties at this stage of the process in these States.

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