



STATEMENT OF THE NATIONAL DEMOCRATIC INSTITUTE'S INTERNATIONAL ELECTION OBSERVER MISSION TO NIGERIA'S APRIL 9 RESCHEDULED LEGISLATIVE ELECTIONS

Abuja, April 11, 2011

This preliminary statement is offered by the National Democratic Institute's (NDI) election observer delegation to Nigeria's April 9, 2011, National Assembly elections. The 50-member delegation from 23 countries was co-led by: Joe Clark, former prime minister of Canada; Antonio Manuel Mascarenhas Monteiro, former president of Cape Verde; Mahamane Ousmane, former president of Niger and former speaker of the ECOWAS Parliament; Jon S. Corzine, former U.S. senator and governor of New Jersey; Marietje Schaake, member of the European Parliament from The Netherlands; Natasha Stott Despoja, former senator and party leader from Australia; and Kenneth Wollack, president of NDI.

The delegation recognizes the importance of these elections. The National Assembly's constitutionally mandated role is central to democratic governance, and its authority will depend in large measure upon the credibility of these elections. These polls also will set the stage for the conduct of the upcoming presidential, state and remaining National Assembly elections.

The delegation visited Nigeria from April 4 to April 11. The mission builds upon the findings of NDI's pre-election delegation, conducted in October of 2010, and the reports of 12 NDI long-term observers, who, since January, have witnessed pre-election preparations, including the voter registration process and the campaign period. Delegates observed over 230 polling units in 77 local government areas (LGAs) across 18 states in all six geopolitical zones and in Abuja, the Federal Capital Territory (FCT). The delegation conducted its activities in accordance with Nigerian law and the *Declaration of Principles for International Election Observation*, which has been endorsed by 36 key inter-governmental and nongovernmental organizations worldwide. The delegation cooperated with other international observer missions and with Nigerian civic groups, which deployed approximately 15,000 observers nationwide.

The delegation would like to stress that it does not intend to render a final judgment on the April 9 National Assembly elections at this time. The tabulation process and the announcement of results have not been completed. In the past, this has been a process during which serious irregularities have emerged. This statement is therefore preliminary in nature. Presidential, gubernatorial and state assembly elections will be held in the coming weeks. An NDI delegation will observe the presidential election and the Institute will continue to monitor the electoral process and issue reports at appropriate times. The Institute does not seek to interfere in the electoral process and recognizes that it is the Nigerian people who will ultimately determine the credibility and legitimacy of their elections.

I. KEY FINDINGS AND RECOMMENDATIONS

Though not without significant problems, Nigeria's April 9 National Assembly elections, compared to past elections, provided a real opportunity for citizens to exercise their right to vote. Increased citizen awareness, public confidence in the leadership of election authorities, and greater engagement by political parties and civil society all provided the basis for a break from previous failed elections. However, continued vigilance is needed to realize the promise of these polls. Positive momentum must continue to build to meet the challenges that will be presented by the upcoming presidential and state elections.

The delegation joins Nigerians and others in the international community in condemning the violence during the election process, including bombings on election eve and election day, as well as violent acts in the campaign period that together left over 100 dead and many more injured. The delegation acknowledges the resolve of millions of Nigerians who went to the polls showing that their desire for democracy will not be deterred by violence. Political violence, however, is a national problem that needs to be addressed urgently by all sectors of Nigerian society.

Nigerians who went to the polls were enthusiastic, determined to cast their ballots and keen to safeguard their vote. Polling officials, in particular, the National Youth Service Corps (NYSC), who were recruited as polling staff, generally demonstrated extraordinary commitment and neutrality. The NYSC represents a generation of Nigerians who have not experienced a democratic election, but contributed to the integrity of this one. In most places, delegation members observed cooperation among political party agents, accredited citizen observers, security personnel and election authorities. The new chairman of the Independent National Electoral Commission (INEC) is widely credited with building public confidence in that institution and the electoral process.

INEC's decision to postpone the polls from April 2 was a forthright admission of unpreparedness and allowed major problems to be addressed. Such problems were simply ignored in the 2007 elections. At the same time, the failure to hold polls as originally scheduled caused widespread disappointment, which in part may explain what appears to be a lower voter turnout on April 9. Logistical failures caused INEC to halt and then further delay these elections; at least 15 senatorial and 48 House of Representative races were postponed further until the state polls.

The serious problems observed by the delegation included instances of: significantly late openings of polls; inaccurate, incomplete or missing voter lists; inconsistent application of procedures; underage voting; overcrowding of polling sites; lack of ballot secrecy; failure to post results at polling sites; and missing essential materials. In addition, observers witnessed isolated cases of intimidation, vote buying and ballot box snatching. Unless these problems are addressed, they could adversely affect hotly contested presidential and gubernatorial races in which voter turnout is expected to be higher.

The unusual "vote and wait" approach advanced by INEC, civil society organizations and political parties as part of Nigeria's re-introduced "modified open ballot system" (MOBS or "accreditation voting") requires voters to stay at polling units for many hours and encourages them to remain over the entire voting and counting process. The system was designed to reduce opportunities for intimidation and misconduct that have occurred previously at polling sites during lulls in the election process. At the same time, the voting system requires much of voters and could reduce participation, particularly of those with poor health and family responsibilities, thereby affecting women disproportionately. On balance, the delegation believes the system contributed to the integrity of these elections. However, we hope that as elections improve in the future a less complicated and onerous process can be adopted.

Another unusual feature of Nigerian elections has been the role of the judiciary, which has in the past overturned numerous election outcomes at the state and federal level. Moreover, in the immediate lead up to the April 9 polls, the courts eliminated candidates who were alleged to have been selected improperly by parties. Therefore, there were instances in which voters would not have known the candidates competing for seats in their constituencies. The extraordinary role of the courts illustrates weaknesses in the electoral system and the democratic practices of political parties.

In addition, electoral offenses have gone virtually unpunished, creating a sense of impunity. We hope that improvements in the electoral process will reduce the overreliance on the courts and reinforce the rule of law.

While longer term improvements in the electoral process are needed, this delegation respectfully offers the following recommendations focused on steps that can be taken in the days ahead to improve the processes surrounding the presidential and state elections. INEC should:

- Improve logistics plans to ensure on-time opening of polls;
- Update or supplement the voter register and provide it, along with instructions on its use, to polling officials before the April 16 presidential poll to reduce instances of voter disenfranchisement;
- Take additional steps to ensure that polling officials, including NYSC members, are able to manage their polling units and properly implement polling procedures (possible remedies include effective assistance hotlines, mobile help units and additional training);
- Print, distribute and ensure the public posting of results sheets at each polling unit and at collation centers, as well as post on the official INEC website results of all elections, including results from the polling site level and aggregated results;
- Reissue instructions requiring polling officials to complete and secure results sheets in tamper-evident envelopes before leaving the polling stations;
- Instruct polling officials to create multiple accreditation and voting points wherever possible and provide guidance on better management of queues to alleviate crowding, confusion and delays;
- Improve the security and management of collation centers including by providing additional staff at ward level;
- Ensure that election officials employ every means possible to ease the accreditation and voting process for the elderly, the disabled and women who are pregnant or accompanied by children;
- Enforce vigorously the law against underage voting by instructing polling officials to exercise their authority to verify the identity and age of those attempting to vote;
- Instruct officials to place voting booths in such a manner that ballot secrecy is ensured and inform voters of the proper ballot folding method to maintain the secrecy of their vote; and
- Take immediate steps to prosecute those responsible for election violence and fraud, and widely publicize the actions taken.

The INEC chairman in addition to taking these urgent and necessary administrative steps should use the media to inform citizens about them and to call on citizens and electoral officials alike to work together and increase vigilance to ensure credible polls.

Candidates, especially the major presidential contenders, should, in an act of statesmanship, find ways to cooperate in the coming days to demand that their supporters adhere strictly to the codes of conduct adopted by their respective political parties.

The leadership of the security services should take all measures necessary to ensure that their officers act professionally, remain politically impartial and continue to cooperate with electoral officials to ensure orderly and peaceful polling.

II. ELECTION DAY OBSERVATIONS

Observer reports from these elections – including incidents of problems listed below – contrast with the nature of observations following the 2007 polls. Four years ago, systemic and widespread irregularities subverted the overall credibility of those elections.

Despite long queues and challenging weather conditions during April 9 polling, voters demonstrated eagerness and determination at the polling units visited. With some exceptions, observers witnessed cooperation between polling officials, security forces, party agents and voters to support the election process. However, they also noted instances where tensions arose as voters lacked understanding of the procedures or were informed that they would not be allowed to cast a ballot because their names were missing from the voter list.

While delegates in most areas observed a peaceful and orderly election day, some witnessed tension or disturbances. Overcrowding in some polling sites created tense environments for voters, and, at times, NYSC polling staff faced difficulty in maintaining authority over the polling site. In one polling site in Ogun state, observers witnessed ‘thugs’ who were allegedly aligned with a political party creating a disturbance and then stealing a ballot box following the count. In Lagos, there were credible reports of local gangs harassing INEC officials and voters.

Violent incidents occurred in different parts of the country during the elections. A bomb exploded at an INEC center in Suleja, Niger state, on the eve of the elections killing of at least 13 people. On election day, two bomb blasts—including one at a polling unit—in Borno killed a number of people, and there were additional incidents in Osun, Bayelsa and Delta. It is estimated that at least 16 people were killed on election day.

Unlike the aborted elections on April 2, many of the polling units observed opened on time or with a delay that still allowed all interested voters to be accredited and vote. Significant delays in some sites may have led to some citizens being unable to vote. For example, at one location in Kaduna, polls were closed prematurely due to security concerns about overcrowding or darkness. Officials in some areas held accreditation and voting simultaneously in an attempt to process large crowds more quickly.

Observers reported varying levels of turnout, with crowds appearing smaller than those for the April 2 polls. Some voters and polling officials attributed this reduction to voter fatigue and disappointment over the rescheduling of the polls. The proportion of female voters varied across the

country. Delegates observed that elderly and disabled voters were often provided special considerations to facilitate their voting. Such consideration was not always provided to pregnant women or those accompanied by children.

While overall turnout was relatively low, overcrowding was often reported, especially in Benue, Lagos, Kano, Kaduna, Adamawa, Sokoto, Akwa Ibom and the capital. The creation of additional sub-units to alleviate overcrowding was rarely observed, even in stations where sufficient materials, staff and space were available. At times election officials seemed overwhelmed, and party and security agents were observed organizing the queues, and, in isolated instances, accrediting voters, “helping” voters mark their ballots or even assuming polling officials’ duties.

Observers reported that in the majority of polling places visited, staff received all essential materials. However, some polling officials reported an insufficient number of ballots, due to ballot use during the April 2 polls or to an under-allocation of ballots. Results sheets were also missing in some polling units and, in some cases, polling officials attempted to compensate by photocopying sheets designed for other races or used regular paper to record results. Security of sensitive materials was sometimes vulnerable.

Problems with the voter register were reported across the country, with prospective voters being refused accreditation even though they were in possession of a voter registration card. INEC officials admitted that some officials lists were misprinted, had some pages missing, were not available, or contained incorrect or incomplete data. In a polling unit in Kano, for example, the printout of the voter list was incomplete, ending at names beginning with the letter ‘T.’ Procedures for those whose names were not on the list varied from one polling unit to another. For example, in Enugu, some officials allowed voters to cast tendered ballots at one polling site, while at another, voters not on the list were sent away.

Procedures for accreditation, voting and counting were inconsistently followed, with deviations reported in all states observed. Polling officials’ understanding of the process and level of knowledge about the procedures varied. Some officials omitted significant steps aimed at safeguarding the integrity of the elections, such as separate accreditation and voting processes, a double check of voter identity and proper inking. Delegates noted, however, that most procedural violations seemed to result from insufficient knowledge or pressures to process a large number of voters in a short amount of time, rather than from an intention to compromise the process.

Despite repeated warnings by INEC that underage voters would be arrested and prosecuted, observers noted a significant number of minors accredited to vote at polling sites in Katsina, Kano and Kaduna and, to a lesser degree, in other parts of the country. For example, dozens of individuals dressed in school uniforms who appeared to be as young as 12 to 14 were accredited at a polling site in Katsina.

Observers witnessed violations of ballot secrecy due to placement of voting booths, and the misunderstanding by voters or polling officials on the proper way to mark and fold the ballot. Few voters complained that their choice was visible to both security and party agents standing in the

vicinity of the voting booths and ballot boxes; the majority of voters seemed unconcerned by the circumstances.

Counting started rather early in most states observed and was generally conducted in the presence of observers, agents and large numbers of voters. Most counting processes were conducted without major incidents, although some facilities lacked sufficient lighting to complete the count easily.

In some places, polling officials failed to reconcile the ballots before starting the count, delayed filling out the forms until arriving at a collation center, or used plain paper to record and display the results. Staff also faced difficulties in filling out the forms, in part due to procedural omissions during accreditation and voting, such as not determining the number of people in the queue when voting began. In a large number of places, results were not publicly posted as procedures stipulate.

The collation centers at ward level were often poorly managed with a single staff person both attempting to organize arriving polling officers and entering results. While the officials we observed were well informed and competent, overcrowding and lack of procedures to manage results sheets securely may have created opportunities for interference in the process.

The presence of security officials contributed to the peaceful and orderly conduct of elections in most places. The shuffling of security officers between locations contributed to the confidence of people in the impartiality of security services at the polling stations observed. In most places security officials properly assisted polling staff by maintaining queues and quelling tension in overcrowded polling sites; in other locations, such as some polling sites in Kano, security was passive. In many locations, security officials inserted themselves into managing polling stations when polling officials were unable to assert their authority. While their intervention was generally helpful, it highlights the need to strengthen the role of presiding officers. Observers in a few states reported a heavy security, while delegates in others noted insufficient number of police in some locations and passive security in other locations. Rural areas seemed to be more affected by inadequate police presence, while many polling units in urban centers witnessed many officials from several security agencies.

III. THE ELECTORAL CONTEXT

Nigerians embraced the return of civilian rule in 1999 after more than 30 years of chronic instability punctuated by civil war, coups and repressive military governments. Prior to the 2011 elections, three general elections have been held in 1999, 2003 and 2007. Each was seen as less credible than the previous one. Those elections undermined public confidence in the country's electoral process.

Nigeria's nascent democratic institutions were especially shaken in 2007 by an opaque election administration, widespread irregularities and misconduct. At the time, domestic and international observers describe the elections as fatally flawed and having failed the Nigerian people.

The Nigerian court system played a prominent role in attempting to correct problems of the 2007 elections. The results of many state and national elections were challenged and a number overturned, with some appeals still ongoing in 2011. While Nigeria's courts frequently showed

independence in overturning election results, the volume of complaints from the elections – a total of 1,260 – overwhelmed the legal system. Overturned elections led to the automatic swearing in for governors in four states where they had initially lost the election and to rerun gubernatorial elections in six states.

Upon assuming office, President Jonathan declared improving the 2011 election process to be a priority of his administration. One of his first actions was the appointment of Professor Attahiru Jega as INEC chairman. Prof. Jega, who had served as a member of a presidentially appointed election reform committee, emphasized the need to restructure the commission, thereby raising expectations that INEC would be more transparent throughout the electoral process, incorporate good practices for credible elections and promote dialogue among all Nigerian stakeholders.

The Election Reform Committee released its report in December 2008, offering recommended reforms aimed at making the election process more credible and transparent. After the period of inaction on electoral reform, the National Assembly passed several amendments in quick succession beginning in July 2010. Two sets of constitutional amendments, in July and November 2010, were accompanied by a new electoral act in August 2010, and further amendments were made to the electoral act in January and February 2011. Most important, the amendments established INEC's financial independence from the executive branch and set stricter punishments for electoral offenses. One amendment set forth processes to guide the conduct of more democratic political party primaries, though parties largely did not adhere to them.

Pre-Election Period

Legal Framework and the Electoral Reform Process

To increase INEC's flexibility in setting the electoral calendar, the National Assembly passed a number of amendments to the constitution in November and an Electoral Act in January that allowed the commission to move elections from January to April 2011. Additional changes in February permitted INEC to extend the voter registration period. These later amendments also included clauses reducing INEC's mandate to enforce democratic practices within the candidate selection process.

Multiple versions of legislation led to confusion among officials, political competitors, observers and voters. Up until the elections, multiple versions of the law were in publication, with few stakeholders having the most recent version.

INEC re-introduced the “modified open ballot system,” or accreditation voting – a system that requires all voters to check in at their polling units in the morning, and to remain at or return to the polling units by 12:30 to begin the voting process. Accreditation voting is rare, only used in Nigeria periodically and in the Dominican Republic since 1996. INEC reintroduced the voting method to mitigate fraud and misconduct by encouraging continuous citizen presence at the polling sites. During past elections, international and domestic observers identified several concerns with accreditation voting, including potential voter disenfranchisement—particularly among women—and threats to ballot secrecy. However, as one observer noted, “complexity was designed for good purposes.”

Alongside accreditation voting, civil society and INEC advanced the concept of “vote and wait,” which is based on the idea that citizens should remain at the polling unit and witness the ballot

count to increase transparency of the process. Some civil society groups advocated a more activist approach by citizens, in what they called “mandate protection”. Security forces reacted coolly to both concepts, citing concerns over crowd control and the potential for chaos. INEC and the police worked together in planning for election day to balance the tension between citizen presence and crowd control.

Election Administration

Despite widespread public support for the new INEC chairman—and a broad acknowledgement that this administration was more forthcoming than its predecessor—the commission still faced challenges providing timely, detailed and comprehensive information to parties, observers and the public. The late release of information on procedures for voter registration and for voting meant that most voter education efforts focused on general values around the elections rather than voter experience on election day.

While much of INEC’s permanent staff was carried over from the last elections, the commission made an effort to recruit a new work force to staff polling units during voter registration and election day. For the first time, ad hoc staff were recruited from a pool of university graduates performing their year of obligatory national service under the National Youth Service Corps (NYSC) to administer voter registration and polling. Recruitment and training of polling staff occurred according to the official INEC timeline in most states around the country, but hiring and allocation of staff was not well-documented. Electoral officers, who were redeployed shortly before the election to different locations in an attempt to mitigate malfeasance faced difficulties in organizing ad-hoc staff they were suddenly charged with overseeing.

While INEC’s deployment of “non-sensitive” voting materials appeared on schedule and reached most states and local government areas in sufficient time, concerns about disbursement of sensitive materials (i.e., ballots and results forms) foreshadowed the delay of the April 2 elections. In the days leading up to the originally scheduled National Assembly elections, some state commissioners had already expressed concerns to NDI that they would not receive sensitive materials soon enough. Meanwhile, Chairman Jega stated on the eve of the elections that all preparations were completed for elections to take place on time.

Halting and Postponement of the National Assembly Elections on April 2

As election day began, it became obvious that in many polling sites critical materials had not been delivered. Reportedly, materials from printers had been delivered late and some ballots had omitted contesting parties. At midday, after several million voters had cast ballots, Chairman Jega halted the elections and rescheduled them for the following Monday. He later rescheduled the polls for April 9, after consulting with political parties. INEC pushed back the presidential election to April 16 and gubernatorial and state assembly polls to April 26.

INEC did not immediately indicate how it treated the millions of ballots that were already cast by voters on April 2. After considerable delay, INEC announced that it was cancelling those ballots. This decision required the reprinting and delivery of replacement ballots, along with replacing ballots that originally had missing party logos. This necessitated a further delay until April 26 in about 15 percent of constituencies.

Voter Registration

INEC had conducted an ambitious electronic voter registration exercise from January 15 to February 5. The start of the registration process was marked by many logistical problems that made it difficult for voters to register in many parts of the country. Project 2011 Swift Count, a citizen monitoring effort that deployed a statistical random sample of observers throughout the country, documented significant problems in the beginning of the process, including delayed opening of registration units—with 84 percent of units failing to open on the first day of the exercise, due to late arrival of materials and faulty equipment. The commission extended the exercise by one week—or longer in some locations—to compensate for the initial slowness of the process, giving more citizens the opportunity to register. Swift Count acknowledged that INEC was able to address many of these challenges over the course of the registration period.

The display period following registration was designed to give Nigerians the opportunity to ensure that they were properly registered and to object to registrations of ineligible voters. However, INEC did not release guidelines for the display process until just days before it began. Very few display centers were open in the first few days, and not all of those that opened displayed the entire list. Many officials kept the list in a folder so voters could check their own information, but not check for the improper registrations of others. Voter education on the process was limited, and very few voters reviewed the list. Project 2011 Swift Count noted that an average of 40 voters visited centers on the penultimate day of the display process.

INEC reported on March 2 that it had registered 73.5 million voters, a higher number than expected and several million higher than the provisional figure announced only days earlier. In response to questions, INEC stated that it had initially underreported because of poor communication between Abuja and registration centers. INEC identified more than 870,000 duplicate entries by cross-checking fingerprints and photos; it committed to delete all of them and prosecute the registrants suspected of intentionally registering more than once. In late March, at least two people were prosecuted and sentenced to prison for multiple registrations.

Citizen Engagement

Since the 2007 elections, Nigeria's civil society heightened its engagement in the electoral process, first as advocates of electoral reform, then as promoters of voter education and later as observers of the electoral process. A number of organizations and coalitions planned to observe the elections in April. For the first time in Nigeria, a coalition of four highly respected civil society organizations – 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) – established Project 2011 Swift Count to conduct an advanced form of election observation. Project Swift Count includes both quantitative and qualitative analysis of elections using a nationwide statistical sample. Other civil society organizations also conducted observation efforts, using new media and other innovations, such as incident-mapping, information sharing and voter education, to inform and mobilize citizens to participate in the elections.

Candidate Selection

Despite minimum standards for democratic primaries set out in the 2010 Electoral Act, many primaries were not conducted in accordance with the law. Several parties acknowledged improper conduct in their primaries and committed to rerun them. Nonetheless, they were unable to do so

before the January 15 deadline. Where primaries were rerun after the deadline, INEC challenged their validity in court. In some states, INEC's challenges were upheld; in others, judges ruled that the reruns were valid.

Some parties held credible primaries, but a number of their candidates were substituted or withdrew to allow others to appear on the ballots. Further, legal complications surrounding the selection of candidates – particularly for state and National Assembly races – meant that INEC was still revising the list of candidates two days before the election. To avoid a delay in printing ballots, INEC announced that ballots would show only party names and symbols. In places where late changes were made, voters were likely not to know what candidate stood behind the party's name and symbol. Other candidates who received their party nominations without controversy were able to conduct political campaigns well in advance of the elections.

Female Candidates

The party primary process produced very few female candidates; they comprised less than 15 percent of those running for National Assembly seats. Some parties took measures to increase the participation of female as nominees in state primaries by waiving a filing fee. However, several female candidates complained that additional fees were still required. Others faced pressure to withdraw from party primaries, and some who won party nominations were intimidated to step aside for male party members. In one extreme case, a female senatorial candidate from Kaduna was attacked in two separate incidents, allegedly by members of her own party who opposed her nomination.

Many female candidates were unable to meet the high cost of campaigning. In Ekiti state, however, civil society and media outlets provided such candidates with some free airtime to help defray campaign costs.

The Campaign

While the campaign period began in December, the uncertainty over candidate lists meant that campaigning for many races did not begin until February. Many Nigerians were heartened that campaigns had become more issue-based compared to previous elections, with candidates taking positions on topics such as security, corruption, economy, health, education and infrastructure. The most prominent method of campaigning was through posters, billboards and town hall meetings. Better financed candidates held large rallies and advertised in radio, television and newspapers. Campaign finance regulations appeared not to be enforced.

In mid-March, 54 political parties signed an electoral code of conduct in which they committed to upholding the rule of law, promoting civil conduct during the campaign, on election day and in the post-election period, as well as complying with party finance regulations. The code contained a number of points to mitigate or prevent conflict among party supporters, including abstaining from espousing violence, coordinating campaign events to avoid confrontations among supporters and banning weapons at official events. The code also reactivated the Inter-Party Advisory Council (IPAC) intended to observe and regulate compliance with the code and to sanction parties that violate it. It is not clear if IPAC and its state and local counterparts were effective as an enforcement mechanism of the code. However, multiple parties referenced the code when publicly condemning the actions of their rivals.

The Complaints Process

In March, INEC reported that over 300 court cases had been filed against it nationwide. Several political parties filed multiple appeals against INEC's decisions to refuse their candidate lists. While it was within INEC's power to refuse lists under the original Electoral Act of 2010, the February 2011 amendment removed this authority.

The battles over candidacies also took place in the courts. The courts were still deciding cases on the eligibility of candidates until elections began. While the delegation commends the courts for taking actions to protect Nigeria's democratic process, it notes that overreliance on the courts to enforce internal party democracy is a troublesome development.

Prior to the elections, some INEC officials and voters were charged with electoral offences, such as the theft of sensitive electoral materials and multiple registrations. While INEC's mandate allows it to prosecute such offenses, it does not have investigative powers.

The Election-Related Violence

The delegation is deeply troubled by the level of political violence that occurs in Nigeria during election periods. There are those who point to the reduced number of deaths as a sign of improvement since 2007. Nevertheless, there are a number of troubling signs. In previous elections, violence was concentrated during the party primary period. This year, incidents of violence steadily increased from the primary elections through the campaign period and on election day. Further, the use of explosives threatens to escalate the nature of political violence.

Over 100 deaths have been attributed to politically-motivated violence with several hundred others injured. Through the election period, NDI received reports of intimidation of candidates and their supporters, open brawls between supporters of different parties and candidates, kidnappings of candidates and their family members, shootings, assassination of candidates and bombings of innocent civilians. Earlier in March, an explosion occurred in Suleja during a campaign rally of one of the gubernatorial candidates killing 10 people and leaving more injured. In Borno state, four people were killed by a gunman while preparing to distribute election materials at a polling station. In Akwa Ibom state, clashes between supporters of competing political parties led to mob violence, injuries and deaths, and arson and massive destruction of property. A prominent gubernatorial candidate and a party leader were assassinated in two separate incidents in Borno State.

The delegation noted that INEC and the security services took measures to mitigate violence during the elections by providing further training to their respective officials and establishing special telephone hotlines through which citizens could report incidents of violence and illegal behavior. Civil society organizations, such as the Nigerian Bar Association, also conducted civic education programs aimed at raising the awareness of politicians and citizens in general on the need for peaceful and credible elections. The delegation deeply regrets the frequency of violent incidents and hopes that enhanced and concerted efforts are made to counter these alarming trends. Those found responsible should be prosecuted and punished in accordance with the law.

IV. ABOUT THE MISSION

Through this delegation, NDI seeks to express the international community's interest in, and support for, a democratic electoral process in Nigeria, to provide an accurate and impartial report on the character of the election process to date and to offer recommendations to improve future electoral processes.

An accurate and complete assessment of any election must take into account all aspects of the process, and no election can be viewed in isolation from the political context in which it takes place. Among the factors that must be considered are: the legal framework for the elections set by the constitution, electoral and related laws; the ability of citizens to seek and receive sufficient and accurate information upon which to make political choices; the ability of political competitors to organize and reach out to citizens in order to win their support; the conduct of the mass media in providing coverage of parties, candidates and issues; the freedom that citizens and political competitors have to engage in the political and electoral process without fear of intimidation, violence or retribution for their choices; the conduct of the voter registration process and integrity of the voter registry; the voting, counting, results tabulation, transmission and announcement processes; and the handling of election complaints and installation to office of those duly elected.

NDI's comprehensive election observation for the April 2011 elections have thus far included a pre-election assessment mission in October 2010, followed by the deployment of long-term observers to monitor and report on electoral preparations, the voter registration process, and the campaign period. Prior to the elections, the delegation met with presidential and legislative candidates; election authorities; political, religious and civil society leaders; representatives of the media; and security and government officials. The delegations cooperated with Nigerian observer groups and other international election observation missions.

NDI has organized more than 150 delegations to assess pre-election, election-day and post-election processes around the globe in every region in the world. NDI has observed elections in Nigeria in 1998, 1999, 2003 and 2007.

NDI conducts its election observation in accordance with the *Declaration of Principles for International Election Observation*, which is endorsed by 36 intergovernmental and non-governmental organizations. These include the United Nations Secretariat, the African Union, the Commonwealth Secretariat, the SADC Parliamentary Forum, the Francophonie, ECOWAS, the European Union, the International Republican Institute and NDI.

The delegation is grateful for the welcome and cooperation it received from voters, election officials, candidates, domestic election observers and civic activists. NDI has been officially accredited to conduct an international election observation mission by INEC.

NDI's international election observation mission in Nigeria is funded by a grant from the United States Agency for International Development.