

**Report of the AAEA/IFES Observation of the
Transitional Elections in Nigeria**

December 1998 – February 1999



**Report of the AAEA/IFES Observation of the
Transitional Elections in Nigeria**

December 1998 – February 1999

Simon Clarke, Program Manager, IFES/Nigeria
Susan L. Palmer, Program Officer for Nigeria, IFES

March 29, 1999

This project has been made possible through funding from the United States Agency for International Development. Any person or organization is welcome to quote information from this report if it is attributed.

Association of African Election Authorities (AAEA)

The Association of African Election Authorities (AAEA) was conceived in an effort to promote and institutionalize the professional nature of African election authorities through regional exchanges and networking. The Association was formally established in August 1998 at the inaugural meeting of its General Assembly in Accra, Ghana. At this meeting, election authorities from fifteen countries (Benin, Burkina Faso, Central African Republic, Gabon, The Gambia, Ghana, Guinea, Kenya, Lesotho, Liberia, Mali, Senegal, Togo, Uganda and Zimbabwe) signed on to the Association's Charter to become full members, and six non-governmental organizations (NGOs) became associate members (CERCUDE-Cameroon, GERDDES-Benin, Institute for Education in Democracy-Kenya, Institute of Economic Affairs-Ghana, Zambia Independent Monitoring Team and Zimbabwe Human Rights Association). Dr. K. Afari Gyan, Chairman of the Electoral Commission of Ghana, is the Executive Secretary of the AAEA.

International Foundation for Election Systems (IFES)

The International Foundation for Election Systems (IFES) was founded in 1987 as a private, non-profit and non-partisan organization to provide consultative assistance and technical support to electoral and democratic institutions in emerging, evolving and established democracies. IFES has carried out pre-election assessments, technical election assistance, civic and voter education and election observation activities in more than 90 countries in Africa, the Americas, Europe, the Near East and the former Soviet Union. Based in Washington, DC, IFES currently has field offices in Albania, Armenia, Azerbaijan, Benin, Bolivia, Bosnia-Herzegovina, Democratic Republic of the Congo, Georgia, Ghana, Guinea, Haiti, Indonesia, Kazakhstan, Liberia, Malawi, Moldova, Paraguay, Philippines, Russia, Slovakia, South Africa, Tajikistan, Ukraine and Uzbekistan.

Additional information on the AAEA and IFES can be found on the IFES website at www.ifes.org.

Map of Nigeria

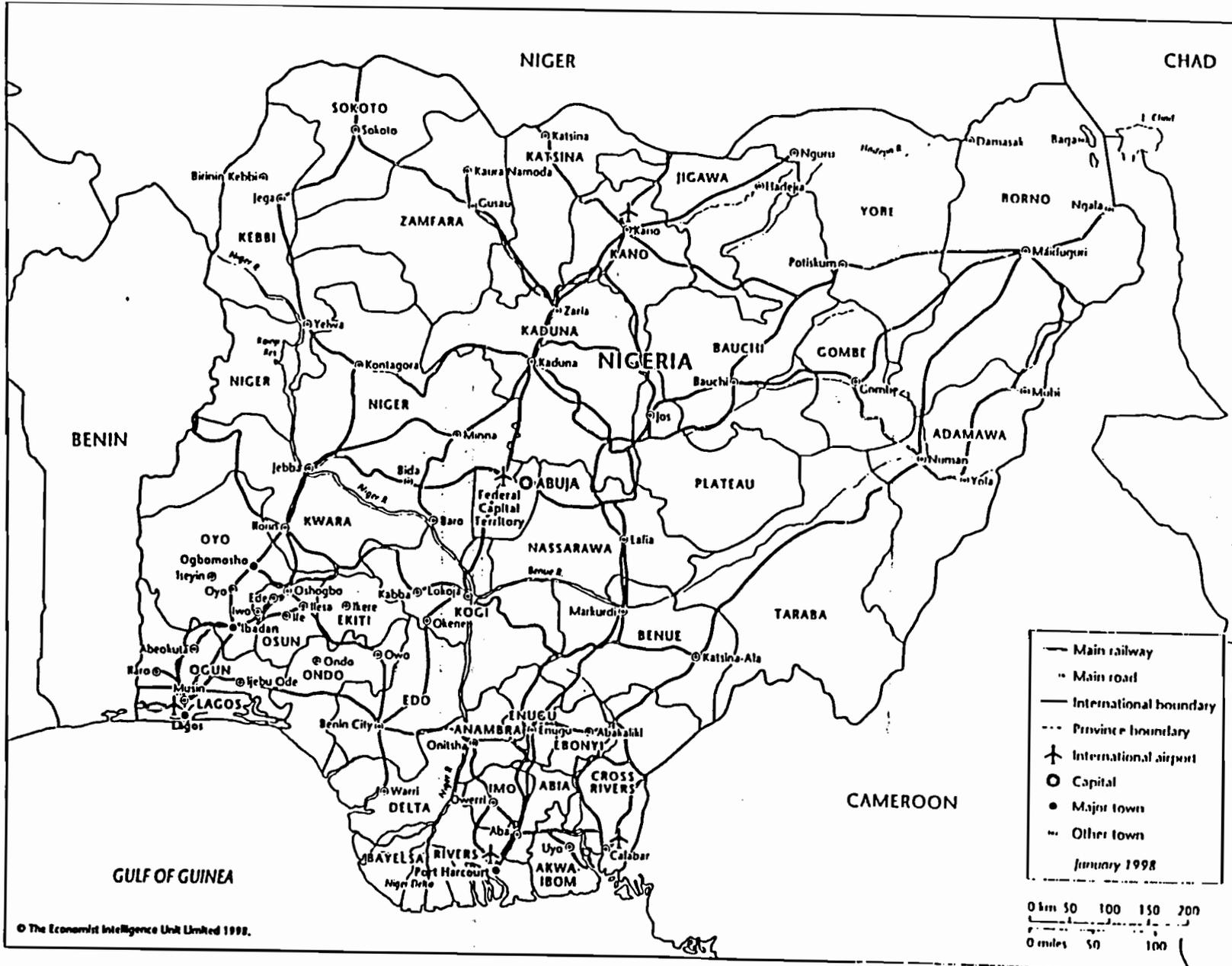


Table of Contents

Section 1: Executive Summary	page 1
Section 2: AAEA and IFES in Nigeria.....	page 5
Section 3: Overview of the Electoral Process	page 9
Table 1. INEC Time Table for Electoral Activities.....	page 10
Table 2. Appeals Process.....	page 16
Table 3. Time Line for Election Tribunals.....	page 17
Section 4: Findings and Recommendations	page 21
Electoral Law.....	page 21
Campaign Finance.....	page 22
Independent National Electoral Commission.....	page 22
Registration of Voters.....	page 25
Role of Political Parties.....	page 26
Accreditation of Local and International Observers.....	page 27
Election Tribunals.....	page 28
Voter Education.....	page 29
Elections Process.....	page 29
Materials.....	page 31

Appendices

- I. Delegates: AAEA/IFES Joint International Observer Missions
- II. Post-Election Statements: AAEA/IFES Joint International Observer Missions
- III. Decrees Issued by the Federal Military Government of Nigeria Concerning the Electoral Process
- IV. Delimitation of Senatorial Districts and Federal/State Constituencies
- V. Results of the Elections

Section 1

Executive Summary

In support of Nigeria's transition from a military regime to a democratically-elected civilian government, the Association of African Election Authorities (AAEA) and the International Foundation for Election Systems (IFES) undertook a technical assessment of that nation's electoral process. The AAEA and IFES examined the legal guidelines governing the elections as well as the election procedures and the organizational capacity of the Nigerian election authority. The objectives of the AAEA/IFES project were:

- to contribute to the knowledge of the Nigerian people and the international community about the elections so that they are better able to judge the freedom and fairness of the elections, and to evaluate the strengths and weaknesses of the electoral process; and
- to exhibit by the presence of the AAEA and IFES the interest and support of the international community in the electoral and democratic processes in Nigeria.

AAEA and IFES activities in Nigeria involved long-term monitoring of the electoral process, a pre-election assessment mission, and missions to observe the elections.

Head of State Abdulsalami Abubakar, who came to power with the death of General Sani Abacha in June 1998, directed the holding of elections in order to bring an elected, civilian government into power in Nigeria by May 29, 1999. Elections were held according to the following time line:

December 5, 1998	Elections for Local Government and Area Councils
January 9, 1999	Elections for Governors and State Houses of Assembly
February 20, 1999	Elections for National Assembly
February 27, 1999	Election for President

This report is based on the findings of IFES long-term monitors, who were present in Nigeria from November 1998 to April 1999, and of the AAEA/IFES missions to observe three of the four transitional elections—the local government elections on December 5, 1998; National Assembly elections on February 20, 1999; and the presidential election on February 27, 1999 (the IFES monitors observed the January 9 state elections). In this report, the AAEA and IFES present their observations to the Independent National

Electoral Commission (INEC) of Nigeria, political parties, civic organizations, the Nigerian public and to the international community to encourage these actors to work to enhance the credibility of the Nigerian electoral process in order to promote the sustainability of democracy in Nigeria.

Following the December 1998 local government elections, the INEC has clarified and added to the election procedures in response to its review of the electoral process and to comments made by the AAEA/IFES missions and other observers. Of great importance was the use of indelible ink to mark voters in the February 20 and February 27 elections—a notable safeguard against multiple voting. The step-by-step INEC poll worker manual, produced for the January and February elections, and further training of election staff also increased the uniformity of election day procedures from polling station to polling station. Also, in its observation of the February 27 presidential election, the AAEA/IFES mission noted the distribution of additional forms to record the number of accredited voters at the close of accreditation (a procedure designed to thwart additional accreditation and ballot box stuffing); the increased awareness on the part of election officials and the Nigerian voters as to the timing of the accreditation and voting processes; and an enhanced effort to protect the voter's right to mark his or her ballot in secret.

The AAEA and IFES recognize that improvements have been undertaken by the INEC in an effort to increase the transparency of the electoral process and to promote participation in the elections by eligible Nigerian voters. However, throughout the course of these transitional elections, the AAEA/IFES missions observed numerous election irregularities and some cases of fraud which resulted from the shortcomings in the electoral system and the lack of civic awareness of many Nigerians. The AAEA and IFES recommend that the following steps be taken to strengthen Nigeria's electoral process:

- the development and promulgation of a new electoral law;
- the review of the electoral procedures to enhance the participation of all Nigerians and to promote the credibility of the process;
- the computerization of the voter register;
- the enhancement of the organizational capacity of the INEC, with a focus on training of its permanent and temporary staff;
- the promotion of transparency of the electoral process through the institutionalization of dialogue between the INEC and the political parties; and
- the conduct of national civic and voter education campaigns.

Achievement of these steps necessitates a long-term commitment on the part of the INEC, the Nigerian government, political parties and Nigerian citizens. Particular attention needs to be given to the process by which Nigerians undertake these reforms. During the transitional elections, the INEC demonstrated its commitment to dialogue by meeting frequently with political parties and other stakeholders and acting on their concerns. The INEC's accreditation of more than 14,000 local and international

observers reflected its recognition of the need for a transparent process. Nigeria's local government elections are to be held in three years. For the credibility of these elections to be ensured, the process by which they are conducted must be democratic—inclusive and transparent—to reflect the democratic system that Nigeria seeks to build and sustain.

Section 2

AAEA and IFES in Nigeria

The activities of the Association of African Election Authorities (AAEA) and the International Foundation for Election Systems (IFES) in Nigeria involved long-term monitoring of the transitional electoral process, a pre-election assessment mission and missions to observe the elections. The following activities were undertaken:

- Presence of long-term IFES monitors in Nigeria:
November 15, 1998 - April 1999
- AAEA/IFES pre-election assessment mission:
November 16-21, 1998
- AAEA/IFES joint international observer mission -- Local Government elections: *November 30-December 8, 1998*
- IFES monitoring -- Bye- and run-off elections:
December 12, 1998
- IFES monitoring -- Governorship and State House of Assembly elections:
January 9, 1999
- IFES monitoring -- Bayelsa state elections:
January 30, 1999
- AAEA/IFES joint international observer mission -- National Assembly elections: *February 17-22, 1999*
- AAEA/IFES joint international observer mission -- Presidential election:
February 23 - March 2, 1999

The AAEA/IFES missions were independent, non-governmental and non-partisan. IFES received funding for the project from the U.S. Agency for International Development (USAID), but neither IFES nor the AAEA, which was funded by USAID through IFES, represented the U.S. government nor do any of the findings of the AAEA/IFES missions necessarily represent the views of the U.S. government. The mandate of the missions, the selection of its members, the organization of deployment of the election missions and all statements and reports were the sole responsibility of the AAEA and IFES.

Methodology of the AAEA and IFES

Given the expertise of the AAEA and IFES, the focus of the organizations' assessment and observation efforts was on the technical administration of the electoral process, with the missions addressing the legal guidelines governing the elections as well as the election procedures and the organizational capacity of the Nigerian election authority to conduct the elections.

The AAEA/IFES project was supported by the presence of long-term IFES monitors who were based primarily in Abuja—the headquarters of the Independent National Electoral Commission (INEC). The IFES monitors were election specialists and administrators, with international experience in election observation. The IFES team monitored the conduct of election preparations and held extensive meetings with officials of all levels of the INEC, representatives of political parties, members of Nigerian non-governmental organizations (NGOs) and other important actors in Nigeria. The IFES monitors also assessed the conduct of the run-off elections in Gwagwalada Local Government Area (Federal Capital Territory) and the bye-elections in Port Harcourt Local Government Area (Rivers state) held on December 12, 1998; the Governorship and State House of Assembly elections on January 9, 1999 (deploying to Borno and Rivers states); and the January 30 elections in Bayelsa state.

Soon after the monitors' arrival in November, Dr. K. Afari-Gyan, AAEA Executive Secretary, joined the team to assess the pre-election environment. The team examined:

- the organizational capacity of the national and state election authorities;
- the voter registration process;
- anticipated election day problems, according to election authorities, political party, and NGO leaders, other Nigerians and the diplomatic community; and
- the general interest and awareness of the public regarding the elections and the candidates.

Members of the team held meetings in Abuja, Jos, Kaduna and Lagos, and they were able to meet with a broad range of Nigerian stakeholders in most of these capitals. However, it should be noted that full access to INEC officials and documents was only granted to IFES and the AAEA on November 27, 1998. On November 30, the AAEA/IFES assessment mission issued a *Pre-Election Report*. The report was not intended to be an exhaustive commentary of the electoral process but rather identified several key areas for the further attention of the INEC prior to the December 5 elections.

The AAEA and IFES conducted joint international observer missions to the December 5, 1998 local government elections (15-member delegation), the February 20, 1999 National Assembly elections (11-member delegation) and the February 27, 1999 presidential election (28-member delegation). The delegations, which were accredited

as international observers by the INEC, were composed of African election officials, representatives of African non-governmental organizations and international election specialists (see Appendix I for list of delegates). After briefings on the Nigerian election system, the delegations deployed in small teams to state capitals two days prior to each election to meet with INEC officials and representatives of political parties and civic groups. The AAEA/IFES deployment plan for each delegation was as follows:

December 5 Local Government elections: Eight teams

Federal Capital Territory (FCT) and Kaduna, Kano, Lagos, Oyo, Plateau and Rivers states

February 20 National Assembly elections: Six teams

FCT and Bayelsa, Kano, Lagos, Plateau and Rivers states

February 27 Presidential election: 14 teams

FCT and Adamawa, Bayelsa, Borno, Cross River, Enugu, Kaduna, Kano, Kwara, Lagos, Oyo, Plateau, Rivers and Sokoto states

On election day, the delegations observed the opening of the polling stations; assessed the accreditation, voting and counting processes; and followed the collation of results from the ward level to the local government/constituency level, and then to the state level. Following post-election meetings with INEC officials and other observers in the states, the teams reconvened to share their observations and to issue *Post-Election Statements*, which were submitted to the INEC and released to the political parties, local observers, the diplomatic community, the media, and other international observer missions (see Appendix II for *Statements*).

The AAEA/IFES delegations focused their observation of the elections on:

- the adherence of Nigerian election officials to internationally-recognized standards of democratic elections and to the requirements of the Nigerian electoral code and guidelines;
- the capacity of the Nigerian election authorities to administer the elections; and,
- constraints on the ability of individual voters to cast their vote without undue hardship or intimidation, in secrecy, in an informed manner and to have that vote counted and reported accurately.

In addition to being asked to fill out observation forms for the four stages of the election process (accreditation, voting, counting and collation), the members of the delegation were requested to submit summary reports, which also included recommendations for the conduct of future elections. The observations of the AAEA/IFES delegations, as contained in these reports and forms, in addition to the findings of the long-term IFES monitors, form the basis of this report.

In their observation of the elections, the AAEA/IFES missions:

- maintained absolute neutrality and impartiality throughout the observer missions;
- never disrupted or interfered with the accreditation, voting, counting, collation or any other phase of the electoral process;

- asked questions and expressed concerns but did not instruct, give orders or otherwise attempt to countermand decisions of election officials; and
- were vigilant and took detailed notes regarding positive aspects of the process as well as any questionable or irregular voting or counting practices.

The AAEA/IFES observer missions also followed the *Code of Conduct for Election Observers* as issued by the INEC immediately before the elections and as contained in its *Manual for Election Observers*.

Section 3

Overview of the Electoral Process

I. Legal Framework for the Elections

The legal framework for the electoral process in Nigeria was provided by decrees, which were issued by the military government through General Abdulsalami Abubakar, as Head of State and Commander-in-Chief of the Armed Forces. The decrees (see Appendix III) provided for:

- the dissolution of the National Electoral Commission of Nigeria and the establishment of the new Independent National Electoral Commission;
- the dissolution of the five political parties established under the Abacha regime and the registration of new political parties; and
- the conduct of the transitional elections for Local Government Councils, Governors and State Houses of Assembly, National Assembly (Senate and House of Representatives), and President.

Under Decrees No. 17 and No. 33, the Independent National Electoral Commission (INEC) had the mandate to issue guidelines to govern the conduct of the elections. These guidelines were usually released by the INEC approximately one month prior to the relevant election (e.g., *The Guidelines for Governorship and State House of Assembly Elections* were released on December 14, 1998 for the elections of January 9, 1999). The decrees issued by the Provisional Ruling Council (PRC) brought the guidelines into force of law and were most often released only several days before each election.

The INEC-issued time table for the elections follows.

Table 1.

INEC TIME TABLE FOR ELECTORAL ACTIVITIES	
August 25, 1998	Release of guidelines for the formation of political parties
August 31	Release of guidelines for voters' registration
September 24	Release of provisionally registered political parties (delayed until October 19)
October 5-19	Voters' registration exercise
October 20-22	Display of the register
November 2	Release of guidelines for local government council elections
November 16	Submission of names of candidates for local government elections to the INEC
November 20	Return of list of cleared candidates to parties
December 5	LOCAL GOVERNMENT COUNCIL ELECTIONS
December 12	Run-off elections, if any
December 14	Release of guidelines for Governorship/State House of Assembly elections
December 23	Submission of names of candidates for Governorship/State House of Assembly elections
December 31	Return of list of cleared candidates to parties
January 9, 1999	GOVERNORSHIP/STATE HOUSE OF ASSEMBLY ELECTIONS
January 16	Run-off elections, if any
January 20	Release of guidelines for presidential and National Assembly elections
January 25	Submission of names of candidates for National Assembly elections
Jan. 29-Feb. 2	Return of names of cleared National Assembly candidates to parties
February 12	Submission of names of presidential candidates (postponed to February 15)
February 13-15	Return of names of cleared presidential candidates to parties
February 20	NATIONAL ASSEMBLY ELECTIONS
February 27	PRESIDENTIAL ELECTION
March 6	Run-Off and Bye-Elections for National Assembly/President, if needed (postponed to March 20)
.....	Inauguration of Local Government and Area Councils, and State Assemblies—to be announced at a later date
.....	Swearing-in of Governors—to be announced at a later date
May 29, 1999	Swearing in of elected President

II. Schedule of Elections

Local Government Elections: December 5, 1998

Voters in the December 5 elections in Nigeria went to the polls to elect Chairmen and Councilors for 698 Local Government Councils in Nigeria's 36 states and six Area Councils in the Federal Capital Territory. Local Government/Area Councils are the lowest level of representative government in the nation.

The Local Government or Area Council is headed by a Chairman, who is directly elected from the Local Government/Area Council at large. The Council is composed of Councilors, each of whom represents one of Nigeria's 8811 wards. According to Decree No. 36 (1998), the INEC "shall divide each Local Government Area or Area Council into such number of wards, not being less than 10 or more than 20, as the circumstances of each Local Government Area or Area Council may require." The Councilors are elected from single-member wards through a simple plurality system. However, for Chairman, the winning candidate must obtain a majority (if two candidates) or the highest number of votes (if more than two candidates) and $\frac{1}{4}$ of the votes cast in $\frac{2}{3}$ of the wards in the Local Government Area.

Some of the functions of Local Government and Area Councils, as recorded in Decree No. 36, are debating, approving and amending the annual budget of the Local Government or Area Council; the formulation of economic plans and development schemes; and the construction and maintenance of roads and other public facilities as may be prescribed by the State Administrator or the House of Assembly of a state. Decree No. 36 notes that "A Local Government Council or an Area Council shall stand dissolved at the expiration of a period of three years commencing from the date of the first sitting of the Council."

Governorship and State House of Assembly Elections: January 9, 1999.

For the January 9, 1999 elections, voters elected a Governor and a State House of Assembly for each of Nigeria's 36 states. Voters in the Federal Capital Territory, which does not have these institutions of state government, did not go to the polls.

The winning candidate for Governor must have the majority of votes cast (if two candidates) or the highest number of votes cast (if more than two candidates) in the election and not less than $\frac{1}{4}$ of the votes cast in each of at least $\frac{2}{3}$ of all the LGAs in the state. The executive powers of the state are vested in the office of Governor. The term of office for the Governor is four years. Candidates for Governor chose candidates for Deputy Governor as their running mates.

Voters in the State House of Assembly elections selected one member of the State House for each state constituency. The State House members are elected from single-member constituencies through a simple plurality system. Every state is divided into

state constituencies which are equal to three or four times the number of Federal Constituencies within that state.

According to Decree No. 3, promulgated on January 6, 1999, the House of Assembly of a state consists of "not less than 24 or more than 40 members." The Speaker and Deputy Speaker of the House are elected by the members. The State House of Assembly is a legislative body which has the authority to "make laws for the peace, order and good government of the State" (Decree No. 3). A list of areas from which the state is excluded from making legislation (defense, immigration, etc.) is included in the decree as is a list of those areas over which the state has responsibility (collection of taxes, etc.). State House members have a four-year term of office.

National Assembly Elections: February 20, 1999

The National Assembly is composed of the Senate and the House of Representatives. The Senate has 109 members, three members from each of the 36 states and one member from the Federal Capital Territory. For the Senate, Decree No. 5 divides every state into three Senatorial Districts with one Senatorial District allotted to the Federal Capital Territory. The House of Representatives has 360 members, representing constituencies of "as far as possible nearly equal population, provided that no constituency shall be within more than one state" (Decree No. 5). Each Senator and Representative, then, is elected by plurality from a single-member district/constituency.

The legislative powers of the Federal Republic of Nigeria are vested in the National Assembly. The President and Deputy President of the Senate and the Speaker and Deputy Speaker of the House are elected by the members of those respective bodies. Decree No. 5 states that "The Senate and House of Representatives shall each stand dissolved at the expiration of a period of four years commencing from the date of the first sitting of the House."

Presidential Election: February 27, 1999

The term of office for the president is four years and he is the Head of State, the Chief Executive of the Federation and the Commander-in-Chief of the Armed Forces.

In the presidential election, the nation of Nigeria is considered as one constituency. The winner of the presidential election must have the majority of the votes cast at the election (if two candidates) or the highest number of votes cast (if more than three candidates) and not less than 1/4 of the votes cast at the election in each of at least 2/3 of all the states of the Federation and the Federal Capital Territory, Abuja. As running mates, the presidential candidates chose a vice-presidential candidate.

III. The Administration of the Elections

The Independent National Electoral Commission (INEC) was created by Decree No. 17 of August 11, 1998, and replaced the National Electoral Commission of Nigeria

(NECON), which had been established by General Sani Abacha. Section 4 of Decree No. 17, as later amended by Decree No. 33 of 1998, gave the following powers and functions to the Commission:

- to organize, conduct and supervise the election of persons into the membership of Local Government Councils or Area Councils or the Executive and Legislative Arms of State and Federal Governments, and such other offices as may be specified in any enactment of law;
- to register parties in accordance with the provisions of the relevant enactment or law;
- to monitor the organization and operation of the political parties including their finances;
- to conduct the registration of persons qualified to vote and the preparation, maintenance and revision of the register of voters for the purpose of any election;
- to monitor political campaigns and provide rules and regulations which shall govern political parties; and
- to divide the area of the Federation, State or Local Government or Area Council, as the case may be, into such number of Constituencies for the purpose of elections to be conducted by the Commission.

The INEC was allocated approximately Naira 3.4 billion (or US\$39.5 million) by the federal government of Nigeria for the conduct of the elections in the transition program. To date, the INEC has reported that Naira 556.3 million (\$6.5 million) was spent on voter registration; Naira 28.9 million (\$336,046) on the registration of political parties; Naira 381.4 million (\$4.4 million) on the local government elections; Naira 402.2 million (\$4.7 million) on the Governorship and State House of Assembly elections; Naira 394 million (\$4.6 million) on the National Assembly elections; and Naira 313.2 million (\$3.6 million) on the presidential election. Naira 279.5 million (\$3.3 million) was earmarked for the presidential run-off election. The original budget of Naira 3.4 billion includes the certain capital liabilities inherited from the previous dissolved election commission (NECON). The NECON's budget was Naira 2.6 billion.

The Commission is headed by a Chairman who is the Chief National Electoral Commissioner of the Federation and who is assisted by twelve other National Electoral Commissioners. The Chairman and all Commissioners were appointed by Head of State Abdulsalami Abubakar following the promulgation of Decree No. 17 in August 1998. Based in Abuja, the INEC is chaired by Justice Ephraim Akpata (Rtd.). The Head of State also appointed the Secretary to the Commission—the Secretary is responsible for the day-to-day administration of the INEC. While the Resident Electoral Commissioners for the State Offices of the Commission were also appointed by General Abubakar, the INEC Chairman gave them new state assignments soon after their appointments.

Below the State Resident Electoral Commissioners are Electoral Officers for each Local Government Area or Area Council, who are also permanent employees. Additional officials to staff the polling stations (Presiding Officers, Poll Clerks and Poll Orderlies) were hired for the elections on a temporary basis as were Returning Officers and Supervisory Presiding Officers.

Registration of Voters

On August 31, 1998 the INEC published *Guidelines for Registration of Voters*, (Decree No. 17 of 1998) which detailed the registration procedure and the subsequent methodology for the revision of the voters' register. A person was qualified to register to vote if he or she was a Nigerian, was at least 18 years of age, was resident in the area covered by the registration center at which he or she intended to register and had presented him or herself to the registration officers in person within the period that the INEC had prescribed for registration. The period of registration of voters was October 5 to October 19, 1998 (inclusive) between 8:00am and 6:00pm. The subsequent display of the register, for claims and objections, was very short: between October 20 and October 22. The registration card issued to the voter had the voter's name, age and sex, and information pertaining to the state, local government area, ward and registration unit. The card was stamped by the INEC and the voter placed his or her right thumb-print on the card. The card was marked with a unique registration number. The voter's photo was not placed on the card.

Once 500 names had been recorded on the registration form by the registration officials (who were temporary INEC employees), the registration unit was complete and an additional unit was started. Registration units were to become polling stations on election day and it was the INEC's intention that no polling station would have more than 500 voters. The resulting voters' register was a hand-written list that could not be cross-checked for duplicate entries.

Registration of Political Parties

The first in a series of guidelines issued by the INEC was published in August 1998 and concerned the *Formation and Registration of Political Parties*. A subsequent decree (Decree No. 35) outlined a code of conduct for political parties and provided details on the following for the parties:

- qualification for registration;
- organizational and operational requirements;
- articulation of policies and strategies;
- payment of registration fees; and
- financial reporting.

A number of requirements were placed on parties seeking provisional registration, including the directive that they would have to demonstrate that they were able to maintain functional branches in at least 24 states, including the Federal Capital

Territory. Nine political parties were granted provisional registration by the INEC for the December 5 elections.

In order to contest the elections subsequent to the local government elections, the decree specified that parties would have to demonstrate a measurable level of electoral support. The *Guidelines for the Formation and Registration of Political Parties*, paragraph 10 (3) stated that a party's provisional registration certificate would be withdrawn by the INEC unless it polled at least ten percent of the votes cast in each of at least 24 states of the Federation at the local government elections. This became known as the "threshold" issue and was the subject of debate between the INEC and the provisionally registered political parties. A number of parties argued that this threshold should be removed, as there should not be such a restriction within a democratic system. The INEC responded to the party complaints on this issue by reducing the minimum percentage of votes cast to five percent and by relaxing the geographic spread provisions. The new guidelines ensured that a minimum of three political parties would be registered, even if none of the parties achieved the five percent support in the geographical spread mandated. Two parties, the Peoples' Democratic Party (PDP) and the All Peoples' Party (APP), achieved five percent of the votes in 37 and 36 states respectively. The Alliance for Democracy (AD) achieved five percent in only 14 states but was registered according to the amended guideline ("Where only two provisionally registered Political Parties satisfy the requirement..., the Commission shall [also] register...the next provisionally registered Political Party which scored five percent of the total votes cast in each of the highest number of States in the Federation and the Federal Capital Territory..."). The AD, APP and PDP all contested the subsequent state, National Assembly and presidential elections.

Candidate nomination procedures varied depending on the election contested, and were explicitly laid out in the relevant decree/guideline for each election. Candidates submitted a nomination form to the INEC along with a non-refundable fee. Candidates had to meet certain minimum age and educational requirements and demonstrate evidence of paying taxes, in addition to other requirements. After screening, the INEC published a final list of eligible candidates for each election.

Election Tribunals

Each of the decrees that were promulgated prior to the Local Government Council elections, the Governorship and State House of Assembly elections, the National Assembly elections and the presidential election set out in detail the method by which complaints can be made about the elections. This method is by lodging an "election petition" with the appropriate court. The detail of how this is done is described within the decree text and the fine detail is captured in a schedule that is attached to the decree. The text of the decree is immutable, however the appropriate court could flexibly look at the detail contained in the schedule. An example of this is that for each election the length of time that a complainant has to register a complaint appears in the

body text, however the length of time that the court has to consider this and come to a conclusion is described in the schedule.

The first court to consider the petition in all cases, other than that for the presidential election, is an election tribunal. The court of the first instance for the presidential election is the Court of Appeals. Should the petitioner not be satisfied with the decision of the tribunal, he or she can further appeal the tribunal's decision to the court of the second instance (in all cases, except that of the presidential election, this is the Court of Appeals). For the presidential election, the court of the second instance is the Supreme Court. In each case, the decision of the court of the second instance is final.

Table 2.

APPEALS PROCESS

TYPE OF ELECTION	COURT OF THE FIRST INSTANCE – INITIAL PETITION	COURT OF THE SECOND INSTANCE – FINAL OUTCOME
Local Government Elections	Local Government Election Tribunal	Court of Appeals*
State House of Assembly and Governorship Elections	Governorship and Legislative Houses Election Tribunals	Court of Appeals*
National Assembly Elections	National Assembly Election Tribunals	Court of Appeals*
Presidential Election	Court of Appeals*	Supreme Court

* Notwithstanding the provisions of the Constitutional Court Decree 1998—that is to say the original intent of each of the decrees was that the Constitutional Court would be operative and hear the petitions/appeals instead of the Court of Appeals.

In each case the relevant promulgating decree for each election outlines the time line that governs this complaints procedure—see below. The start of the time line is from the declaration of results: for example, in the case of the presidential election, which was held on February 27, the result was officially declared on March 1. Thus any petition relating to the presidential election must be lodged within 14 days from March 1.

Table 3.

TIME LINE FOR ELECTION TRIBUNALS
(Starting from the declaration of results of each election)

TYPE OF ELECTION	TIME TO LODGE PETITION WITH COURT OF THE FIRST INSTANCE	TIME FOR COURT OF FIRST INSTANCE TO DECIDE ON THE PETITION	TIME TO LODGE APPEAL OF DECISION OF COURT OF FIRST INSTANCE	TIME FOR COURT OF SECOND INSTANCE TO DECIDE FINAL OUTCOME
Local Government Elections	14 days	60 days	7 days	30 days
State House of Assembly Elections	30 days	60 days	7 days	30 days
Governorship Elections	30 days	30 days	7 days	14 days
National Assembly Elections	30 days	60 days	7 days	30 days
Presidential Election	14 days	21 days	7 days	14 days

An election tribunal is composed of a Chairman and four members, the Chairman being a Judge of the High Court and the other members being at least members of the judiciary not below the rank of Chief Magistrate. In each case, one or more election tribunals were established in each state. Thus a minimum of three tribunals could well be sitting at any one time in each of the 37 states (the Federal Capital Territory (FCT) being considered a state for electoral purposes). The Court of Appeals, the equivalent of the election tribunal for the presidential election, was established in the FCT and is composed of at least three members of the Court of Appeals, including the President of the Court. As each tribunal is separately constituted for each election, this places a tremendous burden of work on the senior members of the Nigeria's judiciary.

A petition can only be lodged by either a candidate or a person whose candidature was not accepted by the INEC. The tribunal has the power when determining the outcome of the petition to either nullify the original election or declare another candidate elected should the complainant prove that he or she received a majority of the votes cast. In reality most election petitions that have been lodged are either about alleged electoral malpractice/fraud or about the ineligibility of a candidate's nomination. With regard to the Governorship and presidential elections, the courts are directed to examine the standing of the running mates as well—the candidates for Deputy Governor and Vice President. In all cases, the INEC is considered to be a co-respondent together with the non-complainant candidates. The INEC is, however, indemnified from any damages arising from any judgments made.

While no central statistics have been released as to the number of petitions (and counter petitions) that have been lodged, it has been estimated that just considering the local government elections, approximately 1,500 petitions were made--of which approximately 150 went to the Court of Appeals. Of these, some 3% resulted in a fresh election being ordered. A majority of these elections were conducted on March 20, 1999.

A number of higher profile petitions have been made resulting from the Governorship elections. To date, results of the Governorship election held in Bauchi state have been nullified on the grounds that the Deputy Governor had been dismissed from a governmental job, thus rendering his candidature invalid. However, the winning Governorship candidate is free to contest the subsequent re-run election which will most likely be held on April 10. A similar situation exists in Adamawa state, where the originally elected Governorship candidate for the PDP was selected as the vice-presidential candidate for the party and was subsequently elected on February 27. The INEC decided to re-run this election, rather than install the Deputy Governor. The PDP petitioned the election tribunal which overturned the INEC decision and directed that a fresh election not be held. The APP has lodged an appeal to this judgment.

The most high profile petitions to date are those that have been lodged by the losing presidential aspirant for the APP, Chief Olu Falae, and by Chief Chuba Egolum (a leader in the AD). The President of the Court of Appeals, Justice Umaru Abdullahi, immediately disqualified himself from hearing the petitions as he noted that in both the petitions filed that the fifth respondent, the Resident Electoral Commissioner for Edo state, was his wife. The court subsequently reconvened with Justice A. Musdapher presiding. The Court of Appeals for the presidential election is composed of a five-member panel. The petition brought by Chief Chuba Egolum was struck out as it did not comply with the provisions set out in the decree governing the conduct of the presidential election. In essence, in order to have a petition considered, it must be brought either by a contesting presidential candidate or by a person who reasonably believes that he or she should have been one. The latter provisions are meant to apply to a candidate whose nomination was rejected by the INEC. Egolum's petition did not comply with either provision and thus was rejected, as he only claimed that he could have been a candidate, rather than actually being one. Egolum has subsequently appealed the decision to the Supreme Court.

Falae's petition against the winning presidential candidate, Olusegun Obasanjo, sought either to have the Court of Appeals declare him the rightfully elected candidate or to have the INEC conduct a fresh election. It alleged a number of irregularities, namely that Obasanjo was a member of a secret society and had been adjudged guilty of treason or a treasonable offence. If proven, either charge would rule his candidature invalid. Further, Falae alleged that Obasanjo broke the provision for campaigning in that advertisements supporting Obasanjo's candidacy appeared in a number of

newspapers on February 27, the day of the presidential election. Falae also attacked the validity of the voter turn-out figures, submitting a complex set of population data for the Court to consider. He alleged widespread election malpractice, citing a number of specific instances in 24 states.

Voter Education

Both the INEC and the National Orientation Agency (NOA) were responsible for providing civic and voter education to the public. The NOA, a parastatal body under the Ministry of Information, focused its efforts on raising public awareness of the importance of participating in the transition to democracy, and as such received a small amount of financial assistance from the INEC's overall budget. However, the primary responsibility to provide the public with information about the procedures for registration and voting was that of the INEC, through the Directorate of Public Affairs (DPA).

The INEC's DPA utilized a number of medium to keep the public informed: television, radio, the print media and posters. For television, a 30-minute drama sketch was produced on how to vote together with a number of 30-second public information slots; these were aired on both State-owned and private television companies. A more important medium was the radio, which has a greater outreach than television. For the radio, a series of jingles were produced and aired frequently. Each of the *Guidelines* that the INEC produced, which defined the requirements for voter and party registration and described each of the four transitional elections, were reproduced verbatim in a range of newspapers. The *Guidelines* themselves were also published but were available to the public in a much more limited way. Posters covering topics such as how to vote, and the time for accreditation and voting, were also produced by the DPA.

The INEC centralized the voter education campaign to ensure a uniform message. However, each of the states was provided a limited amount of resources to supplement this effort taking into consideration local languages as the DPA produced all media in English. Typically, the radio jingles would be translated at state level, as necessary, and aired on local radio to supplement the national message.

IV. Election Procedures

The conduct of the elections at the polling station level was done by temporary election officials, headed by the Presiding Officer. Election day at the polling station had three stages: 1) accreditation, 2) voting and 3) counting. The system used was known as the "open secret ballot system" and, when followed correctly, protected the voter's right to cast his/her ballot in secret within a transparent, or open, process. The system was designed to minimize opportunities for an individual to cast more than one vote, as the periods for accreditation and voting were to have been the same throughout the country.

Following the set-up of the polling station on the morning of election day, the Presiding Officer was to open accreditation, which was scheduled to run from 8:00-11:00am, or until the last person in line at 11:00am was able to be accredited. Accreditation involved the voter submitting his/her voter's card which was to be signed and stamped by the election officials. The accredited voter was then to have waited at the polling station until the beginning of voting.

At the close of accreditation, the Presiding Officer was to have explained the voting process to the accredited voters, noting which parties were contesting the election. The voting period was to have run from 11:30am to 2:30pm or until the last accredited voter in line was able to cast his/her ballot. Upon presentation of an accredited voter's card, the voter was to receive a ballot (or ballots, depending on the election) which had been signed and stamped by the Presiding Officer, have his/her thumbnail marked with indelible ink, mark the ballot in secret, and drop the ballot in the ballot box, in open view of the election officials, police, party agents¹ and other voters.

At the close of voting, the election officials were to count the ballots, sorting them first according to validity (whether they had been signed or stamped by the Presiding Officer or marked correctly by the voter). The results of the count were to be recorded on the results sheet (EC.8A or EC.8A(1))—a carbonized form whose duplicates would be shared with the party agents and security officials present.

The original of the polling station results form would be submitted to the Ward Collation Officer, who would then transfer the results to a form which compiled the Summary of Results from Polling Stations (EC.8B or EC.8B(1)). Results from the ward level were then submitted to either the constituency or local government level, and, from there, to the state level, depending on the election. For the December 5, 1998 local government elections, the results of the races for Councilor were announced at the ward level and at the local government level for the Chairman of the Council. For the January 9, 1999 elections, the State House of Assembly results were declared at the constituency level and for the Governorship results at the state level. The results of the February 20, 1999 National Assembly elections were declared at the constituency level for the House of Representatives vote and at the state level for the Senate races. The INEC National Chairman announced the result of the February 27 presidential vote.

¹ Each contesting party or candidate was allowed one party agent to observe the conduct of the election at the polling station, Ward Collation Center, Local Government Collation Center, and anywhere where results were compiled. The party agent was accredited by the INEC.

Section 4

Findings and Recommendations

I. The Legal Framework for the Elections

A. Electoral Law

Under the military regime of General Abubakar, the electoral process was governed by decrees, issued by the federal military government. The decrees ratified the electoral guidelines issued by the INEC.

Despite this process, many gaps remain in the legal framework governing the transitional elections which resulted in the lack of the full protection of the voter's basic right to cast his or her ballot without undue hardship or intimidation, in secrecy, in an informed manner and to have that vote counted and reported accurately. Additional guidance from the INEC to its election officials addressed invalid and spoiled ballots, the application of indelible ink, the need to ensure ballot secrecy and assistance to disabled voters, among other issues. The drafting of a comprehensive and detailed electoral code will reduce the likelihood of the uneven implementation of the electoral process at the local level and will protect the right of all eligible Nigerians to participate in Nigeria's democratic system.

Recommendation

- ***The Independent National Electoral Commission (INEC) and appropriate bodies should undertake a thorough review of the electoral guidelines and decrees, including the responsibilities and powers of the INEC. The result of this review should be the drafting and promulgation by the National Assembly of a new electoral code that protects the rights of voters, candidates and parties and ensures the conduct of periodic, transparent and credible elections.***

B. Campaign Finance

Two of the major responsibilities of the INEC, according to Decree No. 17, are to: "monitor the organization and operation of the political parties including their finances; and arrange for the annual examination and auditing of the funds and accounts of the political parties and publish a report on such examination and audit for public information."

Decree No. 35, Political Parties (Registration and Activities), mandates that the political parties submit such financial reports as required by the Commission. The only two constraints on the financing of political parties are contained in Chapter 14(3) as follows:

"No political party shall—

- (a) hold or possess any funds or other assets outside Nigeria; or
- (b) be entitled to retain any funds or assets remitted or sent to it from outside of Nigeria."

Throughout the electoral period, the lack of controls on spending by political parties led to concerns that the large amount of financial support that seemed to be available to some of the parties would promote unscrupulous and illegal uses of those funds. The observation of some AAEA/IFES teams of possible electoral fraud which was apparently the result of collusion between party agents or operatives and election officials seems to justify the concerns regarding the unregulated use of campaign funds by the political parties.

Recommendation

- ***The AAEA and IFES recommend the review of the campaign financing, spending and reporting provisions of the relevant laws with a view toward promoting greater transparency and accountability on the part of the parties. Further, the AAEA/IFES mission urges that serious consideration be given to enhancing the role of the INEC in regulating campaign finance as well as to increasing the enforcement capabilities of the Commission both through legal means and the provision of additional resources.***

II. The Administration of the Elections

A. The Independent National Electoral Commission (INEC) of Nigeria

The December 8, 1998 *Post-Election Statement* of the AAEA/IFES joint international observer delegation to the December 5 local government elections made several recommendations to the INEC concerning election procedures, the first of these being the immediate development and wide dissemination of a detailed, step-by-step instruction manual for poll officials and the thorough and timely re-training of the poll

officials. The INEC seized on this recommendation and requested donor assistance to fund the development and printing of a new *Manual for Poll Officials*. With funding from the Canadian International Development Agency (CIDA) and the Department for International Development (DFID, United Kingdom), IFES worked with the INEC on this *Manual*, which was distributed to Presiding Officers, Supervisory Presiding Officers, Ward and Local Government Electoral Officers, and INEC officials at the state and national level prior to the January 9 state elections.

The dissemination of the *Manual*, and its incorporation into a revised training program for the election officials, contributed to more uniform application of election procedures from polling station to polling station and at the collation level at the January elections and also in February, when a revised version of the *Manual* was again distributed. Importantly, the *Manual* clarified aspects of the election day process while introducing additional guidance in several areas. The *Manual* included guidance to election officials on polling station lay-out (to achieve the secrecy of the ballot), invalid and valid ballots, spoiled ballots, and voters needing assistance. It emphasized the importance of voters being in line to vote at 11:30am, the role of the party agent and the proper use of the various election forms.

In its preparation for the future elections, one of the INEC's main challenges will be to strengthen the professionalization of its permanent staff as well as that of the thousands of temporary or ad hoc staff it hires to conduct the elections (such as the polling station staff, Supervisory Presiding Officers, and returning officers). Despite the additional training prior to the January and February elections, the AAEA/IFES observer missions, as well as other international and domestic observers, noted numerous cases of election irregularities and some cases of fraud committed by election officials, primarily by those hired on a temporary or ad hoc basis. While election irregularities can be addressed with enhanced training, it is recognized that election fraud committed by election officials is more difficult to address. Cases of election fraud observed by the AAEA/IFES missions included the involvement of Presiding Officers in ballot box stuffing and, on at least two cases, the involvement of Ward Collation Officers in mis-reporting ward results. To prevent electoral fraud, the INEC must enforce the law and prosecute any of its temporary or permanent staff found guilty of committing election offences. Publication of polling station results at the local level could also prevent the mis-reporting of results.

Late delivery of election materials in Rivers and Bayelsa states, as well as in some more rural areas elsewhere in Nigeria, resulted in the delay of polling on election day in the December-February elections. AAEA/IFES observers reported that even in some polling stations in the city of Port Harcourt, in Rivers state, some polling stations did not open before noon on election day, although they were in close proximity to the local government INEC office—the distribution point for materials. It is unclear whether these delays were due to the lack of resources or poor planning on the part of the INEC. The late opening of some polling stations resulted in decreased voter participation, created

opportunities for election fraud and contributed to lack of voter confidence about the process.

With regard to staffing of the polling stations, the AAEA/IFES missions to the December-February elections did not report Poll Orderlies present at any polling station observed. Among other duties, the Poll Orderly was to have ensured that anyone not in line at 11:30am would not be able to cast a ballot. Perhaps due to the lack of Poll Orderlies, at no polling station observed by the AAEA/IFES teams did the election officials enforce the 11:30am "deadline." It should be noted, however, that the election guidelines and the poll official *Manual* also directed the security agent to assume this responsibility. Security agents were present at the vast majority of polling stations observed by the AAEA/IFES teams.

Recommendations

- ***To promote more effective and transparent electoral administration, election officials (including temporary staff as well as the permanent staff of the INEC) should receive regular training in registration procedures, polling station set-up, election day procedures and the collation and review processes. Training should focus on the provisions of the electoral law to prevent any uneven and discriminatory application and be updated as appropriate. Regular and formalized training programs, conducted well in advance of the next elections, will enhance the professional nature of election administration in Nigeria.***
- ***The INEC should strenuously investigate reports of electoral fraud committed by its own officials and should prosecute those found guilty of committing election offences according to the law.***
- ***In the review of the electoral law, some mechanism should be considered for the INEC itself to seek the Court's directive to conduct fresh elections. At present, even if the INEC is acquainted with information that leads it to the conclusion that an election result may be less than legitimate, the only recourse appears to be to await a legal challenge brought by a candidate.***
- ***Consideration should also be given to the publication by the INEC of polling station results at the local level. The availability of such results to the public might serve to prevent the mis-reporting of results and would enhance the transparency of the collation process.***
- ***The INEC should thoroughly assess its material resources and logistics plans to guard against the late delay of election materials. The INEC should also***

encourage the political parties, through their agents, and accredited observers to monitor the distribution of materials.

- ***The INEC should also review its staffing needs, particularly at the polling station level, and ensure that there is adequate staff present to conduct the elections as the law requires.***

B. Registration of Voters

The AAEA and IFES note that the INEC has publicly expressed concern about the integrity of the voters' register and has clearly worked to minimize opportunities for multiple voting resulting from ineligible voters being on the list and from some Nigerians holding multiple registration cards. The problem with the voter registration process of these transitional elections is twofold: 1) the lack of integrity and accuracy of the voters' register, and 2) the production of voters' cards that do not clearly show the identity of the card-holder.

No form of national identity documentation exists in Nigeria, thus verifying a person's identity, age, etc. is not an easy matter. This, in combination with the fact that the hand-written register of voters at each registration center was not cross-checked against any other list meant that the potential for multiple registration was all too real. It is widely believed that the register of voters used for the transitional elections contains an innumerable number of duplicate entries. While the INEC has worked to safeguard against the possibility of a voter personally casting more than one ballot, these procedures do not, however, guard against voter impersonation. It is also widely alleged that a trade existed in the buying and selling of voters' cards.

The AAEA/IFES observers of the December-February elections noted the accreditation of voters holding multiple cards on numerous instances. This practice seemed particularly prevalent in northern Nigeria where men were allowed by the Presiding Officers to accredit the cards of their female family members. (Northern Nigeria is predominantly Muslim and women tend to be less publicly visible for religious and cultural reasons.) When questioned about this practice, the Presiding Officers told the AAEA/IFES teams that the women would come to the polling stations in person to cast their ballots. Some AAEA/IFES observers in the north did report a greater percentage of women present during voting as compared to during accreditation. The most serious instance of a voter with multiple cards was observed by our mission to the December local government elections in Kano where observers witnessed a man attempting to accredit more than 30 voters' cards.

The AAEA/IFES missions to the elections observed a significant number of underage voters participating in the process. Children clearly no more than 15 years of age were seen holding cards which noted their age as 20 or older.

Recommendations

- ***To address the real concerns on the part of the INEC and observers of the electoral process as to the integrity of the voters' register, the computerization of the register is strongly recommended. Further, consideration should be given to the production of voters' cards or national identity cards which contain information, such as photographs, that would safeguard against voter impersonation.***
- ***Also, registration procedures should facilitate public access to registration data to promote the list's regular revision. The INEC should also ensure that political parties have full access to the registration list.***

C. Role of Political Parties

In addition to the INEC, all Nigerian citizens have a responsibility to ensure the conduct of credible and transparent elections in their nation. The INEC should be commended for actively seeking the input of the political parties throughout the electoral process, as was evidenced by the INEC's frequent meetings with political party leaders to inform them about the electoral process and to seek their input on various issues. The lowering of the threshold of votes for the registration of political parties after the December local government elections is one result of the consultation between the INEC and the political parties.

Despite this consultation, and the INEC's campaign to educate the political parties and Nigerian voters about the electoral process, it was apparent to the AAEA/IFES observer missions that many party agents at the polling stations and at the collation of results did not fully understand the election procedures. The main responsibilities of the party agents are to help detect impersonation and multiple voting and to ensure that the poll is conducted in accordance with the laws and regulations governing the conduct of the elections. The AAEA/IFES observers noted some cases of party agents committing electoral fraud, such as stuffing the ballot boxes and working with the election officials to mis-report election results.

Recommendations

- ***It is recommended that the INEC, in conjunction with the registered political parties, establish a forum under which the INEC and the parties could meet regularly to discuss the electoral process. Issues relating to the electoral law, party and candidate registration, election procedures, etc. could be discussed***

within the forum and would enhance the transparency of the electoral process.

- *The INEC should make available to the political parties additional written information for the party agents so that they can better understand and contribute to the election process. For their part, the political parties should clearly and publicly condemn the committing of election offences by party agents and should support the prosecution of anyone found guilty of such offences.*

D. Accreditation of Local and International Observers

While neither the guidelines nor the enabling decrees explicitly provide for either local or international observers, the INEC supported the accreditation of local and international observers as well as local and international media. The INEC reported the following accreditation figures by the time of the February 27 presidential election: 703 international observers; 14,008 local observers; 283 international press; and 242 local press. Once accredited, international and local observers (including press) had full access to the electoral process including the polling stations on election day, the counting and collation process, election tribunals, and the announcement of results. Through the accreditation of observers, the INEC demonstrated its interest in promoting the transparency of the process.

The accreditation process was conducted by the Directorate of Public Affairs at the INEC headquarters in Abuja. This centralized process proved difficult for some of the local observer groups who were not located in Abuja. In its pre-election report of November 30, 1998, the AAEA/IFES mission urged the INEC to consider implementing a decentralized accreditation process for the local observers to allow those organizations to be accredited at the state level.

Recommendations

- *Given the inevitable logistical constraints that often exist for local observer groups, the AAEA/IFES mission recommends that the INEC decentralize the accreditation process to allow local observers to apply for and receive accreditation at the state level.*
- *The AAEA and IFES further recommend that the electoral law include provisions for the observation of the electoral process by international and, particularly, local organizations.*

E. Election Tribunals

Throughout the post-election period, the AAEA and IFES have closely monitored the conduct of the election tribunals and the Court of Appeals. Election tribunals are constituted for each level of government (Local Government, State, and National Assembly) to hear petitions concerning each election. The Court of Appeals hears all appeals from these tribunals. Regarding the presidential election, the Court of Appeals hears the initial petition, with the Supreme Court hearing any appeals. The number of election tribunals which must be established significantly strain the already under-resourced judicial system.

Further, information on the conduct of the election tribunals, and their decisions, is available only at the level at which they are established. There is no centralized mechanism for reporting the outcome of the tribunal process at the various levels other than through the media (if the case warrants media attention). If a bye- or run-off election is necessary as a result of a decision by a tribunal, the INEC, obviously, would also publicize the tribunal decision. With each decision of an election tribunal, a body of case law is developed. For example, the tribunal in Bauchi state ruled that the nomination of the Deputy Governorship candidate was not valid, causing the election to be re-conducted. Thus, in the future, a potential petitioner now knows that this will be the outcome of any successful challenge on these grounds. Equally, subject to the Supreme Court upholding the Court of Appeals decision with regard to Chief Egolum, any potential petitioner now knows that he or she must be either a qualified or rejected candidate in order to present a petition. The collection and publication of information on all election tribunal decisions would serve to better inform the public about the appeals process, reduce the number of possibly spurious petitions (decreasing the work load of the courts) and, in general, enhance the openness of the electoral process.

Recommendations

- ***The AAEA and IFES recommend that due consideration be given to a standing election tribunal in each state rather than the present arrangement whereby they are constituted for each election. It is further recommended that the members of the judiciary sitting on the election tribunals be trained thoroughly in the electoral law and procedures.***
- ***In order to promote the transparency of the electoral process, the INEC should consider a mechanism to formally gather and publish information about the tribunal decisions.***

F. Voter Education

While the budget available to the INEC for voter education was appreciable and significant, it was noted by many observers that additional civic and voter education would have enhanced the public's understanding of the voting day procedures. A clear example of this was that of the confusion surrounding the requirement for voters to remain at the polling station after they had been accredited and prior to the commencement of voting. Further problems were observed about both the importance of casting a vote in secret and the necessity of the use of indelible ink. Secrecy in particular was a significant concern and the importance of being able to mark the ballot paper in private was not sufficiently addressed in the public awareness campaigns. Also, many voters were totally unaware that their ballot paper should be folded prior to placing it in the ballot box. A further unfortunate confusion was caused by the poster that was produced which incorrectly stated that all voting was to end at 2:30pm. This poster was cited by Presiding Officers and others as a reason for keeping the polling station open until 2:30pm even if all accredited voters had voted before then. This presented an opportunity for ballot box stuffing because the additional safeguard of having voters present in numbers to witness the count at the polling station was lost.

Recommendation

- ***The AAEA and IFES recommend that an increased and more vigorous civic and voter campaign is undertaken for future elections. Voters' understanding concerning the importance of voting in secret and instructions regarding voting procedures takes time to permeate through all strata of society and so this campaign should be undertaken in a timely fashion. It is also recommended that the INEC consider decentralizing aspects of the voter education campaign to the states to increase the dissemination of election information to voters. With this decentralization, it is important that the INEC continue to emphasize the uniformity of message.***

III. Election Procedures

A. Elections Process

As noted earlier, the separate processes for accreditation and voting were instituted by the INEC to minimize opportunities for multiple accreditation and, hence, multiple voting. While the INEC should be credited for working to implement these safeguards, particularly in light of the concerns about an inflated voters register, the establishment of a new, computerized register, and a more sophisticated voter's card or identification card, in addition to the use of indelible ink to mark voters, are very effective safeguards

against multiple voting. These safeguards, combined with thorough training of election officials to ensure uniform adherence to election procedures, extensive voter education, and the vigilance and full and lawful participation of party agents, will make it difficult for anyone to cast more than one vote.

The separation of the accreditation and voting processes appears to have depressed voter participation as some voters, in conversations with the AAEA/IFES observers, said it was difficult for them to go twice to or wait at the polling station, for one reason or another. In many polling stations observed by the AAEA and IFES, it was clear that some accredited voters did not return to cast their ballots. Further, in many cases observed by the AAEA/IFES missions to all elections, many Presiding Officers allowed accreditation to extend into the voting period or conducted the accreditation and voting processes simultaneously. The AAEA/IFES observers to the December 5 elections, December 12 bye-elections and February 20 and February 27 elections in Rivers state reported that simultaneous accreditation and voting often resulted from the late delivery of materials.

The accreditation and voting processes were to have been implemented in conjunction with a procedure known as "confinement," whereby voters were required to remain at the polling station after being accredited in order to be able to cast their vote. At no time did the AAEA/IFES missions to the December-February elections witness the implementation of confinement. Presiding Officers did not request the voters to stay at the polling station nor did any voters remain on their own volition. The lack of any facilities at the polling stations for confining voters combined with the voters' interest in resuming their daily business before returning to vote made this guideline impossible to enforce.

Recommendation

- ***It was clear to the AAEA/IFES joint international observer missions that the processes for accreditation and voting were not uniformly followed by the polling station staff as stipulated by the INEC. As a result, the separate accreditation and voting processes, in themselves, were not effective safeguards against multiple voting as had been originally envisaged by the INEC. The AAEA and IFES urge the INEC to revise the election day procedures to ensure the ease of voter participation in the process while protecting the credibility of the elections.***

B. Materials

Indelible Ink

The AAEA/IFES delegation to the December elections and other observer groups strongly recommended the use of indelible ink to mark voters as a safeguard against multiple voting. The INEC responded by requesting the Government of India to furnish indelible ink for the January and February votes. While this ink did not arrive in time for the January state elections, it was used for the National Assembly vote of February 20 (applied on the left thumbnail) and the February 27 presidential election (applied on the right thumbnail). (It should be noted that in some areas of Lagos, enterprising Presiding Officers used non-indelible ink to mark voters at the January 9 elections.)

The AAEA/IFES delegates to both February elections noted the use of the indelible ink particularly in the urban areas of the country (most uniformly used, for example, in Lagos and Abuja). However, in many rural areas, election officials either did not receive the ink or were reluctant to use it (responding, in some cases, to pressure from the voters and party agents)—this was most prevalent for the February 20 National Assembly vote.

Recommendation

- ***The AAEA and IFES urge that the use of indelible ink to mark voters be continued in subsequent elections in Nigeria. Indelible ink is an important safeguard against multiple voting.***

Election Forms

The INEC has worked to promote the transparency of the electoral process by supplying results forms (series EC.8 forms) with enough carbon copies to be distributed to each of the contesting political parties and the security agents posted at the polling station and at each level throughout collation. The AAEA/IFES delegation to the February 20 National Assembly elections was concerned to note two instances of original EC.8 forms missing at the polling station level. In one of these wards, where the collation was observed at the ward level, the originals of the EC.8 were separately filled out and the results did not reflect the results of the polling stations. In both wards, it was unclear to the AAEA/IFES observers whether the Presiding Officers and the party agents at the polling stations were aware that the originals (top copy) of the EC.8 forms were missing.

Also concerning the results form, it is noted that the number of invalid votes was not recorded past the polling station level. The recording of the number of invalid votes ensures that the number of total votes cast is accurately reported and provides

information which can be used by the INEC in educating its election officials and the public to prevent invalid ballots.

In its observation of the December 5, January 9, and February 20 elections, the AAEA/IFES missions noted with concern the extension of accreditation into the voting period and apparent inflation, at some polling stations, of the number of voters, by the close of voting. In addition, several cases of suspicious 100% turn-outs were also observed, resulting from this inflation. To address these concerns, in its February 23 *Statement* following the National Assembly elections, the AAEA/IFES joint international observer mission urged the INEC to give specific instruction to polling station officials to ensure that the number of accredited voters is recorded on the EC.8A forms immediately after the close of accreditation.

The AAEA and IFES commend the INEC for acting swiftly on this issue and developing a new form, the Accreditation/Verification Form (AC form), on which the Supervisory Presiding Officer (SPO) would record the number of voters at the close of accreditation. In a February 23 letter to the State Resident Electoral Commissioners (RECs) from INEC Secretary Alhaji Adamu Mu'azu (reiterated in a February 24 electronic message), the RECs were notified that:

“the Commission has approved an additional responsibility for the [SPOs] as follows:-

- a) While going round the polling units under his supervision, the SPO using the above prescribed form is to record the number of accredited voters at the close of accreditation, i.e., at 11:00am;
- b) The information is to be lifted from the entry made by the Presiding Officer (PO) on the prescribed form EC.8A;
- c) Thereafter, the SPO, PO and the Party Agents will sign the form as appropriate, and
- d) Finally, the SPO will then deliver the already-signed form to the Collation Officer who in turn will cross-check (compare) the information contained thereon with the one of form EC.8A as submitted.

Please ensure STRICT compliance. You will endeavor to ensure that the information is disseminated to all concerned.”

Unfortunately, the AAEA/IFES observers to the February 27 presidential election noted the adherence of the Supervisory Presiding Officers to this new instruction in only a very few cases. It was unclear whether the lack of implementation of this guideline was due to the unavailability of the AC forms, difficulties in communication between the RECs and Local Government Electoral Officers (for onward transmittal to the SPOs) or to the failure of the SPOs to implement this instruction. Whatever the reason, it should be noted that the full compliance of the Presiding Officer to the electoral law (which was also emphasized in the *Manuals*) which stipulated that the number of accredited voters should be recorded in the EC.8 forms at the close of accreditation would have obviated the need for the AC forms.

Recommendations

- ***It is recommended that the original of the series-EC.8 results forms be clearly marked as an "Original" and that the carbonated copies are marked as copies. Numbering the copies would allow the election officials to also ensure that they have received all sheets of the form. The poor quality of the carbon on the forms was also noted by the AAEA/IFES missions.***
- ***The number of invalid ballots cast by the voters should be recorded on all EC.8 series forms, in addition to the EC.8A form used at the polling station level.***

Ballot Paper

Following its observation of the local government elections in December, the AAEA/IFES joint international observer delegation recommended the review of the ballot lay-out to minimize invalid ballots. The ballot for the December election was organized horizontally, and with nine parties contesting that election, it could be difficult for the voter to mark his or her choice (the parties in the middle of the ballot, for example, had empty boxes next to the symbols of the parties listed to their right).

IFES monitors observing the January 9 state elections noted the use of ballots which listed the contesting parties vertically, thereby making it easier for the voter to mark his or her choice. The vertical design also reduced smudging, which could lead to invalid ballots, as, when the ballot is folded vertically, the ink from the voters' thumbprint would not mark another party's box. The ballots for the February 20 and 27 elections again used the horizontal design. The new ballot design complicated INEC's voter education efforts as well as the parties' campaigns to notify voters as to where they were placed on the ballot.

Also of concern to the AAEA and IFES missions was the size of the ballot paper as the ballot could be placed into the ballot box without being folded. The transparency of the ballot boxes meant that the voter's marked ballot could often be clearly viewed by the election officials, party agents, security officials and other voters at the polling station.

Recommendations

- ***It is recommended that the ballot design be reviewed in order to minimize invalid ballots, promote the secrecy of the ballot and increase the voter's ease in marking the ballot.***

Ballot Box

For the most part, the ballot boxes used in these transitional elections were the previously-used NECON ballot boxes with metal rims and Plexiglas sides. Additional ballot boxes of the same design were manufactured for the December-February elections given the increase in polling stations from previous elections. Some polling stations, particularly in rural areas, were forced to use metal-sided, non-transparent boxes, as there remained a shortage of boxes in some regions.

The use of the transparent boxes promoted the voter's confidence that the boxes had not been stuffed before the opening of the poll as it could be clearly seen that the boxes were empty. An unfortunate result of the fully transparent boxes, however, was that the marked ballots in the box could be easily viewed by many at the polling station, particularly as many voters did not fold their ballots.

Of additional concern to the AAEA/IFES delegations to the elections was that many of the ballot boxes observed were not equipped with properly functioning locks. The lack of functioning locks on some ballot boxes compounded the issue of lack of control over the ballot papers following the election. In some cases, ballot box stuffing might have been facilitated as well.

Recommendation

- **Numbered seals that could be used to secure the ballot box during the time of voting, with additional seals being used to secure the ballot box after the counting, would provide further control on the ballots.**

Envelopes

In its guidelines and instructions to election officials, the INEC stipulates the use of various envelopes at the polling station. The Presiding Officer was to be supplied with:

- Envelope EC-50A (for miscellaneous material)
- Envelope EC-50B (for voters register)
- Envelope EC-50C (for counterfoils of used ballots)
- Envelope EC-50D (for tendered ballots)
- Envelope EC-50F (for unused ballots)
- Envelope EC-50G (for invalid, spoiled or rejected ballots)
- Envelope EC-50K (for Ballot Paper Account and Verification Statement)
- Envelope EC-50L (for used ballots)

While the INEC was not able to supply all of these envelopes, as observed by the AAEA/IFES missions, each Presiding Officer received usually one to three envelopes into which they generally placed the results form (EC.8A series), the unused ballots and/or the voters register. The used ballots were most commonly placed loosely in the ballot box after counting. The envelopes were constructed of brown paper and were

not easily or permanently sealed. The Presiding Officer returned all material to the ward level, while the results form would then be submitted to the local government or constituency level for collation. The material other than the forms remained in the ballot box at the local government level until the next election.

More stringent controls of the unused and used ballots following the count would safeguard against electoral fraud and would facilitate any post-election investigations regarding the conduct of a polling station. In one of the cases cited above (under *Election Forms*), for example, polling station results in one ward did not reflect the count of ballots cast at those polling stations. One of the methods of investigating this issue would have been to examine the ballots from those polling stations. Had the Presiding Officer at each of those polling stations sealed used and unused ballots in a tamper-resistant envelope at the close of counting, the integrity of the ballots could have been better ensured, thereby facilitating any needed investigation. Most important, the use of such envelopes might have prevented this case of changing of results in the first place.

Recommendation

- ***It is recommended that the INEC examine the controls on the ballots following the counting process at the polling station. The use of tamper-resistant envelopes for the ballots could be considered.***

Polling Booths

To protect the voter's right to mark his or her ballot in secret, the INEC supplied free-standing polling booths (covered, three-sided booths with a small ledge on which the ballot could be marked) to many polling stations. Where these booths were used, the AAEA/IFES missions to the various elections noted that the voter was able to mark the ballot in secret. In some polling stations where polling booths were not available, the election officials had often placed a table some distance away from other people at the polling station or requested the voter to mark the ballot in a classroom (if the polling station was at a school) to ensure secrecy of the ballot.

From the December 5 to the February 27 elections, AAEA/IFES noted an improvement in the protection of the secrecy of the ballot due to the availability of polling booths and also to improved polling station lay-out. In December and January, for example, many voters were observed marking their ballots on the table being used by the election officials or at a table near a security agent. Further instruction to election officials prior to the February elections, in particular, seemed to increase the secrecy of the ballot at polling stations which were not supplied with polling booths.

Recommendation

- ***Although the right of a voter to mark his or her ballot in secret is well-protected by the provision of polling booths to the polling stations for election day, it is recommended that the INEC consider other materials, such as cardboard voting screens, as less-expensive alternatives to the supply of booths.***

Posters at the Polling Station

At the beginning of the election cycle, it had been the intention of the INEC to distribute to each polling station a poster noting which parties were contesting the elections to inform the voters and to reduce the number of invalid ballots. However, the INEC did allow the political parties to place candidate posters at the polling stations. The better-financed and mobilized parties were able to place their posters at many, but not all, of the polling stations observed by the AAEA/IFES missions. Posters from some parties were not visible to the observers at any of the polling stations visited. While the INEC's decision to allow party posters in the polling station did inform some voters as to the contestants of the elections, the INEC guidelines and the relevant decrees stipulate that it is an election offence to "...tender a notice, sign, symbol, slogan, badge, photograph or party card referring to the election...within the polling station or unit or in a public or private place within a distance of two hundred meters of the polling station or unit."

The issue of voter education about the contestants of these elections is a particularly important one given the nature of the electoral process. For example, on December 12, 1998, there were run-off elections between two candidates in several areas of the country. Although only two candidates were contesting the election, the ballot paper used for that election showed the nine political parties that had been provisionally registered for the December 5 local government election, resulting in, in some observed cases, a disappointing number of invalid ballots.

The INEC did not rely solely on posted material to inform voters of the election contestants but also clearly directed the Presiding Officer to "introduce the candidates, their symbols..." to the voters prior to the commencement of the voting period (see the relevant decrees and guidelines). However, in their observations of the December-February elections, at no time did the AAEA/IFES missions note that the Presiding Officers identified the parties contesting the elections. It is clear that the voters must be better educated about the contestants to ensure that their votes count and are not invalidated.

Recommendation

- ***The INEC should make every effort to educate the voters at the polling station as to the election contestants.***

IV. Conclusion

The AAEA and IFES submit this report to the Independent National Electoral Commission (INEC) and the people of Nigeria in the hope that these findings and recommendations can assist in the strengthening of the electoral system in advance of future elections. The AAEA and IFES are confident that the INEC can meet the challenges of addressing the shortcomings in the electoral process by continuing to seriously assess the experience of these transitional elections and by seeking the input and support of the Nigerian people, including the political parties and the civic groups, in preparing for the next elections. With a well-conceived plan, and drawing on diverse experiences and the nation's many resources, the INEC and the people of Nigeria can continue to build the foundation for a strong and sustainable democratic system.

Appendix I



**AAEA/IFES Observer Mission
Nigerian Local Government Elections: December 5, 1998**

Delegation Leader
K. Afari-Gyan
Executive Secretary, AAEA
Chairman, Electoral Commission of Ghana

Delegates
Abuya Abuya
Member, Electoral Commission of Kenya

John Acree
Consultant, IFES/Nigeria

Marren Akatsa-Bukachi
Program Officer, Institute for Education in Democracy, Kenya

Simon Clarke
Program Manager, IFES/Nigeria

Albert Geoffrey M. Dzvikamanja
Member, Electoral Supervisory Commission, Zimbabwe

John Ernest Ekuban
Coordinator, Institute of Economic Affairs, Ghana

Paul Guah
Chairman, Elections Commission of Liberia

Keith Klein
Director, Africa and the Near East, IFES

Ramanou Kouferidji
Communications Secretary, GERDDES-Benin

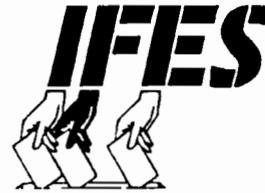
Gilbert Nguongue
Permanent Secretary, CERCUDE, Cameroon

Flora Nkurukenda
Deputy Chairperson, Electoral Commission of Uganda

Trefor Owen
Election Specialist, IFES/Nigeria

Susan Palmer
Program Officer, Africa and the Near East, IFES

Kwadwo Sarfo-Kantanka
Deputy Chairman (Finance and Administration), Electoral Commission of Ghana



**AAEA/IFES Joint International Observer Mission
Nigerian National Assembly Elections: February 20, 1999**

Delegation Leader

K. Afari-Gyan
Executive Secretary, AAEA
Chairman, Electoral Commission of Ghana

Delegates

Simon Clarke
Program Manager, IFES/Nigeria

Kendall Dwyer
Projects Coordinator, IFES/Nigeria

Paul Guah
Chairman, Elections Commission of Liberia

Lino Musana,
Head, Administration Department, Electoral Commission of Uganda

Angela Neeguaye
Public Information Officer, Electoral Commission of Ghana

Flora Nkurukenda
Deputy Chairperson, Electoral Commission of Uganda

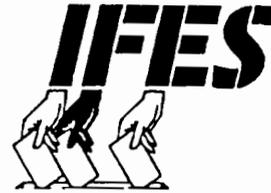
Francis Oke
Consultant, GERDES-Benin

Susan Palmer
Program Officer, Africa and the Near East, IFES

Valeria Scott
Program Assistant, Africa and the Near East, IFES

Mabel Sikhosana
Education Officer, Zimbabwe Human Rights Association

Caroline Vuillemin
Program Assistant, Africa and the Near East, IFES



**AAEA/IFES Joint International Observer Mission
Nigerian Presidential Elections: February 27, 1999**

Delegation Leader

K. Afari-Gyan
Executive Secretary, AAEA
Chairman, Electoral Commission of Ghana

Delegates

Marcel Bakak
CERCUDE-Cameroon

Tom Bayer

Director of Programs, Africa and the Near East, IFES

Alhagi Mustapha Carayol

Commission Member, Independent Electoral Commission, The Gambia

Simon Clarke

Program Manager, IFES/Nigeria

Ahmadou Bailo Diallo

Judicial Counselor, Ministry of Interior and Decentralization, Guinea

Kendall Dwyer

Projects Coordinator, IFES/Nigeria

Albert Geoffrey M. Dzvukamanja

Member, Electoral Supervisory Commission, Zimbabwe

John Ernest Ekuban

Coordinator, Institute of Economic Affairs, Ghana

Paul Guah

Chairman, Elections Commission of Liberia

Cheikh Gueye

Executive Director for Elections, Ministry of the Interior, Senegal

Samuel Kivuitu
Chairman, Electoral Commission of Kenya

John Langley
Commissioner, Elections Commission of Liberia

Issa Moko
Director of the House of Local Collectivities, Ministry of the Interior, Benin

Richard Moyo-Majwabu
Commissioner, Electoral Supervisory Commission, Zimbabwe

Lino Musana
Head, Administration Department, Electoral Commission of Uganda

Andrew Muwonge
Commissioner, Electoral Commission of Uganda

Angela Neeguaye
Public Information Officer, Electoral Commission of Ghana

Simon Nkouo
Ambassador, Diplomatic Counselor, Gabon

Flora Nkurukenda
Deputy Chairperson, Electoral Commission of Uganda

Francis Oke
Consultant, GERDDES-Africa

Susan Palmer
Program Officer, Africa and the Near East, IFES

Sié Jean de la Croix Pooda
Permanent Executive Secretary, National Electoral Commission, Burkina Faso

Valeria Scott
Program Assistant, Africa and the Near East, IFES

Mabel Sikhosana
Education Officer, Zimbabwe Human Rights Association

Elizabeth Solomon
Commissioner, Electoral Commission of Ghana

Caroline Vuillemin
Program Assistant, Africa and the Near East, IFES

Alfred Zulu
Director, Zambia Independent Monitoring Team

Appendix II



December 8, 1998

Post-Election Report of the AAEA/IFES Observer Mission to the Local Government Elections in Nigeria

A 15-member delegation of election officials, election experts, and experienced election observers from the Association of African Election Authorities (AAEA) and the International Foundation for Election Systems (IFES) observed the December 5 local government elections in Nigeria. The international observer mission, led by Dr. K. Afari-Gyan, AAEA Executive Secretary and Chairman of the Electoral Commission of Ghana, arrived in Nigeria on November 30 and deployed to seven of Nigeria's 36 states from December 3-7 to assess the pre-election environment, observe voting day, and evaluate the tabulation of results and the immediate post-election period. The delegation included a four-person IFES team that has been in Nigeria since November 15 to monitor election preparations.

The AAEA/IFES observer mission focused its assessment of the electoral process on the technical aspects of the administration of the December 5 elections—on the organizational capacity of the Independent National Electoral Commission (INEC), the legal framework for the electoral process, and election day procedures. Our comments about the local government vote are presented here in the hope that they might contribute to preparations for the upcoming State Assembly, governorship, parliamentary and presidential elections, to the overall strengthening of Nigeria's electoral system, and to the transition to a civilian, democratic government.

The AAEA/IFES delegation deployed eight teams for these elections, two to the Federal Capital Territory and others to Lagos, Kaduna, Kano, Oyo, Plateau, and Rivers States from December 3-7. Throughout the observation mission, the teams met with INEC officials and staff, members of political parties, representatives of nongovernmental organizations and other Nigerians involved in the political life of the country. On December 5, the AAEA/IFES delegation looked closely at polling station organization, capabilities of poll officials, the ability of voters to cast their votes without undue hardship or intimidation and in secrecy, and the procedures for vote counting and results tabulation.

As is well known, Nigeria's struggle to build a democratic state has been a long and difficult one, and elections within this process have frequently been marred by lack of credibility and transparency. Citizens have a right to expect that their elections process will guarantee that they can register to vote and cast their ballot without undue hardship and in secrecy. They also expect that their vote is

recorded accurately and counted toward the result of the election and that the result be universally respected. Given Nigeria's history, the citizens' aspirations and the importance of these elections to the present transition process, it is encouraging to note that the INEC generally had the confidence of the political parties and voters prior to the period leading to the elections.

Based on the observations of the AAEA/IFES mission and knowledge gained through our long-term presence, we present the following findings:

- **Voters register:** Most voters had a voter's card and their names were readily found on the register. Of great concern, however, was our observation at some of the polling stations of the accreditation of multiple cards in the possession of the same voter. Some voters with cards were not able to find their names on the register.
- **Accreditation:** Although the INEC attempted to eliminate the possibility of multiple voting by directing the confinement of voters at the polling station from the time of accreditation to voting, the guideline was not followed. We also observed a small number of voters under the age of 18 receiving accreditation.
- **Election day procedures:** We observed a lack of uniform procedures from polling station to polling station throughout the election day processes. At many polling stations, we observed that, either at the point of marking the ballot or dropping it into the box, the voter's right to secrecy was not preserved. Indelible ink was used to mark the voters in only a few polling stations. We believe the inconsistent election day procedures were a result of inadequate guidelines to, and training of, poll officials.
- **Materials:** Many polling stations that we observed opened late due to delay in receiving materials. Further, the provision of additional materials, such as extra ink pads, would have allowed more than one voter to mark his or her ballot, making the voting process more efficient. Some polling stations were not provided with lanterns or other materials to facilitate counting and tabulation in the night.
- **Invalid ballots:** We observed ballots that were rejected even when the voter's intention could be discerned. The lay-out of the ballot paper contributed to numerous invalid ballots, as did the lack of clear guidelines to the poll officials on what constituted an invalid ballot.
- **Voter awareness:** A low level of understanding on the part of the voter was evident resulting in difficulty in marking the ballot and casting it in secrecy.

- **Poll officials:** Only two poll officials were present at the majority of the polling stations we observed, hampering the efficiency of the voting and accreditation processes.
- **Domestic Observers:** We observed that most Nigerian nongovernmental organizations were not able to receive accreditation in time to effectively monitor the vote. Explicit recognition of the role of domestic observers would provide the framework needed to more easily include these important actors in the process.

RECOMMENDATIONS

We recommend:

- the immediate development and wide dissemination of a detailed, step-by-step instruction manual for poll officials and that INEC undertake a thorough and timely re-training of poll officials;
- a review of the ballot lay-out to minimize invalid ballots;
- the provision to polling stations of additional materials to increase the efficiency of the accreditation and voting process and the provision of additional staff at polling stations with more than 500 registered voters;
- that the logistical arrangements should allow for the timely delivery of all election day materials;
- uniform procedures for the application of indelible ink to mark voters' thumbs after casting ballots;
- that increased attention and resources be given to widespread voter education campaigns by the INEC and civic organizations;
- in the absence of training by political parties, that additional written information be made available by the INEC to the party agents so that they can better understand and contribute to the election process; and
- that the INEC recognize the role and responsibility of domestic and international observers in the electoral process and decentralize the accreditation process for domestic observers to the State level to allow their full and timely participation in the election process.

CONCLUSION

The AAEA/IFES delegation recognizes the great challenge faced by Nigeria's Independent National Electoral Commission (INEC) in administering these elections given the size and complexity of the country, the stated time frame, and the attendant logistical constraints. We note the tremendous desire of all Nigerians to make the transition to an elected, civilian leadership and to build a sustainable democratic system. The December 5 local government elections demonstrated the commitment of the INEC, the political parties and the Nigerian people to the transition to democracy, as we witnessed people from all walks of life and all political persuasions cast their ballots for local government councilors and council chairmen. We are encouraged that this first vote passed in a relatively peaceful atmosphere and with the support of most Nigerians, and we hope that the following months will be marked by a further commitment to a credible, transparent and representative process on the part of all major stakeholders and Nigerian citizens.



FOR IMMEDIATE RELEASE
February 23, 1999

CONTACT: Torie Keller/Washington, +1-202-828-8507
Susan Palmer/Abuja, +234-9-523-1811 x164

Statement by the AAEA/IFES Observer Delegation on February 20 National Assembly Elections in Nigeria

LAGOS, NIGERIA — A joint international observer mission composed of members of the Association of African Election Authorities (AAEA) and representatives of the International Foundation for Election Systems (IFES) has made recommendations to Nigeria's Independent National Electoral Commission (INEC) to further strengthen the electoral system in advance of the February 27 presidential elections. The delegation observed the conduct of the February 20 National Assembly elections in five of Nigeria's 36 states (Bayelsa, Kano, Lagos, Plateau and Rivers) and in the Federal Capital Territory. The AAEA and IFES have been present in Nigeria since November 1998, when they conducted a pre-election assessment prior to the elections. An AAEA/IFES mission observed the December local government elections and IFES long-term monitors assessed the January state elections.

Like many in Nigeria, the AAEA/IFES observer mission was disappointed in the very low voter turnout across the nation for the National Assembly elections. In addition, the observers were concerned about the many irregularities they observed in the conduct of the vote. However, the AAEA/IFES joint delegation has emphasized that the responsibility for credible elections rests not only with Nigeria's INEC, but with the political parties and all Nigerian citizens. Therefore, the AAEA and IFES have made suggestions of steps to be taken within the week to facilitate the conduct of a transparent and open presidential election on February 27. The delegation has also urged all registered voters to exercise their right to cast a ballot in this crucial election so that the government represents the will of the Nigerian people.

RECOMMENDATIONS

The AAEA/IFES mission, led by Dr. K. Afari-Gyan, Executive Secretary of the AAEA and Chairman of the Electoral Commission of Ghana, has recommended that additional guidance be given to election officials, voters and political parties regarding election day procedures. In particular, the team has recommended that the INEC give specific instruction to the polling station officials to ensure that:

- accredited voters are distinctly marked on any previously-used register in a different-colored ink;

- the number of accredited voters is recorded on Form EC.8A immediately after the close of accreditation;
- accredited voters are at the polling station at 11:30am for the commencement of voting;
- the indelible ink specified by the INEC is used to mark all voters;
- the INEC-supplied envelopes are used to package used ballots at the end of the count and that the election materials are properly returned to the Ward Collation Centre and, from there, to the local government Electoral Officer; and
- the polling station staff follow the laid-down procedures in cases of the late delivery of election materials.

To further promote confidence in the electoral process, the AAEA/IFES mission has also recommended that:

- the INEC remind its election officials, both permanent and ad hoc, that they will be held liable for any election offences committed, in the same way as the voters and representatives of political parties are liable.

In addition, the AAEA/IFES mission urged that the following steps be taken to increase the transparency of the process:

- that the political parties and observers be permitted to monitor the secure transportation of sensitive election materials; and
- that the INEC ensure the availability of polling station results at the State level for public inspection after the election.

To ensure a consistent counting of ballots at the polling station for the February 27 presidential elections, the AAEA/IFES observers also suggested that:

- the INEC issue a clear statement on the status of ballots which may be marked for the Alliance for Democracy (AD).

Finally, to promote increased participation in the upcoming elections, the AAEA/IFES mission recommended that the INEC, political parties, and civic organizations should focus their voter education efforts in the time remaining on:

- the need for increased participation by registered voters in the electoral process;
- that indelible ink will be used to mark the right thumb of all those voting in the presidential election; and
- the necessity for an accredited voter to be present at the polling station at the commencement of voting at 11:30am in order to cast a ballot.

OBSERVATIONS

The findings of the joint AAEA/IFES international observer mission were based on the delegates' observations of the electoral process in five of Nigeria's states and in the Federal Capital Territory (FCT). The 12-member AAEA/IFES mission was deployed in teams of two and met with INEC officials, political party representatives, domestic observers and others and observed the accreditation, voting, counting and collation processes. The delegation's observations are summarized below.

Accreditation: Clean copies of the voters register were not used at many of the polling stations visited by the AAEA/IFES mission, making it difficult for the poll officials to distinctly mark the accredited voters. Of additional concern was the lack of voter registers at two polling stations in two wards in Yenagoa Local Government Area (LGA) in Bayelsa. In some cases in Plateau state, accreditation began before 8:00am, while in Rivers and Bayelsa states accreditation and voting were conducted simultaneously at several polling stations observed. In Rivers state, in particular, the late distribution of materials delayed the opening of the poll. Further, all accredited voters did not remain at the polling stations observed by the AAEA/IFES team, from the time of accreditation to voting, as stipulated by the INEC.

Voting: The AAEA/IFES mission noted at many polling stations that all accredited voters were not present at the commencement of voting. Moreover, the Security Agent or Poll Orderly did not stand at the back of the line to ensure that only accredited voters present at the commencement of voting could cast ballots. ~~The AAEA/IFES team also noted that, outside of~~ polling stations observed in Lagos state and FCT, indelible ink, an important safeguard against multiple voting, was not consistently used to mark voters. Further, the layout of polling stations observed in Bayelsa, Kano and Rivers states did not allow the voter to mark the ballot in secret. It should also be noted that, in many cases, the voter appeared not to be aware of his or her right to cast a vote in absolute secrecy. In addition, the AAEA/IFES team observed voters who seemed to be under the age of 18 years in Lagos (Epe LGA), Kano (Gabasawa LGA), and Plateau (Langtang LGA).

Counting and Collation: Of great concern to the AAEA/IFES observers was the absence of the first page (the original) of Form EC.8A (for polling station results) at all polling stations of Ward I in Ikwerre LGA in Rivers, and at one polling station in the FCT. With regard to Ikwerre LGA (Rivers), AAEA/IFES observers recorded that the polling station results from Ward I as reported at the LGA Collation Centre significantly differed from the polling station results noted at the Ward Collation Centre. Further, ~~AAEA/IFES observers at Ward IB in Ahodoa~~ West LGA in Rivers also noted a substantial difference in polling station results from that Ward when the results reached the LGA level. The AAEA/IFES team has reported some of these observations to the appropriate INEC officials.

CONCLUSION

In further support of Nigeria's transition to an elected, civilian government, the AAEA and IFES will sponsor a 28-person observer mission to the February 27 presidential election. The AAEA and IFES are grateful to the INEC and the Nigerian people for the warm reception they have received and look forward to continued support to the nation's transition to a sustainable democracy.

#

Since its inception in 1987, IFES has provided nonpartisan assistance to develop or refine election systems in more than 100 emerging and established democracies worldwide.

The AAEA is a membership organization of election officials and representatives of election-focused nongovernmental organizations from sub-Saharan Africa dedicated to promoting the professionalization of election administration.

Additional information on AAEA and IFES activities in Nigeria, as well as information on the Nigerian elections, can be found on the IFES website at www.ifes.org.



FOR IMMEDIATE RELEASE
March 2, 1999

CONTACT: Torie Keller/Washington, +1-202-828-8507
Susan Palmer/Abuja, +234-9-523-1811 x164

AAEA/IFES Statement on the February 27, 1999 Presidential Election in Nigeria

A 28-member joint delegation of African election officials, representatives of African nongovernmental organizations and international election specialists observed the February 27 presidential election in Nigeria. This mission, fielded by the Association of African Election Authorities (AAEA) and the International Foundation for Election Systems (IFES), commends all Nigerians on their commitment to the transition process which will result in the inauguration of a civilian, elected government on May 29. As a delegation focusing on the technical aspects of the administration of the election, the AAEA/IFES mission presents its observations so that the people of Nigeria are better able to assess the conduct of this election, and submits its recommendations as to steps that could be taken to strengthen the electoral process in Nigeria in order to contribute to the nation's democratic consolidation.

The AAEA/IFES mission, led by Dr. K. Afari-Gyan, AAEA Executive Secretary and Chairman of the Electoral Commission of Ghana, observed the conduct of the February 27 election in thirteen of Nigeria's 36 states (Adamawa, Bayelsa, Borno, Cross River, Enugu, Kaduna, Kano, Kwara, Lagos, Oyo, Plateau, Rivers and Sokoto) and in the Federal Capital Territory (FCT). The AAEA and IFES have been present in Nigeria since November 1998, when they conducted an assessment prior to the elections. AAEA/IFES missions observed the December 5, 1998 local government and the February 20, 1999 National Assembly elections and IFES long-term monitors additionally assessed the December 12, 1998 bye-elections in Rivers and the run-off elections in the FCT; the January 9, 1999 state elections; and the January 30 elections in Bayelsa state.

The AAEA/IFES team recognizes the efforts of Nigeria's Independent National Electoral Commission (INEC) to achieve a transparent electoral process. In particular, the INEC has worked to strengthen the electoral system since the first round of polling conducted in December, and has taken steps towards more open and credible elections. The INEC has demonstrated its commitment to dialogue with the political parties and has taken into account their concerns throughout these elections. Further, the INEC has opened the electoral process to international and, more importantly, domestic observers, accrediting more than 10,000 Nigerians from civic groups throughout the country as domestic

observers and extending an invitation to approximately 600 international observers, including the AAEA/IFES mission.

Since the December 1998 local government elections, the INEC has clarified and added to the election procedures in response to its review of the process and to comments made by the AAEA and IFES and other observers. Of great importance has been the use of indelible ink to mark voters in the February 20 and February 27 elections—a notable safeguard against multiple voting. The step-by-step INEC poll worker manual, produced for the January and February elections, also increased the uniformity of election day procedures from polling station to polling station.

Following its observation of the February 20 National Assembly elections, the AAEA/IFES mission made several specific recommendations concerning steps that could be taken by the INEC to strengthen the conduct of the February 27 presidential poll. The AAEA/IFES mission notes that the INEC has responded positively to many of these recommendations. In particular, the AAEA/IFES observers reported:

- the increased use of indelible ink to mark voters, particularly in the rural areas of the country;
- the distribution of additional forms to record the number of accredited voters at the close of accreditation (a procedure designed to thwart additional accreditation and ballot box stuffing later in the day);
- the increased awareness on the part of election officials and the Nigerian voters as to the timing of the accreditation and voting processes;
- an enhanced effort to protect the voter's right to mark his or her ballot in secret;
- the INEC's clear guidance to election officials as to the counting of ballots cast for the Alliance for Democracy (AD), which supported the presidential candidate fielded by the All Peoples' Party (APP); and,
- the INEC's re-distribution of the oath of office for polling officials as a reminder to its staff, both permanent and ad hoc, that they would be held liable for any election offences committed.

In its observation of the February 27 vote, the AAEA/IFES team nevertheless noted a considerable lack of adherence to the election procedures as stipulated by the INEC. In addition, the AAEA/IFES observer delegation was concerned about some cases of possible fraudulent activity, apparently resulting from collusion on the part of some election officials with agents of the political parties. The delegation's specific observations are summarized below.

Accreditation:

The late distribution of sensitive materials delayed the opening of polling stations in several areas (Bayelsa state—Kolokma/Opokuma LGA; Cross River state—Calabar Municipality; Enugu state—Aninri and Awgu LGAs; Kano state—Gabasawa LGA; and in Rivers state—Oyigbo LGA). The late delivery of materials in Oyigbo LGA (Rivers) resulted in simultaneous accreditation and voting. Accreditation and voting also occurred at the same time in two wards in Adamawa State (Hong LGA, Daksiri and Hong Wards). In one of these cases, some voters were accredited without being marked as accredited on the voter's register

At one polling station in Kaduna state (Kajuru LGA, Ward—Code 127), the AAEA/IFES team noted five cases of accreditation of multiple voter's cards. Two individuals accredited five cards each and three individuals were in possession of two cards. The Presiding Officer of that polling station explained that the voters were accrediting cards for their family members and that the rightful holders of the voter's cards were expected to cast their vote in person.

Despite the introduction of the series AC forms to record the number of accredited voters at the close of accreditation, the AAEA/IFES team observed that in most cases the Supervisory Presiding Officer (SPO) did not complete the AC.1 form immediately after the close of accreditation. While some of the AC forms were completed later in the day, the fact that the number of accredited voters at the close of accreditation was not immediately recorded by the SPO left open the possibility of additional accreditation or ballot box stuffing, which the forms were intended to prevent.

As with the previous elections, at none of the polling stations observed by the AAEA/IFES team did all accredited voters remain at the polling station from the time of accreditation to voting, as mandated by the INEC.

Voting:

While the AAEA/IFES delegates noted that the application of indelible ink to mark voters was more prevalent than in the February 20 elections, AAEA/IFES observers noted that the ink was not used in some polling stations in Bayelsa (Kolokma/Opokuma LGA), Cross River (Calabar Municipality LGA, Wards 1, 4 and 9; and Calabar South LGA, Wards 1 and 10); Kwara (Ifeledun LGA, Omupo Ward); and Rivers (Eleme, Oyigbo, Obio Akpor and Tai LGAs).

The AAEA/IFES team observed a stack of about 30 ballots in a ballot box at a polling station in Kaduna state (Kajuru LGA, Kajuru Ward). The Presiding Officer was not able to explain this occurrence to the observers. At many polling stations in Kolokma/Opokuma LGA in Bayelsa state, the AAEA/IFES team observed that the voter's right to mark the ballot in secret was not respected.

At several polling stations in Kaduna state (Kajuru LGA, Kajuru and Kufana Wards), the AAEA/IFES noted voters apparently under the age of 18 casting ballots. One of these voters was in possession of a voter's card of a person of 30 years of age.

Counting and Collation:

One of the AAEA/IFES teams, deployed to Kano state, expressed concern about polling station results from four of the 11 polling stations in Gabasawa LGA, Zugachi Ward, as these polling stations reported 100% voter turn-out. The AAEA/IFES observer team noted that they did not witness a high voter turn-out in this Ward throughout the day. Voter turn-out of 100% was also reported at two polling stations in Kwara state (Ifeledun LGA, Omupo Ward). In addition, the AAEA/IFES observers in Rivers noted two polling stations with 100% turn-out in Oyigbo LGA, Ward 4, while polling stations in that same general area showed turn-outs of 20% and below.

During counting at three polling stations in Cross Rivers (Calabar South LGA, Ward 10), the AAEA/IFES team noted significant discrepancies in the number of accredited voters as compared to votes cast at three polling stations. Two of these stations, which were observed by the AAEA/IFES team prior to voting, reported accreditation figures of 21 and 35 respectively, but later reported 500 and 311 as having voted. The third station, with a register of 500 voters, reported 500 accredited, with 501 votes recorded on the EC.8A. Also in Cross River (Calabar South LGA, Ward 10), the AAEA/IFES team reported three polling stations which lacked EC.8A forms; consequently, the Presiding Officers recorded the results on pieces of paper.

Of serious concern to the AAEA/IFES mission was the changing of results from the polling stations as reported at the Local Government Collation Centre from one Ward in Enugu state. In Awgu LGA, Mgbowo Ward, the original EC.8B form, as submitted to the Local Government Collation Centre, differed significantly from the results as submitted by the polling stations at the Ward level.

RECOMMENDATIONS

The AAEA/IFES observer mission recognizes the tremendous challenge faced by the INEC and the Nigerian government in making the transition from military to civilian government in the given time-frame. As noted above, the AAEA/IFES delegation to the February 27 presidential election observed numerous cases of irregularities in the implementation of the election procedures and some possible cases of electoral fraud, as also reported in previous reports and in the AAEA/IFES statement following the February 20 National Assembly elections.

The shortcomings of the electoral system and the lack of civic awareness of many Nigerians resulted in many of these irregularities and possible cases of fraud. The AAEA/IFES joint international observer mission recommends the review of the legal framework for the elections in addition to nationwide civic and voter education in advance of the future elections. Specifically, the AAEA/IFES mission recommends:

- the review of the electoral law
In this transition timetable, the conduct of these elections was governed by guidelines which were issued by the INEC and promulgated by Decree by the Provisional Ruling Council, in most instances less than a week before each election day. The late release of the legal framework for the elections resulted in a limited understanding of the electoral process on the part of the Nigerian public and even on the part of the ad hoc election officials, despite the efforts of the INEC to inform the public and to train its officials. In the review of the law, consideration should also be given to the simplification of election procedures to enhance the transparency of the process and to facilitate the participation of all Nigerian citizens.
- the computerization of the voter register
Many of the procedures put into place in the conduct of these elections (such as the separate accreditation and voting periods) were designed to reduce the opportunities for multiple voting. The computerization of the voters register, in

conjunction with photo identification cards, would greatly enhance the integrity of the register.

- the enhancement of the organizational capacity of the INEC
A comprehensive review of the mandate and organizational structure of the INEC at national and state levels would contribute to the ability of the INEC to efficiently administer credible elections. A detailed and ongoing training program would further develop staff professionalism.
- the promotion of the transparency of the electoral process
The institutionalization of the dialogue between the INEC and the political parties would encourage the transparency of the electoral process, particularly as the issues noted above are addressed. Consideration should also be given to the further development of a transparent budgeting process on the part of the INEC.
- the conduct of widespread civic and voter education campaigns
A comprehensive civic education program should be developed and implemented on a continuous basis, in order to ensure that citizens understand their rights and responsibilities in a democracy. Closer to the next elections a more detailed and far reaching voter education campaign should be mounted in order to explain the registration and election day procedures and the importance of being able to mark the ballot in secret and without undue influence.

The AAEA and IFES would like to extend its appreciation to the INEC and to the people of Nigeria for the warm welcome they have been given since the beginning of their activities in November 1998. The AAEA and IFES look forward to continuing their support to Nigeria's transition to democracy and hope that these observations will contribute to Nigeria's efforts to strengthen the electoral system.

#####

The Association of African Election Authorities is a membership organization of election officials and representatives of election-focused nongovernmental organizations from sub-Saharan Africa dedicated to promoting the professionalization of election administration.

Since its inception in 1987, the International Foundation for Election Systems, based in Washington, DC, has provided nonpartisan assistance to develop or refine election systems in more than 100 emerging and established democracies worldwide.

AAEA and IFES observation activities in Nigeria are funded by a grant from the U.S. Agency for International Development.

Appendix III

**DECREES ISSUED BY THE FEDERAL MILITARY GOVERNMENT OF NIGERIA
CONCERNING THE ELECTORAL PROCESS**

<i>DECREE</i>	<i>DATE</i>	<i>COMMENTS</i>
No. 7—National Electoral Commission of Nigeria (Repeal, Etc.)	In Effect: July 20, 1998 Issued: Aug. 11, 1998	Dissolved the National Electoral Commission of Nigeria (NECON).
No. 15—Political Parties (Registration and Activities) (Repeal, Etc.)	In Effect: July 20, 1998 Issued: Aug. 11, 1998	Dissolved the five political parties established under the Abacha regime.
No. 16—Local Government (Basic Constitutional and Transitional Provisions) (Repeal, Etc.)	In Effect: July 20, 1998 Issued: Aug. 11, 1998	Dissolved Local Government and Area Councils.
No. 17—Independent National Electoral Commission (Establishment, Etc.)	In Effect: Aug. 5, 1998 Issued: Aug. 11, 1998	Established the Independent National Electoral Commission (INEC) and mandated its functions.
No. 33—Independent National Electoral Commission (Amendment)	In Effect: Aug. 5, 1998 Issued: Dec. 1, 1998	Includes provisions for the transfer of assets from the NECON to the INEC, and allows for the election of Vice President "such number of Vice-Presidents as may be specified in the Constitution of the Federal Republic of Nigeria for the time being in force."
No. 34—Transition to Civil Rule (Political Programme)	In Effect: Aug. 11, 1998 Issued: Dec. 1, 1998	Spells out the election schedule and allows the INEC to "make any rules and regulations and issue circulars and guidelines with respect to the schedule.
No. 35—Political Parties (Registration and Activities)	In Effect: Aug. 11, 1998 Issued: Dec. 1, 1998	Enables the INEC to issue guidelines and make rules and regulations for the formation and registration of political parties; guide electioneering campaigns by registered political parties, monitor and control activities of the registered political parties.
No. 36—Local Government (Basic Constitutional and Transitional Provisions)	In Effect: Aug. 11, 1998 Issued: Dec. 1, 1998	Enabling decree for December 5 local government elections. Mandates responsibilities of Local Government and Area Councils.
No. 3—State Government (Basic Constitutional and Transitional Provisions)	In Effect: Nov. 2, 1998 Issued: Jan. 6, 1999	Enabling decree for January 9 state elections. Mandates responsibilities of the State Houses of Assembly and Governors.
No. 5—National Assembly (Basic Constitutional and Transitional Provisions)	In Effect: Jan. 20, 1999 and on inauguration of National Assembly Issued: Feb. 17, 1999	Enabling decree for February 20 National Assembly elections. Mandates responsibilities of the Senate and House of Representatives.
No. 6—Presidential Election (Basic Constitutional and Transitional Provisions)	In Effect: Jan. 20, 1999 Issued: Feb. 17, 1999	Enabling decree for February 20 Presidential election. Mandates responsibilities of President and Vice-President and gives a four-year term of office.

Appendix IV

INDEPENDENT NATIONAL ELECTORAL COMMISSION
 Delimitation of Senatorial Districts
 Federal/State Constituencies
 1999

S/N	State	LGA	Sen. District	Federal Const.	State Const.	Polling Stations	Wards
1	ABIA	17	3	8	24	2504	184
2	ADAMAWA	21	3	8	25	2442	226
3	A/IBOM	31	3	10	26	2791	329
4	AHAMBRA	21	3	11	30	4327	327
5	BAUCHI	20	3	12	31	3813	212
6	BAYELSA	8	3	5	24	1689	105
7	BENUE	23	3	11	29	3454	276
8	BORNO	27	3	10	28	3681	312
9	C/RIVER	18	3	8	25	2137	193
10	DELTA	25	3	10	29	3393	268
11	EBONYI	13	3	6	24	1670	171
12	EDO	18	3	9	24	2460	192
13	EKITI	16	3	6	26	2054	177
14	ENUGU	17	3	8	24	2769	260
15	GOMBE	11	3	6	24	2076	114
16	IMO	27	3	10	27	3297	308
17	JIGAWA	27	3	11	30	3301	287
18	KADUNA	23	3	16	34	4780	255
19	KANO	44	3	24	40	7556	482
20	KATSINA	34	3	15	34	4582	361
21	KEBBI	21	3	8	24	2244	226
22	KOGI	21	3	9	25	2385	239
23	KWARA	16	3	6	24	1752	193
24	LAGOS	20	3	24	40	7922	245
25	NASSARAWA	13	3	5	24	1399	147
26	NIGER	25	3	10	27	2983	274
27	OGUN	20	3	9	26	3004	236
28	ONDO	18	3	9	26	2816	203
29	OSUN	30	3	9	26	2817	332
30	OYO	33	3	14	32	4476	351
31	PLATEAU	17	3	8	24	2462	207
32	RIVERS	23	3	13	32	4156	319
33	SOKOTO	23	3	11	30	2840	244
34	TARABA	16	3	6	24	1788	168
35	YOBE	17	3	6	24	1604	178
36	ZAMFARA	14	3	7	24	2355	147
37	FCT ABUJA	6	1	2	-	526	62
TOTAL		774	109	360	990	112,305	8810

Appendix V

VOTER TURN-OUT

S/No	STATE (b)	Registered Voters	Dec. 5, 1998 Local Govt. Elections Total Valid Votes Cast	Dec. 5, 1998 Local Govt. Elections Voter Turn-Out	Jan. 9, 1999 State Elections Total Valid Votes Cast (a)	Jan. 9, 1999 State Elections Voter Turn-Out	Feb. 20, 1999 Nat'l. Assem. Elections Total Valid Votes Cast (b)	Feb. 20, 1999 Nat'l. Assem. Elections Voter Turn-Out	Feb. 27, 1999 Presidential Election Total Valid Votes Cast	Feb. 27, 1999 Presidential Election Voter Turn-Out
1	ABIA	1,321,895	521,620	39.46%	540,359	40.88%	474,009	35.86%	535,918	40.54%
2	ADAMAWA	1,260,956	676,874	53.68%	627,226	49.74%	503,984	39.97%	845,107	67.02%
3	AKWA IBOM	1,450,367	957,545	66.02%	1,167,516	80.50%	957,134	65.99%	883,278	60.90%
4	ANAMBRA	2,221,384	629,606	28.34%	1,026,259	46.20%	923,657	41.58%	833,178	37.51%
5	BAUCHI	1,941,913	932,780	48.03%	906,408	46.68%	958,752	49.37%	1,176,541	60.59%
6	BAYELSA	873,000	340,654	39.02%	559,183	64.05%	521,510	59.74%	610,032	69.88%
7	BENUE	1,806,121	983,662	54.46%	1,007,888	55.80%	968,177	53.61%	1,252,957	69.37%
8	BORNO	1,822,987	638,412	35.02%	766,742	42.06%	726,060	39.83%	915,975	50.25%
9	CROSS RIVER	1,142,876	773,325	67.66%	984,586	86.15%	873,397	76.42%	876,156	76.66%
10	DELTA	1,794,361	682,174	38.02%	932,267	51.96%	310,224	17.29%	816,574	45.51%
11	EBONYI	902,327	459,319	50.90%	502,648	55.71%	521,495	57.79%	345,921	38.34%
12	EDO	1,380,418	555,781	40.26%	737,198	53.40%	578,704	41.92%	679,784	49.24%
13	EKITI	1,077,195	380,744	35.35%	494,195	45.88%	413,263	38.36%	713,690	66.25%
14	ENUGU	1,466,145	1,068,109	72.85%	836,277	57.04%	803,557	54.81%	835,586	56.99%
15	GOMBE	1,108,171	707,944	63.88%	656,894	59.28%	608,800	54.94%	844,539	76.21%
16	IMO	1,746,673	677,497	38.79%	779,657	44.64%	752,921	43.11%	736,106	42.14%
17	JIGAWA	1,567,423	556,831	35.53%	535,137	34.14%	523,204	33.38%	548,596	35.00%
18	KADUNA	2,536,702	1,770,811	69.81%	1,503,487	59.27%	1,392,231	54.88%	1,676,029	66.07%
19	KANO	3,680,990	2,619,114	71.15%	904,441	24.57%	854,299	23.21%	904,713	24.58%
20	KATSINA	2,151,112	804,799	37.41%	878,807	40.85%	921,960	42.86%	1,193,397	55.48%
21	KEBBI	1,172,054	422,508	36.05%	445,226	37.99%	410,034	34.98%	512,229	43.70%
22	KOGI	1,265,230	686,567	54.26%	962,076	76.04%	805,336	63.65%	984,710	77.83%
23	KWARA	940,400	535,791	56.97%	587,897	62.52%	456,937	48.59%	659,598	70.14%
24	LAGOS	4,091,070	1,219,524	29.81%	1,177,502	28.78%	816,412	19.96%	1,751,981	42.82%
25	NASARAWA	749,466	493,393	65.83%	577,824	77.10%	458,169	61.13%	597,008	79.66%
26	NIGER	1,572,979	729,565	46.38%	746,272	47.44%	730,708	46.45%	871,130	55.38%
27	OGUN	1,559,709	449,919	28.85%	391,023	25.07%	350,716	22.49%	475,904	30.51%
28	ONDO	1,331,617	529,389	39.76%	546,534	41.04%	498,618	37.44%	801,797	60.21%
29	OSUN	1,496,058	475,038	31.75%	555,095	37.10%	556,395	37.19%	794,639	53.12%
30	OYO	2,362,772	717,812	30.38%	687,148	29.08%	582,141	24.64%	921,178	38.99%
31	PLATEAU	1,311,649	748,847	57.09%	713,724	54.41%	669,952	51.08%	672,442	51.27%
32	RIVERS	2,202,655	848,815	38.54%	1,531,393	69.52%	1,421,935	64.56%	1,565,603	71.08%
33	SOKOTO	1,274,060	436,597	34.27%	436,187	34.24%	310,936	24.41%	354,427	27.82%
34	TARABA	983,227	785,872	79.93%	810,727	82.46%	624,751	63.54%	871,039	88.59%
35	YOBE	874,957	290,742	33.23%	295,443	33.77%	262,176	29.96%	311,578	35.61%
36	ZAMFARA	1,112,627	416,763	37.46%	433,102	38.93%	353,313	31.75%	380,079	34.16%
37	FCT	385,399	133,769	34.71%	0	0	83,949	21.78%	99,022	25.69%
	TOTAL	57,938,945	26,658,512	46.01%	27,244,338	47.02%	23,979,827	41.39%	29,848,441	51.52%
										(c)
	(a) This is an average of total votes cast for the Governorship and State House of Assembly.									
	(b) This is an average of total votes cast for the House of Representatives and Senate.									
	(c) Voter turn-out, calculated using the total valid and total invalid votes cast, is 52.26%.									

BEST AVAILABLE COPY

INDEPENDENT NATIONAL ELECTORAL COMMISSION

**DECEMBER 5, 1998 LOCAL GOVERNMENT ELECTIONS
VOTES CAST ON PARTY AND STATE BASIS**

RS.13

S/No (a)	STATE (b)	AD VOTES (f)	APP VOTES (h)	DAM VOTES (j)	MDJ VOTES (l)	NSM VOTES (n)	PDP VOTES (p)	PRP VOTES (r)	UDP VOTES (t)	UPP VOTES (v)
1	ABIA	110,303	319,259	13,617	30,770	9,120	507,918	5,858	18,303	14,514
2	ADAMAWA	55,520	721,103	22,499	12,132	16,872	1,020,717	25,799	10,734	56,379
3	AKWA IBOM	262,704	669,835	5,034	48,246	18,571	1,014,156	5,857	22,479	10,882
4	ANAMBRA	55,615	366,505	19,795	9,309	4,201	759,650	3,804	5,170	3,859
5	BAUCHI	44,272	823,816	11,670	41,469	19,918	1,015,252	8,607	7,635	20,494
6	BAYELSA	7,117	304,520	56	528	223,817	532,350	18	44	2,703
7	BENUE	19,828	537,965	7,117	6,555	9,532	668,917	5,320	20,043	12,664
8	BORNO	35,558	556,822	16,902	50,922	17,391	553,994	19,444	8,213	14,149
9	CROSS RIVER	63,091	662,394	6,746	22,228	7,514	642,685	1,165	2,639	6,587
10	DELTA	245,955	418,490	4,577	22,817	19,200	601,474	2,268	2,119	44,919
11	EBONYI	45,874	349,684	8,758	41,181	17,682	396,862	3,925	5,512	27,020
12	EDO	62,141	528,025	28,804	1,958	2,957	315,704	22,121	1,372	2,217
13	EKITI	391,943	149,523	3,973	4,818	2,891	195,307	2,352	2,642	2,689
14	ENUGU	79,043	411,217	8,263	35,797	11,264	599,375	7,677	4,835	37,183
15	GOMBE	25,145	529,756	5,977	52,264	6,481	466,346	2,401	2,095	3,773
16	IMO	61,015	524,555	14,577	39,888	11,978	581,599	5,307	6,483	86,778
17	JIGAWA	19,451	380,235	14,509	68,173	23,034	485,985	30,116	10,418	14,538
18	KADUNA	62,032	1,034,492	6,804	16,793	17,379	1,250,164	97,539	27,270	13,030
19	KANO	56,784	757,849	23,253	65,949	41,426	1,031,364	36,512	20,949	19,817
20	KATSINA	16,817	549,649	13,303	34,004	22,362	1,249,388	39,508	9,423	16,191
21	KEBBI	17,752	310,971	12,991	14,610	17,371	441,841	5,478	7,960	12,328
22	KOGI	20,066	636,869	8,478	10,965	7,689	654,012	3,643	4,997	12,721
23	KWARA	167,276	576,147	5,574	5,130	6,864	276,472	14,334	5,139	6,384
24	LAGOS	1,212,781	515,317	35,073	53,651	13,986	506,285	11,555	12,878	77,272
25	NASARAWA	3,732	427,591	2,774	5,816	2,820	461,672	3,332	1,415	6,389
26	NIGER	35,904	469,397	17,372	14,216	20,843	839,949	8,191	20,410	28,576
27	OGUN	463,565	98,455	17,395	32,914	5,589	273,752	4,703	4,370	6,485
28	ONDO	527,139	166,889	5,776	4,143	3,639	336,387	2,781	2,642	4,454
29	OSUN	475,221	218,564	12,068	9,162	6,592	244,259	5,775	5,574	14,932
30	OYO	562,370	344,798	17,493	11,603	9,766	449,613	5,942	6,533	10,651
31	PLATEAU	25,715	573,996	12,108	15,304	16,287	843,697	42,558	11,028	13,325
32	RIVERS	84,550	573,335	1,645	3,089	49,917	1,036,846	772	16,083	6,279
33	SOKOTO	20,697	317,972	10,491	7,830	17,273	324,234	4,723	8,842	14,504
34	TARABA	17,306	620,741	13,002	100,848	14,902	1,111,179	3,942	4,858	19,150
35	YOBE	10,799	231,241	6,958	8,565	14,275	259,492	3,408	4,847	7,495
36	ZAMFARA	22,201	359,867	12,090	9,852	24,548	346,687	6,714	9,387	14,947
37	FCT	15,517	57,177	3,196	15,384	5,521	121,790	6,233	8,503	9,317
	TOTAL	5,402,799	17,095,021	430,718	928,883	741,472	22,417,374	459,682	323,844	675,595

BEST AVAILABLE COPY

INDEPENDENT NATIONAL ELECTORAL COMMISSION
DECEMBER 5, 1998 LOCAL GOVERNMENT ELECTIONS
VOTES CAST ON PARTY AND STATE BASIS

<u>DISTRIBUTION OF SEATS WON BY EACH PARTY*</u>			
<u>CHAIRMANSHIP</u>		<u>COUNCILLORSHIP</u>	
1 AD	102	1 AD	1,104
2 APP	192	2 APP	2,578
3 DAM	0	3 DAM	4
4 MDJ	3	4 MDJ	71
5 NSM	2	5 NSM	17
6 PDP	454	6 PDP	4,856
7 PRP	2	7 PRP	21
8 UDP	-0	8 UDP	.11
9 UPP	1	9 UPP	36
TOTAL	756	TOTAL	8,698

*Declared election results of December 5 do not take into account Election Tribunal/Court of Appeal-ordered run-offs.

INDEPENDENT NATIONAL ELECTORAL COMMISSION
JANUARY 9, 1999 GUBERNATORIAL AND STATE HOUSES OF ASSEMBLY ELECTIONS
ANALYSIS OF VOTES CAST ON STATE AND PARTY BASIS

S/No	STATE	GUBER. VOTES	STATE ASSEM. VOTES	TOTAL VOTES	AVE. VOTES*
1	ABIA	590,686	490,032	1,080,718	540,359
2	ADAMAWA	620,660	633,791	1,254,451	627,226
3	AKWA IBOM	1,167,987	1,167,044	2,335,031	1,167,516
4	ANAMBRA	1,029,815	1,022,703	2,052,518	1,026,259
5	BAUCHI	904,779	908,037	1,812,816	906,408
6	BAYELSA	595,785	522,580	1,118,365	559,183
7	BENUE	987,941	1,027,834	2,015,775	1,007,888
8	BORNO	741,953	791,531	1,533,484	766,742
9	RIVER	998,607	970,564	1,969,171	984,586
10	DELTA	899,287	965,246	1,864,533	932,267
11	EBONYI	505,862	499,433	1,005,295	502,648
12	EDO	815,554	658,841	1,474,395	737,198
13	EKITI	494,963	493,427	988,390	494,195
14	ENUGU	842,415	830,138	1,672,553	836,277
15	GOMBE	622,379	691,408	1,313,787	656,894
16	IMO	783,051	776,262	1,559,313	779,657
17	JIGAWA	540,764	529,509	1,070,273	535,137
18	KADUNA	1,540,797	1,466,176	3,006,973	1,503,487
19	KANO	908,956	899,926	1,808,882	904,441
20	KATSINA	881,783	875,831	1,757,614	878,807
21	KEBBI	472,062	418,389	890,451	445,226
22	KOGI	961,206	962,945	1,924,151	962,076
23	KWARA	567,568	608,226	1,175,794	587,897
24	LAGOS	1,149,375	1,205,629	2,355,004	1,177,502
25	NASARAWA	613,030	542,617	1,155,647	577,824
26	NIGER	764,645	727,899	1,492,544	746,272
27	OGUN	391,395	390,651	782,046	391,023
28	ONDO	544,299	548,769	1,093,068	546,534
29	OSUN	536,252	573,938	1,110,190	555,095
30	OYO	693,349	680,946	1,374,295	687,148
31	PLATEAU	734,741	692,706	1,427,447	713,724
32	RIVERS	1,573,286	1,489,500	3,062,786	1,531,393
33	SOKOTO	436,738	435,635	872,373	436,187
34	TARABA	816,117	805,336	1,621,453	810,727
35	YOBE	294,572	296,314	590,886	295,443
36	ZAMFARA	431,375	434,829	866,204	433,102
	TOTAL	27,454,034	27,034,642	54,488,676	27,244,338

* rounded to nearest whole vote

INDEPENDENT NATIONAL ELECTORAL COMMISSION
JANUARY 9, 1999 GUBERNATORIAL AND STATE HOUSES OF ASSEMBLY ELECTIONS
ANALYSIS OF VOTES CAST ON STATE AND PARTY BASIS

S/No	STATE	AD					APP					PDP				
		GUBER. VOTES	STATE ASSEM. VOTES	TOTAL VOTES	AVE. VOTES*	% VOTES	GUBER. VOTES	STATE ASSEM. VOTES	TOTAL VOTES	AVE. VOTES*	% VOTES	GUBER. VOTES	STATE ASSEM. VOTES	TOTAL VOTES	AVE. VOTES*	% VOTES
1	ABIA	46,788	26,606	73,394	36,697	6.79%	173,873	168,931	342,804	171,402	31.72%	370,025	294,495	664,520	332,260	61.5%
2	ADAMAWA	7,103	31,944	39,047	19,524	3.11%	283,962	271,022	554,984	277,492	44.24%	329,595	330,825	660,420	330,210	52.6%
3	AKWA IBOM	7,254	20,855	28,109	14,055	1.2%	317,373	343,452	660,825	330,413	28.3%	843,360	802,737	1,646,097	823,049	70.5%
4	ANAMBRA	8,799	10,853	19,652	9,826	0.96%	141,326	157,355	298,681	149,341	14.55%	879,690	854,495	1,734,185	867,093	84.5%
5	BAUCHI	15,168	19,421	34,589	17,295	1.91%	386,174	372,427	758,601	379,301	41.85%	503,447	516,189	1,019,636	509,818	56.2%
6	BAYELSA	2,089	29,614	31,703	15,852	2.83%	269,233	170,399	439,632	219,816	39.31%	324,463	322,567	647,030	323,515	57.9%
7	BENUE	3,683	3,657	7,340	3,670	0.36%	399,728	442,338	842,066	421,033	41.77%	584,530	581,839	1,166,369	583,185	57.9%
8	BORNO	5,095	5,972	11,067	5,534	0.72%	388,058	385,201	773,259	386,630	50.42%	398,800	400,358	799,158	399,579	52.1%
9	CROSS RIVER	11,612	13,490	25,102	12,551	1.27%	457,660	481,030	938,690	469,345	47.67%	529,335	476,044	1,005,379	502,690	51.1%
10	DELTA	44,053	65,174	109,227	54,614	5.86%	296,902	301,475	598,377	299,189	32.09%	558,332	598,597	1,156,929	578,465	62%
11	EBONYI	20,197	15,809	36,006	18,003	3.58%	213,106	195,196	408,302	204,151	40.62%	272,559	288,488	561,047	280,524	55.8%
12	EDO	8,995	6,342	15,337	7,669	1.04%	249,688	191,787	441,475	220,738	29.94%	556,871	460,712	1,017,583	508,792	69%
13	EKITI	300,118	303,184	603,302	301,651	61.04%	82,239	64,845	147,084	73,542	14.88%	112,606	125,398	238,004	119,002	24.1%
14	ENUGU	4,455	3,970	8,425	4,213	0.5%	235,000	248,591	483,591	241,796	28.91%	602,960	577,577	1,180,537	590,269	70.6%
15	GOMBE	6,052	53,475	59,527	29,764	4.53%	349,284	358,830	708,114	354,057	53.9%	267,043	279,103	546,146	273,073	41.6%
16	IMO	14,880	18,389	33,269	16,635	2.13%	379,491	354,619	734,110	367,055	47.08%	388,680	403,254	791,934	395,967	50.8%
17	JIGAWA	5,400	5,972	11,372	5,686	1.06%	279,591	257,581	537,172	268,586	50.19%	255,773	265,956	521,729	260,865	48.7%
18	KADUNA	183,728	142,941	326,669	163,335	10.86%	512,544	479,759	992,303	496,152	33%	844,525	843,476	1,688,001	844,001	56.1%
19	KANO	10,119	10,293	20,412	10,206	1.13%	311,218	304,431	615,649	307,825	34.03%	587,619	585,202	1,172,821	586,411	64.8%
20	KATSINA	8,157	15,442	23,599	11,800	1.34%	286,945	300,068	587,013	293,507	33.4%	586,681	560,321	1,147,002	573,501	65.3%
21	KEBBI	4,013	3,771	7,784	3,892	0.87%	259,498	166,249	425,747	212,874	47.81%	208,552	248,369	456,921	228,461	51.3%
22	KOGI	3,822	22,710	26,532	13,266	1.38%	608,329	559,942	1,168,271	584,136	60.72%	349,055	380,293	729,348	364,674	37.9%
23	KWARA	110,227	118,621	228,848	114,424	19.46%	283,136	326,616	609,752	304,876	51.86%	174,205	162,989	337,194	168,597	28.7%
24	LAGOS	841,732	822,657	1,664,389	832,195	70.67%	122,743	185,288	308,031	154,016	13.08%	184,900	192,684	377,584	188,792	16%
25	NASARAWA	975	1,343	2,318	1,159	0.2%	290,736	242,645	533,381	266,691	46.15%	321,319	298,629	619,948	309,974	53.6%
26	NIGER	5,401	5,746	11,147	5,574	0.75%	158,549	164,621	323,170	161,585	21.65%	600,695	557,532	1,158,227	579,114	77.6%
27	OGUN	247,154	238,009	485,163	242,582	62.04%	22,102	36,240	58,342	29,171	7.46%	122,139	116,402	238,541	119,271	30.5%
28	ONDO	328,053	315,830	643,883	321,942	58.91%	20,564	45,134	65,698	32,849	6.01%	195,682	181,205	376,887	188,444	34.5%
29	OSUN	295,557	350,459	646,016	323,008	58.19%	136,105	113,525	249,630	124,815	22.49%	104,590	109,954	214,544	107,272	19.3%
30	OYO	454,680	44,840	499,520	249,760	36.35%	19,449	31,496	50,945	25,473	3.71%	219,220	201,258	420,478	210,239	30.6%
31	PLATEAU	50,445	32,408	82,853	41,427	5.8%	200,016	196,839	396,855	198,428	27.80%	484,280	463,459	947,739	473,870	66.4%
32	RIVERS	92,932	62,648	155,580	77,790	5.08%	710,280	623,834	1,334,114	667,057	43.56%	770,074	803,018	1,573,092	786,546	51.4%
33	SOKOTO	4,878	4,806	9,684	4,842	1.11%	249,205	246,456	495,661	247,831	56.82%	182,655	184,373	367,028	183,514	42.1%
34	TARABA	5,194	10,541	15,735	7,868	0.97%	343,898	359,228	703,126	351,563	43.36%	467,025	435,569	902,594	451,297	55.7%
35	YOBE	2,936	2,917	5,853	2,927	0.99%	150,688	145,464	296,152	148,076	50.12%	140,948	147,933	288,881	144,441	48.9%
36	ZAMFARA	3,942	3,338	7,278	3,639	0.84%	265,529	265,174	530,703	265,352	61.27%	161,904	166,319	328,223	164,112	37.9%
	TOTAL	3,165,888	2,844,045	6,009,933	3,004,866	11.02%	9,854,222	9,558,988	19,413,210	9,706,155	65.98%	11,122,153	10,922,153	22,044,306	11,022,153	68.62%

BEST AVAILABLE COPY

INDEPENDENT NATIONAL ELECTORAL COMMISSION
FEBRUARY 20, 1999 NATIONAL ASSEMBLY ELECTIONS - ANALYSIS OF VOTES CAST ON STATE AND PARTY BASIS

S/No	STATE	SENATE VOTES	FED. H.R. VOTES	TOTAL VOTES	AVE. VOTES*	AD					APP					PDP				
						SENATE VOTES	FED. H.R. VOTES	TOTAL VOTES	AVE. VOTES*	% VOTES	SENATE VOTES	FED. H.R. VOTES	TOTAL VOTES	AVE. VOTES*	% VOTES	SENATE VOTES	FED. H.R. VOTES	TOTAL VOTES	AVE. VOTES*	% VOTES
1	ABIA	503,926	444,091	948,017	474,009	22,225	20,604	42,829	21,415	4.52%	178,178	111,225	289,403	144,702	30.53%	303,523	312,262	615,785	307,893	64.96%
2	ADAMAWA	420,508	587,459	1,007,967	503,984	4,017	12,053	16,070	8,035	1.59%	193,896	218,907	412,803	206,402	40.95%	222,595	356,499	579,094	289,547	57.45%
3	AKWA IBOM	1,081,292	852,976	1,914,268	957,134	15,430	62,727	78,157	39,079	4.08%	234,496	193,531	428,027	214,014	22.36%	811,366	596,718	1,408,084	704,042	73.56%
4	ANAMBRA	926,795	920,519	1,847,314	923,657	7,003	21,588	28,591	14,296	1.55%	150,921	169,531	320,452	160,226	17.35%	768,871	729,296	1,498,167	749,084	81.10%
5	BAUCHI	966,879	950,824	1,917,503	958,752	6,477	6,898	13,375	6,688	0.70%	355,021	346,977	701,998	350,999	36.61%	605,181	596,949	1,202,130	601,065	62.69%
6	BAYELSA	551,989	491,030	1,043,019	521,510	101,131	83,412	184,543	92,272	17.69%	16,468	84,856	101,324	50,662	9.71%	434,390	322,762	757,152	378,576	72.59%
7	BENUE	966,098	970,256	1,936,354	968,177	2,556	8,670	11,226	5,613	0.58%	328,585	310,927	639,512	319,756	33.03%	634,957	650,659	1,285,616	642,808	66.39%
8	BORNO	727,295	724,824	1,452,119	726,060	4,915	6,258	11,173	5,587	0.77%	368,068	372,696	740,764	370,382	51.01%	354,312	345,870	700,182	350,091	48.22%
9	CROSS RIVER	875,839	870,954	1,746,793	873,397	19,755	37,419	57,174	28,587	3.27%	368,400	401,618	770,018	385,009	44.08%	487,684	431,829	919,513	459,757	52.64%
10	DELTA	281,925	338,523	620,448	310,224	10,697	604	11,301	5,651	1.82%	117,588	113,130	230,718	115,359	37.19%	153,640	224,789	378,429	189,215	60.99%
11	EBONYI	534,107	508,882	1,042,989	521,495	31,629	15,709	47,338	23,669	4.54%	121,772	117,826	239,598	119,799	22.97%	380,706	375,347	756,053	378,027	72.49%
12	EDO	595,736	561,872	1,157,608	578,704	2,962	3,077	5,939	2,970	0.51%	100,133	116,040	216,173	108,087	18.68%	492,741	442,555	935,296	467,648	80.81%
13	EKITI	412,508	414,017	826,525	413,263	279,730	282,221	561,951	280,976	67.99%	2,874	2,690	5,564	2,782	0.67%	129,904	129,106	259,010	129,505	31.34%
14	ENUGU	844,542	762,571	1,607,113	803,557	363,024	166,633	529,657	264,829	32.96%	165,379	214,118	379,497	189,749	23.61%	316,139	381,820	697,959	348,980	43.43%
15	GOMBE	604,707	812,893	1,217,600	608,800	4,747	33,007	37,754	18,877	3.10%	320,290	258,627	578,917	289,459	47.55%	279,670	321,259	600,929	300,465	49.35%
16	IMO	759,859	745,982	1,505,841	752,921	7,165	5,303	12,468	6,234	0.83%	386,258	384,213	770,471	385,236	51.17%	366,436	356,466	722,902	361,451	48.01%
17	JIGAWA	523,342	523,065	1,046,407	523,204	3,579	4,587	8,166	4,083	0.78%	280,057	291,126	571,183	285,592	54.59%	239,706	227,352	467,058	233,529	44.63%
18	KADUNA	1,478,539	1,305,923	2,784,462	1,392,231	46,074	44,360	90,434	45,217	3.25%	619,462	502,739	1,122,201	561,101	40.30%	813,003	758,824	1,571,827	785,914	56.45%
19	KANO	832,244	876,353	1,708,597	854,299	7,602	8,315	15,917	7,959	0.93%	265,765	302,404	568,169	284,085	33.25%	558,877	565,634	1,124,511	562,256	65.81%
20	KATSINA	931,378	912,581	1,843,959	921,980	7,144	7,035	14,179	7,090	0.77%	242,287	252,917	495,204	247,602	26.86%	681,947	652,629	1,334,576	667,288	72.38%
21	KEBBI	410,476	409,591	820,067	410,034	1,548	2,897	4,445	2,223	0.54%	194,873	214,533	409,406	204,703	49.92%	214,055	192,161	406,216	203,108	49.53%
22	KOGI	877,012	733,660	1,610,672	805,336	2,142	2,099	4,241	2,121	0.26%	541,820	415,574	957,394	478,697	59.44%	333,050	315,987	649,037	324,519	40.30%
23	KWARA	457,979	455,894	913,873	456,937	70,979	81,464	152,443	76,222	16.68%	235,517	223,750	459,267	229,634	50.26%	151,483	150,680	302,163	151,082	33.06%
24	LAGOS	817,137	815,686	1,632,823	816,412	641,736	630,947	1,272,683	636,342	77.94%	49,686	62,335	112,021	56,011	6.86%	125,715	122,404	248,119	124,060	15.20%
25	NASARAWA	459,695	456,642	916,337	458,169	584	3,693	4,277	2,139	0.47%	162,204	162,695	324,899	162,450	35.46%	296,907	290,254	587,161	293,581	64.08%
26	NIGER	748,025	713,390	1,461,415	730,708	6,836	5,354	12,190	6,095	0.83%	45,377	56,217	101,594	50,797	6.95%	695,812	651,819	1,347,631	673,816	92.21%
27	OGUN	350,326	351,105	701,431	350,716	219,806	220,683	440,489	220,245	62.80%	7,800	29,259	37,059	18,530	5.28%	122,720	101,163	223,883	111,942	31.92%
28	ONDO	517,839	478,397	997,236	498,618	360,093	328,041	688,134	344,067	69.00%	12,170	17,816	29,986	14,993	3.01%	145,576	133,540	279,116	139,558	27.99%
29	OSUN	559,565	553,225	1,112,790	556,395	359,160	375,887	735,047	367,524	66.05%	5,412	5,442	10,854	5,427	0.98%	194,993	171,896	366,889	183,445	32.97%
30	OYO	581,484	582,798	1,164,282	582,141	378,051	377,394	755,445	377,723	64.89%	21,446	26,178	47,624	23,812	4.09%	181,987	179,226	361,213	180,607	31.02%
31	PLATEAU	684,893	655,010	1,339,903	669,952	4,903	26,074	30,977	15,489	2.31%	204,451	188,654	393,105	196,553	29.34%	475,539	440,282	915,821	457,911	68.35%
32	RIVERS	1,515,871	1,328,000	2,843,871	1,421,936	4,857	4,743	9,600	4,800	0.34%	383,581	384,306	767,887	383,944	27.00%	1,127,433	938,951	2,066,384	1,033,192	72.66%
33	SOKOTO	312,402	309,473	621,875	310,938	2,343	3,138	5,481	2,741	0.88%	191,786	190,802	382,588	191,294	61.52%	118,273	115,533	233,806	116,903	37.60%
34	TARABA	595,543	653,959	1,249,502	624,751	2,315	9,917	12,232	6,116	0.98%	179,542	209,812	389,354	194,677	31.16%	413,686	434,230	847,916	423,958	67.86%
35	YOBE	258,524	265,828	524,352	262,176	1,856	2,145	4,001	2,001	0.76%	147,490	158,419	305,909	152,955	58.34%	109,178	105,264	214,442	107,221	40.90%
36	ZAMFARA	355,516	351,109	706,625	353,313	1,961	2,575	4,536	2,268	0.64%	228,619	226,527	455,146	227,573	64.41%	124,936	122,007	246,943	123,472	34.95%
37	FCT	84,652	83,245	167,897	83,949	8,895	10,983	19,878	9,939	11.84%	25,555	26,346	51,901	25,951	30.91%	50,202	45,916	96,118	48,059	57.25%
	TOTAL	24,386,247	23,573,407	47,959,654	23,979,827	3,015,827	2,918,514	5,934,341	2,967,171	12.37%	7,453,227	7,364,763	14,817,990	7,408,995	30.90%	13,917,193	13,289,938	27,207,131	13,603,566	56.73%

BEST AVAILABLE COPY

RESULTS
(Votes Cast Data from INEC – Analysis by IFES)
FEBRUARY 27, 1999 PRESIDENTIAL ELECTION

S/No	STATE	REGISTERED VOTERS	TOTAL VALID VOTES	VOTER TURN-OUT (OF VALID VOTES CAST)	PDP VALID VOTES	PDP % OF VALID VOTES CAST	APP VALID VOTES	APP % OF VALID VOTES CAST
1	ABIA	1,321,895	535,918	41%	360,823	67.33%	175,095	32.67%
2	ADAMAWA	1,260,956	845,107	67%	667,239	78.95%	177,868	21.05%
3	AKWA IBOM	1,450,367	883,278	61%	730,744	82.73%	152,534	17.27%
4	ANAMBRA	2,221,384	833,178	38%	633,717	76.06%	199,461	23.94%
5	BAUCHI	1,941,913	1,176,541	61%	834,308	70.91%	342,233	29.09%
6	BAYELSA	873,000	610,032	70%	457,812	75.05%	152,220	24.95%
7	BENUE	1,806,121	1,252,957	69%	983,912	78.53%	269,045	21.47%
8	BORNO	1,822,987	915,975	50%	581,382	63.47%	334,593	36.53%
9	CROSS RIVER	1,142,876	876,156	77%	592,688	67.65%	283,468	32.35%
10	DELTA	1,784,381	816,574	46%	576,230	70.57%	240,344	29.43%
11	EBONYI	902,327	345,921	38%	250,987	72.56%	94,934	27.44%
12	EDO	1,380,418	679,784	49%	516,581	75.99%	163,203	24.01%
13	EKITI	1,077,195	713,690	66%	191,618	26.85%	522,072	73.15%
14	ENUGU	1,468,145	835,586	57%	640,418	76.64%	195,168	23.36%
15	GOMBE	1,108,171	844,539	76%	533,158	63.13%	311,381	36.87%
16	IMO	1,746,673	736,106	42%	421,767	57.30%	314,339	42.70%
17	JIGAWA	1,587,423	548,596	35%	311,571	56.79%	237,025	43.21%
18	KADUNA	2,536,702	1,676,029	66%	1,294,679	77.25%	381,350	22.75%
19	KANO	3,680,990	904,713	25%	682,255	75.41%	222,458	24.59%
20	KATSINA	2,151,112	1,193,397	55%	964,216	80.80%	229,181	19.20%
21	KEBBI	1,172,054	512,229	44%	339,893	66.36%	172,336	33.64%
22	KOGI	1,265,230	984,710	78%	507,903	51.58%	476,807	48.42%
23	KWARA	940,400	659,598	70%	470,510	71.33%	189,088	28.67%
24	LAGOS	4,091,070	1,751,981	43%	209,012	11.93%	1,542,969	88.07%
25	NASARAWA	749,466	597,008	80%	423,731	70.98%	173,277	29.02%
26	NIGER	1,572,979	871,130	55%	730,665	83.88%	140,465	16.12%
27	OGUN	1,559,709	475,904	31%	143,564	30.17%	332,340	69.83%
28	ONDO	1,331,617	801,797	60%	133,323	16.63%	668,474	83.37%
29	OSUN	1,496,058	784,639	53%	187,011	23.53%	607,628	76.47%
30	OYO	2,362,772	921,178	39%	227,668	24.71%	693,510	75.29%
31	PLATEAU	1,311,649	672,442	51%	499,072	74.22%	173,370	25.78%
32	RIVERS	2,202,655	1,565,603	71%	1,352,275	86.37%	213,328	13.63%
33	SOKOTO	1,274,060	354,427	28%	155,598	43.90%	198,829	56.10%
34	TARABA	983,227	871,039	89%	789,749	90.67%	81,290	9.33%
35	YOBE	874,957	311,578	36%	146,517	47.02%	165,061	52.98%
36	ZAMFARA	1,112,627	380,079	34%	136,324	35.87%	243,755	64.13%
37	FCT	385,399	99,022	26%	59,234	59.82%	39,788	40.18%
	TOTAL	57,938,945	29,848,441	51.52%	18,738,154	62.78%	11,110,287	37.22%

Number of Invalid votes cast for AD 34,295

Number of other invalid votes cast 397,316

Therefore, total number of votes cast 30,280,052

Thus, voter turn-out (of total votes cast) 52.26%



AAEA

Association of African Election Authorities
c/o Electoral Commission of Ghana
PO Box M214, Accra, Ghana
TEL 233-21-228-421 FAX 233-21-668-804



International Foundation for Election Systems
1101 15th Street, N.W.
Washington, D.C. 20005, USA
TEL (202) 828-8507 FAX (202) 452-0804