

SPECIAL REPORT SERIES

# OBSERVING THE 1998-99 NIGERIA ELECTIONS

FINAL REPORT

The Carter Center

National Democratic Institute  
for International Affairs

SUMMER 1999

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AND ACCOUNTABILITY IN GOVERNMENT.

# OBSERVING THE 1998-99 NIGERIA ELECTIONS

## FINAL REPORT

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SUMMER 1999

**Nigeria**

— International boundary      ● State capital  
 --- State boundary      — Railroad  
 ★ National capital      — Road

0 100 200 Kilometers  
 0 100 200 Miles

Lambert Conformal Conic Projection, SP 8N:12N

Base 802143 (R00931) 5-93

SOURCE: CENTRAL INTELLIGENCE AGENCY, USA, MAY 1993

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## OBSERVING THE 1998-99 NIGERIA ELECTIONS

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Feb. 23 – March 1, 1999

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*Some of the 66-person NDI/Carter Center delegation gather in Abuja for dinner Feb. 28, 1999, the day after observing the Nigeria presidential election.*



## OBSERVING THE 1998-99 NIGERIA ELECTIONS

## LIST OF ABBREVIATIONS

AD	Alliance for Democracy
APP	All People's Party
CDCC	Constitutional Debate Coordinating Committee
EU	European Union
IFES	International Foundation for Election Systems
INEC	Independent National Electoral Commission
IRI	International Republican Institute
LGA	Local Government Area
NADECO	National Democratic Committee
NDI	National Democratic Institute for International Affairs
NGO	Nongovernmental organization
OAU	Organization for African Unity
PDP	People's Democratic Party
PRC	Provisional Ruling Council
TMG	Transition Monitoring Group
UN	United Nations
USAID	U.S. Agency for International Development



*The NDI/Carter Center leadership team meets with delegates to draft a statement during a debriefing in Abuja. From left, NDI President Kenneth Wollack; delegation co-leaders retired Gen. Colin Powell, Rosalynn and President Carter; and Carter Center Democracy Program Director Charles Costello. Not shown is delegation co-leader, former Niger President Mahamane Ousmane.*

## OBSERVING THE 1998-99 NIGERIA ELECTIONS

## FOREWORD

The importance of fostering democracy in Nigeria cannot be overstated. The most populous country in Africa, a dominant regional military and economic power, and one of the largest exporters of petroleum in the world, Nigeria is a nation of vast natural and human resources. It is also a nation of greatly unrealized potential, plagued for decades by financial mismanagement, widespread corruption, and explosive ethnic tensions. Successive military and civilian governments have plundered the public coffers and allowed the nation's infrastructure and productive capacity to fall apart.

After 15 straight years of military rule, which reached stifling levels of repression during Gen. Sani Abacha's five-year regime, Nigerians hungered for change. A fervent desire to elect a civilian president and live under a democratic system of government dominated the aspirations of nearly all Nigerians. This occurred with a brutal military dictator's passing, an enlightened leader's unexpected rise to power, and the Nigerian people's determination.

With Gen. Abdulsalami Abubakar's rise to power following Gen. Abacha's death in June 1998, Nigeria's pace of political change has been remarkable. Before last summer, the prospects for a democratic opening seemed dim, with many political detainees languishing in prison and harsh limits placed on press freedoms and public expression. However, within weeks of Gen. Abubakar's accession, political parties were legalized, political prisoners were released, the press became unfettered, and a new timetable announced Nigeria's return to democratically elected civilian rule.

Seeing the potential for nongovernmental organizations (NGOs) to assist, The Carter Center and the National Democratic Institute for International Affairs (NDI) responded positively to overtures from the Nigerian government, the Independent National Electoral Commission (INEC), and civil society

organizations. At the invitation of all key political figures in Nigeria, our two institutions organized election assessment and observation missions for each round of the transition process, including a 66-member international delegation to observe the Feb. 27 presidential election.

The Carter Center and NDI have a long and deep interest in Nigeria's welfare and in the region. The Carter Center maintains strong health and agriculture projects in the country, and NDI continues its work with newly elected officials, democratic institutions, and pro-democracy NGOs. We have a solid history of working together on joint election monitoring projects. Both institutions have experience in assessing political processes and observing elections, either separately or jointly, through numerous delegations around the world.

Nigeria presented various political and logistical challenges, perhaps greater than either organization had faced in its previous election monitoring efforts. For one, the country's desire to quickly replace the military with a civilian administration provided for a brief transition period – just four months from an October registration exercise through a series of four elections for local councilors and chairmen, state assemblymen and governors, National Assembly representatives, and the president. Complicating matters was the country's vast size and population, poor communications system, frequent fuel shortages, and run-down infrastructure.

The Feb. 27 election of retired Gen. Olusegun Obasanjo, as the culmination of a political transition to install democratically elected civilian officials at all levels of government, represents a landmark opportunity for Nigeria. This transition from military to civilian rule was conducted generally without violence, and for that, Nigerians should be justifiably proud. However, the registration process and all four election rounds were marred, to

## OBSERVING THE 1998-99 NIGERIA ELECTIONS

varying degrees, by electoral irregularities, and sometimes, outright fraud. Both Nigerian civil society and the new government should explicitly commit to achieve electoral reforms before the next round of elections to remove this corrupting strain from the new Nigeria's political life.

We thank the delegates who participated in our missions for their contributions, especially the co-leaders who joined President Carter for the presidential election observation: former President of Niger Mahamane Ousmane and former Chairman of the U.S. Joint Chiefs of Staff Gen. Colin Powell. We also would like to thank Charles Costello of The Carter Center and Christopher Fumunyoh of NDI, who directed the Nigeria Project for their respective organizations.

We are especially grateful to the United States Agency for International Development (USAID), whose generous funding made this initiative possible. We also appreciate the support from private donors who supplemented that funding.

An important positive development in these elections was the formation and commitment of the Transition Monitoring Group (TMG). This coalition of 64 Nigerian pro-democracy organizations fielded more than 10,000 domestic observers in all 36 states for the presidential election, providing perspective and the most comprehensive monitoring force for the election. TMG's membership and leadership crossed all ethnic, regional, and religious barriers, making it a truly national coalition. We are grateful to the TMG, as well as other local and international observer groups, for their level of cooperation during the transition process. These organizations' continued active participation in civic affairs will be critical to democratizing Nigerian society over the long term.

Although the efforts of election officials, observers, and others were crucial to the transition, the most important actors remain the people of Nigeria. The international community must stay

engaged as Nigerians move toward the democratic, transparent, and equitable society that so many have desired for so long. Given that the first step on this steep road toward democracy was a shaky one, commitment from all sectors is vital. Keeping true to this path will mean an improvement in the lives of millions of Nigerians and will serve as an inspiration throughout Africa and around the world. ■



President Jimmy Carter  
Chairman  
The Carter Center

Kenneth Wollack  
President  
NDI

## OBSERVING THE 1998-99 NIGERIA ELECTIONS

## EXECUTIVE SUMMARY

The sudden death of military dictator Gen. Sani Abacha in June 1998 and the positive steps taken by his successor, Gen. Abdulsalami Abubakar, raised hopes that Nigeria again might become a democratically elected civilian government. Nigeria's importance, coupled with its size, wealth, and political instability, prompted President Carter to call the ensuing elections "the most important in the world this year."

In fall 1998, NDI and The Carter Center sent separate teams to Nigeria to establish relationships with Nigerian democrats, assess their needs during the transition process, and determine what role the two organizations

might play in assisting Nigeria to foster democracy. Based on these trips and invitations from the Nigerian government, NDI

and The Carter Center agreed to design and implement projects to support Nigeria's democratic transition to civilian rule.

From the outset, NDI and The Carter Center recognized that most Nigerians viewed the transition process with guarded optimism. While many applauded Gen. Abubakar's intent to return the country to democratic rule, they knew he was part of Gen. Abacha's regime and the military was still firmly in control. Additional concerns included the absence of a national constitution to guide the elections, a flawed voter registration process, and campaigns largely devoid of issues or political platforms.

As a result, The Carter Center and NDI monitored the transition at all stages of the electoral process. They also continuously engaged Nigerian political leaders in discussions to gauge their commit-

ment to democracy, and identify and report on potential obstacles involved in a credible transition to civilian rule. The initiative's three primary goals were to:

- ✓ Assess the election process in the context of the broader political transition.
- ✓ Focus international and national attention on the transition's implementation.
- ✓ Lend the international community's support, encouragement, and technical assistance to Nigerians as they chose their leaders.

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*From the outset, NDI and The Carter Center recognized that most Nigerians viewed the transition process with guarded optimism.*

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Program activities centered on conducting small, high-level international electoral assessment missions to coincide with the Dec. 5, 1998, local elections; the Jan. 9, 1999, state

and gubernatorial elections; the Feb. 20 National Assembly elections; and a larger international observation mission for the Feb. 27 presidential election. Additional activities included organizing a joint trip to Nigeria, led by President Carter, in January during the middle of the transition; NDI's ongoing support to the TMG domestic monitors; and The Carter Center arranging for a media consultant to lead a workshop for journalists covering the elections.

For the Dec. 5 and Jan. 9 elections, delegates reported that polling was largely orderly and peaceful and most Nigerians they encountered felt the elections represented a positive step in the transition. However, the delegates also noted several clear shortcomings in the administration of both elections and recommended improvements.

From Jan. 18-23, President Carter led a mission to Nigeria to meet with Gen. Abubakar, potential

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*Representing Nigeria's future, these children pose on a street in Lagos.*

These statements garnered considerable press attention, both in Nigeria and abroad, and underlined the potential for a problematic presidential election the following week.

For the Feb. 27 presidential election, The Carter Center and NDI organized a 66-member international delegation from 12 countries that observed 335 polling sites in 20 of Nigeria's 36 states. Members convened in the capital city of Abuja Feb. 28 and reviewed a preliminary statement developed from field reports. At a press conference that evening, President Carter read from that statement, in

to Nigeria to meet with Gen. Abubakar, potential candidates, party agents, and others from a cross-section of society. The team also met with INEC Chairman Justice Ephraim Akpata, who, at President Carter's request, agreed to accredit thousands of additional TMG domestic observers for training by NDI to observe the next two election rounds.

While voting for the Feb. 20 National Assembly elections adhered to electoral regulations in many places, NDI/Carter Center delegates and observers from other organizations reported low voter turnout and serious irregularities nationwide. Abuses of the electoral process – including ballot stuffing, inflation of results, and voter intimidation – were widespread enough to question the elections' outcome in certain electoral districts.

The delegation recommended that INEC correct the situation immediately, and President Carter sent an open letter to INEC and the political parties stating his concern about the irregularities.

which the delegation noted positive election aspects and irregularities.

National returns showed Gen. Obasanjo of the People's Democratic Party (PDP) winning the election by a margin of 18 million to 11 million votes over Chief Olu Falae of the joint Alliance for Democracy (AD)/All Peoples Party (APP). Based on alleged irregularities, Chief Falae immediately announced that the entire process had been "a farce." NDI/Carter Center delegate leaders met with Gen. Abubakar to share their concerns over the flawed electoral process. They later met with Chief Falae, who informed them that he was planning to appeal the results. After President Carter left Nigeria that night, retired Gen. Colin Powell and other delegates met with Gen. Obasanjo to discuss the election returns.

The delegates reconvened after the first press conference for more discussion and drafted a second statement for release the next morning, March 1. By

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sive reports from the field, analyzed data that the monitors had gathered, and compared the data to official results being reported from INEC. The delegation's second statement was more comprehensive and focused on irregularities in greater detail, including inflated vote returns, ballot box stuffing, altered results, and the disenfranchisement of voters.

Afterward, President Carter signed a letter on behalf of The Carter Center that was sent to INEC Chairman Akapata. It stated, "There was a wide disparity between the number of voters observed at the polling stations and the final results that have been reported from several states. Regrettably, therefore, it is not possible for us to make an accurate judgment about the outcome of the presidential election."

NDI and The Carter Center, as well as other organizations involved in the transition, made specific recommendations in their public statements designed to improve future elections. Summaries and complete texts of each of the NDI/Carter Center statements are in this report's appendices.

An election is not by itself sufficient to institutionalize democracy. A strong civil society, ongoing peace-building initiatives, protection of human rights, and transparent and effective governance are essential. The international community must do all it can to encourage the new government and opposition parties to work together to promote genuine democracy and inclusiveness and assist Nigeria in regaining its place as a leader in Africa and the rest of the world. NDI and The Carter Center intend to remain engaged in Nigeria to contribute to achievement of these objectives. ■



*This Lagos man seems skeptical, as many Nigerians, about the military government's promise to hand over power.*

## OBSERVING THE 1998-99 NIGERIA ELECTIONS

## BACKGROUND: FROM BRUTAL REPRESSION TO OPEN ELECTIONS

A series of military coups, attempted coups, and failed efforts to establish democracy have marked Nigeria's political history. After gaining independence from Great Britain in 1960, the nation's military leaders ruled for 29 of its 39 years and throughout the last 15 years. (See Appendix A for a list of Nigerian heads of State.) While most of these rulers vowed to return power to the civilians, only Gen. Olusegun Obasanjo as a military head of state in the 1970s did as promised in 1979. Since then, a series of civilian and military administrations have squandered Nigeria's rich petroleum wealth and vast human potential. The situation reached its lowest point during the repressive regime of Gen. Sani Abacha, who had designs to prolong his dictatorship indefinitely.

The current transition program represents the culmination of a long and difficult process of political transition in Nigeria. It also represents the first step toward establishing sustainable democracy in a country that has yet to hold two successive presidential elections. To better understand the challenges facing Nigeria and the importance of these elections, it is necessary to examine earlier events.

### NIGERIA: PAST TO PRESENT<sup>1</sup>

Nigeria's dilemma has deep historical roots. Like most African states, Nigeria was an artificial creation of colonialism, including some 250 ethnic and linguistic groups, of which three –

the northwestern Hausa-Fulani, southwestern Yoruba, and southeastern Igbo – became dominant rivals. The stresses of ethnic and regional competition led to political turbulence and civil war in the late 1960s, and these tensions have influenced the nation's politics in succeeding years. The quest for democratic government has occupied many leaders since 1966, when the military overthrew the first parliamentary government.

In the ensuing decades, military leaders have governed for all but four years. Nigeria's economy was transformed in the 1970s, when the country emerged as a leading oil exporter. Yet the new bounty did not bring prosperity or development. Instead, it signaled a massive increase in corruption and mismanagement, as civilian and military leaders struggled over control of the central government and its revenues.

These deep-seated challenges have been evident in recent crises. In June 1993, Gen. Ibrahim Babangida's regime conducted presidential elections as the final step in a promised democratic transition. Although the poll yielded an apparent winner – Chief M.K.O. Abiola, a popular Yoruba businessman – Gen. Babangida annulled the election. He abdicated his eight-year reign, however, and installed a civilian caretaker government, which Gen. Abacha quickly shouldered aside.

### FROM ABACHA TO ABUBAKAR

The new regime harassed and detained journalists, human rights activists, politicians, and other dissidents or rivals. Chief Abiola was arrested along with dozens of government critics. In November 1995, the government executed Ken Saro-Wiwa and eight compatriots from the Ogoni community, who had agitated for

<sup>1</sup> Political consultant Dr. Peter Lewis of American University in Washington, D.C., contributed this historical overview, which was published in The Carter Center's 1997-98 *State of World Conflict Report*.

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environmental standards and economic rights in the country's oil-producing areas. Many countries and international organizations condemned these executions and restricted aid and relations with Nigeria. Ultimately, the pall of political repression brought with it economic decline and deepening social strains.

The Abacha government sought to burnish its image by announcing political and economic reforms. Despite the promise of a new democratic transition agenda, the government permitted only five carefully screened parties to participate in elections and conducted the program in a repressive political atmosphere. In April 1998, all five parties nominated Gen. Abacha as their sole candidate for the presidency, leading many to denounce the transition as a manipulated exercise to preserve the military's power.

Political dissent and social tension gave rise to wider instability. Demonstrations and riots engulfed the major southwestern cities where Chief Abiola's base of support resided. Anti-government bombings alternated with anonymous shootings of opposition figures. In the southeastern oil-producing areas, the Ogoni and other ethnic minorities continued to press for equity and environmental improvements. In the northern cities, a dissident popular Islamic movement challenged traditional authorities. Two major coup attempts rocked the military, which was beset with factionalism, while rumors developed about other revolts.

On June 8, Gen. Abacha died suddenly, reportedly of a heart attack. Gen. Abdulsalami Abubakar replaced him, quickly taking steps to reverse some of the most unpopular features of Gen. Abacha's rule. Several prominent political prisoners were released, the regime began a dialogue with the domestic opposition, and the country's diplomatic isolation eased.

Despite these hopeful steps, the country was thrown into turmoil when Chief Abiola died suddenly

on July 7, while still in detention. Official reports and an independent foreign-led autopsy attributed the death to a heart attack, but Chief Abiola's family and supporters bitterly criticized the military government. Rioting after Abiola's death claimed at least 60 lives. Within two weeks, Gen. Abubakar announced a new program for transition to democratic rule, set to conclude in May 1999. ■



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## TRANSITION ISSUES

The pace of political change in Nigeria has been extremely rapid since the death of Gen. Abacha. Following his demise, Nigeria witnessed the legalization and creation of political parties, vast improvements in the level of press freedom and political competition, and the completion of four rounds of elections. The initial transition toward civilian rule, completed with Gen. Obasanjo's swearing in as president on May 29, took less than a year from when the transition began. Despite these and other generally positive developments, several issues surfaced during the transition process that caused serious concern and add to the challenges of building a democratic future in Nigeria.

CONSTITUTIONAL FRAMEWORK  
AND RULES OF THE GAME

Nigeria's transition occurred without a constitutional framework or a genuine public debate on the nation's constitutional future. Lacking a constitution, Nigerians cast their ballots without knowing what powers their elected representatives would have, how various levels or branches of government would interact, how the federal government and the states would share power, or even how long elected officials would serve in office.

Shortly after he assumed power in June 1998, Gen. Abubakar announced that a constitution would be publicized

before the December local elections. It was to be based on the 1995 constitution drafted under Gen. Abacha's regime and revised extensively by Gen. Abacha but never released from his administration. Gen. Abubakar later announced the appointment of the Constitutional Debate Coordinating Committee (CDCC) to organize public debate and recommend a new constitution. Gen. Abubakar hand picked the CDCC, which conducted all of its work behind closed doors.

In December, the CDCC recommended the adoption of the 1979 constitution with some amendments based on the 1995 draft. The 1979 constitution was created through a relatively transparent process during Gen. Obasanjo's regime, and many Nigerians viewed the CDCC's recommendation positively. The military government, however, never formally announced that the CDCC's recommendations would be implemented.



Ballot boxes and materials await pickup at a distribution center in Nigeria.

EWAN STRONG

## OBSERVING THE 1998-99 NIGERIA ELECTIONS

Calls from civic organizations and political leaders to hold a public constitutional debate went unheeded by the military government. The government also dismissed urgings from leading pro- democracy and human rights groups to hold a Sovereign National Conference that would address the constitution and other political matters.

Throughout the election period, the military government relied on decrees and ad-hoc regulations to guide the transition process. In August 1998, Gen. Abubakar issued Decree No. 17, which established the Independent National Election Commission (INEC) to manage and oversee voter registration and four rounds of elections. Retired Justice Ephraim Akpata was selected to chair the Commission. (See Appendix B for the INEC-established Transition Timeline.)

Nationally, INEC developed a reputation for neutrality and fairness during the transition, despite its members being appointed without public input or scrutiny. At the state level, some of its officials were seen as partisan supporters of the military government or a given political party. Also, while INEC issued rules to guide the electoral process, it often released rules governing each round of elections just days before the vote, and never adequately addressed many important issues.

## VOTER REGISTRATION

INEC's first major task was to conduct a national voter registration exercise. Registration, held Oct. 5-19, 1998, had logistical problems that would hamper INEC's efforts at every subsequent stage of the election process. Shortages of materials, delays in the opening of registration centers, poorly trained officials, and attempts by political party agents to manipulate the process were among the many problems.

More significantly, the 57,369,560 people officially registered to vote exceeded reliable estimates

of the total number of eligible voters possible in Nigeria. In Kaduna State, for example, more than 97 percent of the total 3.9 million population, from the last national census conducted in 1991, supposedly registered to vote. Other states also registered highly questionable voter registration figures.

A poor registration exercise lay at the root of many subsequent problems during the transition and created opportunities for fraud. Even with the overriding interest among Nigerians to see the military leave power as soon as possible, many said that the transition process should have been postponed to conduct a credible registration of voters.

## POLITICAL PARTIES

To help prevent the formation of regional or ethnic-based political parties, an issue that has plagued Nigeria for decades, INEC established strict registration conditions. To compete in local elections, political parties were required to set up and maintain offices in 24 of the 36 states in Nigeria and demonstrate an ethnic and regional mix in each party's leadership. To continue the transition process, parties initially were required to obtain at least 10 percent of the vote in 24 states during local government elections. This figure later changed to 5 percent, with a caveat that at least three parties would advance to the later three rounds of elections. (See Appendix C for an Election Overview and a list of parties contesting the elections in each round.)

The INEC regulations, while well intended, set the stage for intense competition between parties to attract and retain prominent politicians, potential candidates, and financial backers, especially in parts of the country where support for the parties was weak. With no regulations for campaign finance, parties competed vigorously for wealthy, well-connected, and potentially dubious individuals to fund campaigns out of their own pockets.

## OBSERVING THE 1998-99 NIGERIA ELECTIONS

Most of the parties formed hastily and further suffered from youth, inexperience, and a general lack of ideology. As a result, a complicated pattern of shifting allegiances emerged during the transition process. Meanwhile, the more established parties, such as the PDP and APP, drew on political machinery in place from past elections to give them a decided advantage in garnering financial and political support.

### CAMPAIGN AND ELECTORAL COMPETITION

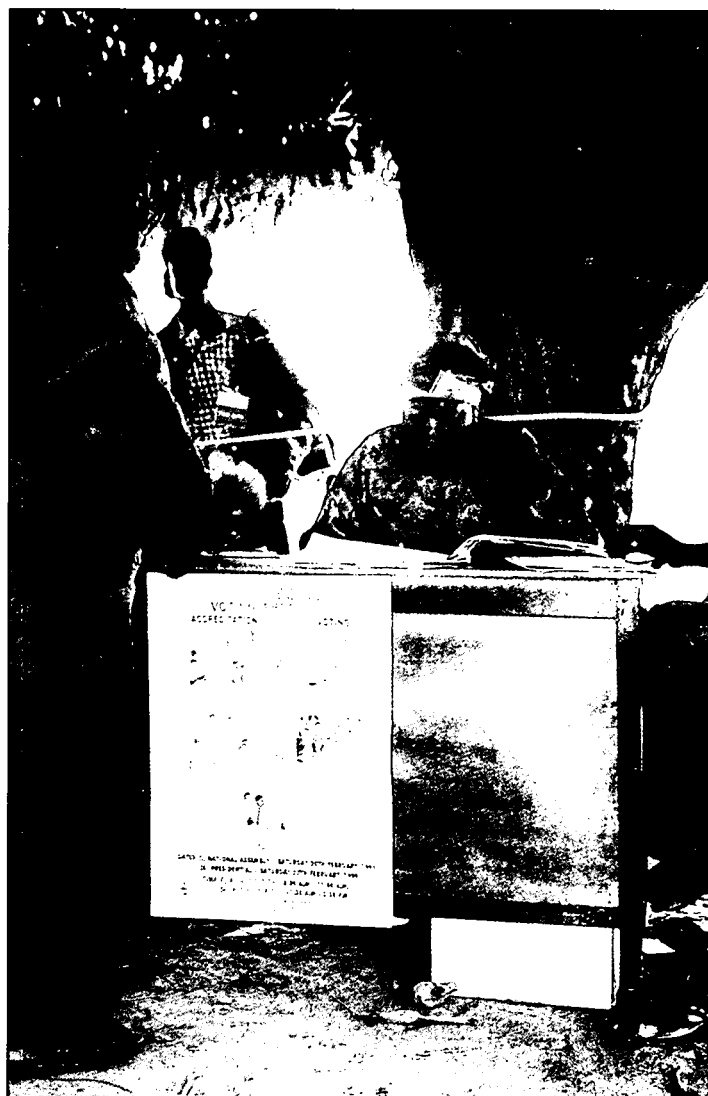
The only parties to qualify from the local elections – the AD, APP, and PDP – scrambled to absorb unsuccessful parties or co-opt their leaders and financial backers. Voters, already trying to decide among parties without clearly stated platforms, also were confronted with an INEC timetable that required parties to submit their candidates' names less than three weeks before each election.

Party primaries often occurred just days before the deadlines, so the selection of candidates, campaign period, and process of voting was often frenzied and confused. Adding to the confusion, INEC ballots did not include the candidates' names; only the party names and symbols appeared. Voters often went to the polls without knowing the name of their parties' candidate.

With parties and candidates largely keeping quiet about issues, "big money" politics shaped the transition, particularly in the latter voting rounds. Delegates heard about individuals bankrolling election campaigns and widespread instances of poll officials, party agents, and voters being bribed. In an environment of severe poverty, temptations abound for buying and selling votes. From the time of voter registration through each round of elections, NDI and Carter Center delegates and staff were repeatedly warned of the potential for fraud, rigging, and collusion during

the transition process.

President Carter's friendship with Gen. Obasanjo, who sits on The Carter Center's agriculture board and has been a member of The Carter Center's International Negotiation Network, also became an election issue when Gen. Obasanjo became a frontrunner in the presidential election. Early, false accusations that The Carter Center was supporting his campaign were firmly dispelled when the NDI/Carter Center delegation issued its statements on the elections. ■



*An INEC presiding officer registers voters who were aware of voting procedures posted nationwide.*

CATHERINE CLARK

## OBSERVING THE 1998-99 NIGERIA ELECTIONS

## MONITORING THE ELECTIONS

NDI and The Carter Center have developed expertise in assessing political processes and observing elections through numerous election observation missions around the world. Although some international observation missions focus narrowly on election day events, the two organizations take a more comprehensive approach by assessing both the pre-election campaign period and the aftermath of the vote. The elections in Nigeria proved to be among the most challenging due to a restricted time for preparation and more than 110,000 polling sites throughout the country.

Given Nigeria's size and the limited number of polling stations that could be visited during the four elections, it was not feasible for NDI and Carter Center delegations to visit every state or most polling sites. Instead, each of the four missions had these objectives:

- ✓ Assess in an impartial and nonpartisan manner the evolving political environment.

- ✓ Draft reports on the local, state, National Assembly, and presidential elections.

- ✓ Show the international community's support for Nigeria's developing democratic process.

To achieve these objectives, NDI and The Carter Center worked together closely on all stages of the elections. Electoral assessment missions, which examined the political and electoral environment

during the initial stages of the transition, were conducted to coincide with the Dec. 5 local, Jan. 9 state, and Feb. 20 National Assembly elections. NDI assumed primary responsibility for international assessment missions around the time of the first two elections. The Carter Center then took the lead on the third electoral assessment mission and on the larger, international observer mission for the Feb. 27 presidential election. Through briefings, deployment plans, and



NDI President Kenneth Wollack (left) and fellow delegate Charles Brumskine of Liberia discuss a point during a briefing session.

## OBSERVING THE 1998-99 NIGERIA ELECTIONS



*President Carter (back to photo) observes a presiding officer as she explains voting procedures.*

training on observation methodology, delegates were instructed on their roles and responsibilities as international observers.

### BRIEFINGS

For each electoral assessment or observation mission, delegates arrived in Lagos a few days before the actual election. The delegation spent a full day being briefed on the latest developments in the country. Nigerian civic and political party and civic leaders, INEC representatives, and TMG members gave presentations. Local journalists, international experts on Nigeria, and U.S. Embassy officials led additional briefings. Delegates also received site-specific security and logistics briefings by NDI and Carter Center staff members.

### DEPLOYMENT

Delegates were deployed in teams of two or three to sites nationwide for each election. They made efforts to cover all six electoral zones and as many states as possible. Within each state, delegates covered several wards and individual polling sites. By coordinating with TMG domestic observers and other international organizations' observers, they were able to gather information from a wide sampling of sites that included rural and urban areas and communities representative of Nigeria's many ethnic and religious groups.

NDI and Carter Center staff traveled throughout the country before each election to set up meetings for delegates and make logistical arrangements. Days immediately before the vote, delegates

## OBSERVING THE 1998-99 NIGERIA ELECTIONS

attended meetings with candidates, local party officials, INEC representatives, journalists, and civic and traditional leaders. These meetings enabled the delegates to better assess the campaign period and overall political environment in a given area. Delegates used these interactions to assess the previous rounds of voting, the perception of the transition, the campaign process, and concerns of vote buying, intimidation, harassment, and violence.

This information helped delegates to determine which sites to visit on election day and provided important background for their assessment. During these meetings, delegates were told about such issues as voter apathy and fatigue, the candidates' lack of actual campaigning, and the prevalence of "big money" politics. These insights helped prepare the delegates for specific electoral irregularities many of them would observe on election day. (For an example of the deployment plan used for the presidential election observation, see Appendix H.)

## OBSERVATION METHODOLOGY

In selecting observation sites, The Carter Center and NDI consulted with international experts, representatives from each of the three parties, INEC, and other international observer organizations including IFES, IRI, the Commonwealth, and the United Nations. Consideration was also given to population centers, the six geo-political regions in the country, the electoral zones set up by INEC, and the strongholds of the various political parties.

Upon arriving at their sites, NDI/Carter Center delegates met with other international observers, TMG members, and domestic monitors to ensure that observers did not duplicate efforts. Observers from the various organizations usually met each evening to discuss plans and share their findings.

For each of the elections, delegates were asked to carefully document any irregularities, but not intervene in the electoral process. On election day,

delegate teams usually observed 10-20 polling sites, often revisiting some sites two or more times to fully assess the voting process or follow up on potentially suspicious or problematic developments. Delegates also followed the polling through each of the six stages to ensure the validity of reported results. These included accreditation, voting, counting, ward collation, Local Government Area collation, and state collation. Some delegates visited state INEC offices after the voting to share findings or met with INEC officials the morning after the election to gather results.

On election day, NDI and The Carter Center maintained call-in centers in Lagos (and Abuja for the presidential election) to receive interim reports from each of the teams in the field. Carter Center staff compiled the information from the teams and provided it to the delegation leaders. The day after each election, all delegates convened for a debriefing, in which they discussed their findings and drafted the election statements. They then presented these statements to INEC, the public, and in most cases, to the media during a press conference. (See Appendices D, E, F, K, and L for the NDI/Carter Center Statements.)

For the National Assembly and presidential elections, NDI/Carter Center observers used standardized checklists to record their findings. IFES and the United Nations designed them, in consultation with other international observer groups, designed them. The checklists covered each of the six stages of the polling process: (See Appendix O for samples of the Election Observation Checklists used for the National Assembly and presidential elections.) ■

## OBSERVING THE 1998-99 NIGERIA ELECTIONS

## NDI/CARTER CENTER ELECTION ACTIVITIES

## OCTOBER ASSESSMENT TRIPS

In October 1998, NDI and The Carter Center sent separate teams to Nigeria to establish relationships with Nigerian democrats and to assess their needs for the transition program. NDI sent three people for three weeks of meetings with a cross-section of Nigerian civic and political leaders. NDI identified potential partners for election-related activities. In particular, NDI met members of the then-nascent TMG, a coalition of pro-democracy NGOs, and began discussions on how NDI might assist the TMG in supplying domestic monitors for Nigeria's elections. (See Appendix N for more information on the TMG and its summary statement on the presidential election.)

The Carter Center sent a five-person team to Abuja and Lagos, from Oct. 11-16, to assess potential roles for President Carter and The Carter Center to play during Nigeria's transition to civilian rule. The delegation met Head of State Abubakar, INEC members, the leading political associations, media representatives, human rights and civil liberties organizations, conflict resolution specialists, members of the business and religious communities, and U.S. Embassy staff.

During these meetings, both teams recognized that most Nigerians viewed the transition with guarded optimism. Although unresolved constitutional issues and the conditions for political party registration established by the INEC were potential sources of contention, most Nigerians seemed willing to participate in the transition to ensure a quick end to military rule. Based on these trips and invitations from Head of State Abubakar, NDI and The Carter Center agreed to cooperate on designing and implementing projects to support Nigeria's democratic transition to civilian rule.

Both organizations identified more program areas where they might assist in democracy-building activities. NDI focused on providing technical assistance to the TMG and conducting domestic election monitoring activities. The Carter Center began exploring the possibility of longer-term initiatives in the areas of human rights, independent media, economic development, and conflict resolution in the troubled Niger Delta region. Both organizations opened offices in Nigeria to embark on these initiatives and prepare for the election assessment and observation missions.

When NDI first met with the TMG, it was a coalition of 12 human rights organizations based primarily in Lagos and other parts of southwestern Nigeria. While the TMG showed evidence of determined political will, it did not have the organization capacity or outreach to train and deploy a nationwide monitoring effort at that time.

## DEC. 5 LOCAL ELECTIONS

The first of four elections in the transition program began Dec. 5, 1998, with candidates from nine political parties vying for 8,811 councilor and council chair positions in 776 Local Government Areas (LGAs). Although INEC had not yet perfected the machinery for the local elections and controversy remained over the flawed registration process, these elections had considerable voter interest.

Many Nigerians expressed enthusiasm about the ability to choose representatives they hoped would be accessible, responsive, and able to work on pressing local problems. This enthusiasm, tinged

## OBSERVING THE 1998-99 NIGERIA ELECTIONS

with skepticism among those that had witnessed and participated in previous failed transitions, also was motivated by the overriding desire of most Nigerians to end 15 years of military rule.

A joint NDI/Carter Center electoral assessment team, led by former Washington, D.C., Mayor Sharon Pratt Kelly, with 11 delegates and eight staff members, including one delegate each from Ghana, Kenya, and Niger, visited Nigeria from Nov. 30 through Dec. 8. On election day, team members observed activities at 205 polling sites in six states. While there were isolated incidents of violence, the NDI/Carter Center team noted that the elections were generally peaceful and orderly.

The team's report gave high marks to INEC officials at every level, but noted several shortcomings as well as electoral irregularities that would plague all four rounds of elections. Based on its observations, the team recommended improvements for subsequent rounds of voting. (See Appendix D for a complete list of delegates, their general observations, and their recommendations to INEC.)

Regarding voting procedures, many polls opened late and lacked necessary materials, and some poll officials appeared to be poorly trained or unwilling to follow INEC regulations. Accreditation and voting were often conducted simultaneously, instead of consecutively, as the election commission stipulated. Few polls had indelible ink to prevent multiple voting and the secrecy of the ballot was seldom maintained, with many voters marking their ballots in full view of poll

officials and other voters.

These procedural problems were witnessed throughout the country and during all four rounds of voting, but the team noted that such problems did not appear to greatly concern the voters. In most cases, this did not seriously compromise the integrity of the election process.

The delegation also noted more serious problems. For instance, the transition opened with no constitution in place, and the rules governing the

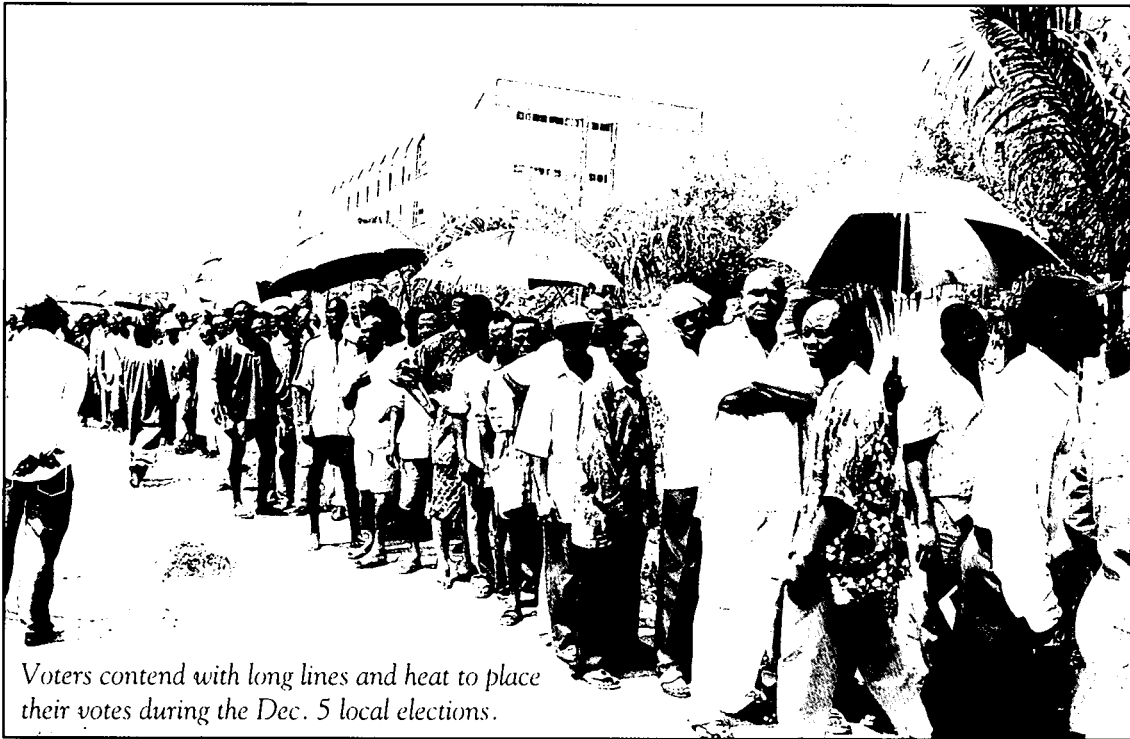


*Party agents at a Lagos poll watch as election officials tally votes.*

local elections were announced just days before voting. This development caused confusion and uncertainty among voters and candidates. Meanwhile, the local government elections were the first in Nigeria's history to be monitored by independent



## OBSERVING THE 1998-99 NIGERIA ELECTIONS



*Voters contend with long lines and heat to place their votes during the Dec. 5 local elections.*

KAR WOLFF

domestic observers, but INEC only granted credentials to 370 local observers.

The NDI/Carter Center team and other observers in the field estimated that only 20-30 percent of registered voters participated in the election, a cause for concern especially given that the official voter turnout was announced at 46.47 percent. As was the case in all four rounds of elections, our observers reported that the turnout of women was notably low.

When the polls closed, the PDP emerged as the clear winner, taking more than half the votes nationwide. Both the PDP and the APP captured more than 5 percent of the seats in at least 24 of the 36 states to advance to the subsequent rounds of elections, as stipulated by INEC. The AD, while winning 5 percent in only 12 states, also advanced under an INEC amendment. This amendment occurred days before the election, guaranteeing at least three parties would continue in the transition process. Although some of the parties charged

alleged incidents of intimidation, bribery of officials, and vote buying, most Nigerians appeared to accept the first round of elections as credible and expressed confidence in the transition.

## JAN. 9 STATE AND GOVERNORS ELECTIONS

A joint NDI/Carter Center election assessment delegation, led by former Congressman Harry Johnston, visited Nigeria from Jan. 5-12, 1999, to observe activities surrounding the elections for state assemblies and governors. The team of 12 delegates and additional staff, representing four countries, visited more than 100 polling sites in eight states on election day. Again, the team reported a generally peaceful and orderly election, low voter turnout, and procedural and other problems, to which it suggested a series of recommendations to improve the transition process.

## OBSERVING THE 1998-99 NIGERIA ELECTIONS

*President and Mrs. Carter meet in Abuja with Head of State Abdulsalami Abubakar and his wife during a January pre-presidential election trip.*



(See Appendix E for a complete list of delegates to the Jan. 9 elections, as well as their observations and recommendations to INEC.)

Several positive developments between the first two elections encouraged the team. Polling officials appeared to have learned from training sessions, security around polling stations had improved, and there was a noticeable increase in adherence to INEC voting procedures, at least in the limited number of sites observed. Still, many problems observed during the first round of elections persisted. These included logistical problems, such as delays in poll openings, missing voting materials, and a continued lack of ballot secrecy and indelible ink.

Fundamental problems in the broader context also concerned the team. INEC continued to limit the number of domestic observers, accrediting fewer than 800 of the 10,000 sought. Again, the NDI/Carter Center team and other observers noted a low voter turnout, estimated at roughly 25 percent of registered voters, while official INEC figures put the total at 52.67 percent. This matter raised

concerns of vote tally inflation that would become significant in the final two rounds of elections.

Results for the state elections showed the PDP emerging as the strongest of the three remaining parties, again capturing more than half the votes nationwide. Of the 35 gubernatorial seats contested, the PDP won 20, followed by the APP with nine, and the AD with six. The election in Bayelsa State, in the troubled Niger Delta region in the far south, was postponed due to violent clashes over the distribution of the state's oil wealth.

### PRESIDENT CARTER'S JANUARY VISIT

President Carter's first trip to Nigeria since the summer of 1997 came days after the state elections and a few weeks before the legislative and presidential elections. The purpose of this visit, planned for the mid-point of Nigeria's transition, was "to call international attention to Nigeria's courageous steps to form a democratic society," said President Carter.

## OBSERVING THE 1998-99 NIGERIA ELECTIONS

From Jan. 18-23, President Carter led a delegation to learn firsthand about Nigeria's transition program and survey the ongoing election observation mission that NDI and The Carter Center mounted. Charles Costello, the Center's Democracy Program director, and Chris Fomunyoh, NDI's regional director for Central, East and West Africa, joined President Carter on this trip.

The group met in Abuja with Head of State Abubakar, and President Carter praised him for putting Nigeria firmly on track for a return to civilian democratic rule. The U.S. Embassy staff briefed the delegation in Abuja and Lagos. The group then met with officials and potential presi-

dential candidates from the three parties, as well as leaders from the media, religious groups, business, labor, and local NGOs. They also visited the National War College in Abuja to meet members of Nigeria's military and applaud their efforts at working toward peace in Liberia and Sierra Leone. In addition, they listened to six TMG members about the conduct of the first two phases of the elections.

In Abuja, the group met with INEC Chairman Akpata and 14 members of the Election Commission. President Carter questioned them on several matters, including the still-evolving electoral rules, requirements for selecting presidential candidates, poll workers' training, and the certification of domestic observers. At that point, only 800 of the TMG domestic observers had been accredited, and President Carter expressed his concern over INEC's seeming reluctance to accredit more observers. As a result of President Carter's intervention, INEC guaranteed that 10,000 TMG monitors would be accredited and, ultimately, more than 11,000 domestic observers received accreditation for Nigeria's presidential election.

## FEB. 20 NATIONAL ASSEMBLY ELECTIONS

In late January, AD became the first party to choose its presidential candidate when it selected Chief Olu Falae, a former finance minister and an ethnic Yoruba from the southwest. Meanwhile, AD and APP sought a merger in an effort to defeat the PDP.

*This woman, who is turning in her registration card, was among the relatively few women observed during each of the four elections in Nigeria.*



KARASE PULCHIAN

## OBSERVING THE 1998-99 NIGERIA ELECTIONS

In early February, Justice Akpata ruled against the proposed alliance, stating that it ran contrary to Nigerian law and the Commission's guidelines, but added that nothing would prevent the AD and APP from fielding candidates on the same platform of one party. Both parties protested and even threatened to boycott the election.

At its February convention, the APP chose a little-known Ibo businessman, Ogonnaya Onu, as its candidate. After heated discussions within the APP leadership and the AD, the two parties announced that Chief Falae would be the joint AD/APP candidate, running on the APP ticket. His running mate was northerner Alhaji Umaru Shinkafi from the APP. Meanwhile, the PDP selected as its standard-bearer Gen. Obasanjo, a Yoruba from the southwest, who defeated Dr. Alex Ekwueme, an Ibo from the southeast, who had been vice president under Nigeria's last civilian govern-

ment. Alhaji Abubakar Atiku, a northerner, was chosen as the PDP vice presidential candidate.

Weeks of intense jockeying and deal making, coupled with the highly publicized presidential primaries and the decision of AD and APP to field a single presidential candidate, dominated politics in the days leading up to the National Assembly elections. Consequently, the parties did very little actual campaigning and most Nigerians did not know until election day the candidates for the Senate or House of Representatives, nor see much importance in these National Assembly races.

On election day, The Carter Center and NDI fielded a 20-person team that visited more than 150 polling sites in nine states and Abuja. Voter turnout again appeared to international and domestic observers to be quite low, with no more than 20 percent and at some polling sites less than 5 percent of the registered voters on average. Meanwhile, INEC



CATHERINE CLARK

*An INEC presiding officer checks the registration list to certify each voter's eligibility.*

## OBSERVING THE 1998-99 NIGERIA ELECTIONS



*Retired Gen. Colin Powell (center) discusses voting procedures with a presiding officer in Lagos, as other NDI/Carter Center observers and party agents look on.*

reported an official count of 43.84 percent, one of the many discrepancies that the NDI/Carter Center team and other observers in the field noted. (See Appendix F for the National Assembly election delegates list and their recommendations.)

While voting in many places followed electoral regulations, the NDI/Carter Center delegates witnessed several serious irregularities countrywide. The delegation reported that abuses of the electoral process – including ballot stuffing, inflation of results, and outright intimidation – were widespread enough to question the outcome of elections in certain constituencies and senatorial districts.

The delegation recommended that INEC take immediate corrective action, and President Carter sent an open letter to INEC stating his concern about the irregularities. He also sent letters to the political parties, calling on both presidential candidates to address these problems. (See Appendix M for

a copy of President Carter's letter.)

## FEB. 27 PRESIDENTIAL ELECTION

For the presidential election, NDI and The Carter Center organized a 66-member international delegation led by President Carter and former First Lady Rosalynn Carter, former President of Niger Mahamane Ousmane, and retired U.S. General Colin Powell. The team included elected officials, political leaders, and regional and election experts from 10 countries in Africa, Asia, and North America.

After meeting in Lagos on Feb. 24 for extensive briefings, the delegates were deployed in two- and three-member teams for additional meetings with INEC officials, party representatives, and others in 20 states plus the Federal Capital Territory of Abuja. On

## OBSERVING THE 1998-99 NIGERIA ELECTIONS

Saturday, election day, the NDI/Carter Center observation team visited 335 polling stations in 112 wards and in 61 Local Government Areas (LGAs). Delegates also observed the collation process at 33 wards, 20 LGAs, and six states.

National returns showed Gen. Obasanjo and the PDP winning the election by a margin of 18 million votes to 11 million votes for Chief Falae and the AD/APP alliance. Obasanjo gained the majority of the vote in 27 states and the Federal Capital Territory of Abuja. Falae won the majority in nine states, including all six in the Southwest zone. (See Appendix J for final results of the presidential election.)

The day after the election, all delegates convened in Abuja for a debriefing and to meet with the leadership team. The delegation reviewed a preliminary statement that had been developed from call-in reports by the observation teams in the field. President Carter, President Ousmane, Gen. Powell, Ken Wollack, and Charles Costello held a press conference late that afternoon to release the preliminary statement.

## PRELIMINARY ASSESSMENT AND POST-ELECTION OBSERVATIONS

In its preliminary statement, the delegation noted several positive aspects of the election, including the campaign's peaceful nature and voting processes and an adherence to INEC regulations in many areas nationwide. The delegation also noted several serious electoral irregularities and

overt fraud in many states. (See Appendix K for a copy of the preliminary statement on the presidential elections.)

Among those who witnessed electoral abnormalities in person was President Carter, who saw a stack of ballots neatly placed in one ballot box in precise numerical order. Several other delegates observed instances of ballot box stuffing, including visiting polling sites where INEC officials or party agents illegally printed multiple ballots with their own thumbs. In at least nine states, particularly in the South-South zone, NDI/Carter Center delegates observed voter turnouts that were

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*National returns showed Gen. Obasanjo and the PDP winning the election ...*

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*President Carter closely examines voting records during the presidential election.*



## OBSERVING THE 1998-99 NIGERIA ELECTIONS

significantly lower than the official tally.

In some states, delegates estimated that less than 10 percent of registered voters cast ballots, but official turnout rates for those same states exceeded 85 percent. Many individual polling sites recorded that all 500 registered voters had cast ballots when the NDI/Carter Center delegation and other observers saw fewer than 100 people there during the day.

Another significant development that the delegation reported was the altering of results. In many instances, NDI/Carter Center observers recorded low numbers of accredited voters at polling stations,

sometimes less than 10 percent of those registered. During the counting and/or the collation process later in the day, however, they found that these same polling stations reported considerably higher numbers, sometimes even 100 percent of the registered voters.

Usually the votes at these polling stations were mainly or entirely for a single party. At many polling stations where the delegates observed these irregularities, it appeared that the party agents and polling officials were involved in the malpractice.

On Sunday, Feb. 28, delegates gathered in Abuja to discuss findings, draft a preliminary statement, and hold a press conference. The delegation co-leaders including President Carter, Gen. Powell, and President Ousmane met privately with Head of State Abubakar to discuss the delegation's initial findings and share some of their concerns about the electoral process.

By late Sunday afternoon, the group had gathered preliminary results and held its first press conference. The delegation concluded its first statement with the



*Mrs. Carter shakes hands with future voters in Keffi.*

following observation: "While at this time the delegation has no evidence indicating that the electoral abuses would have affected the overall outcome of the election, they nevertheless compromised the integrity of the process in the areas where they occurred."

After the press conference, President and Mrs. Carter returned to the U.S., while the remainder of the delegates reconvened for further debriefing. During the course of the evening, official election results began being reported. These results showed the extent to which electoral abuses played a role in the elections. One of the delegation's main concerns was the disparity between the number of voters observed at the polling sites on the day of the election and INEC's reported high turnout. Whereas most delegates reported less than 20 percent of registered voters at the sites visited and rarely more than 50 percent turnout at any site, INEC reported a total voter turnout of 52.13 across the country and eight states with 70 percent or higher turnout.

## OBSERVING THE 1998-99 NIGERIA ELECTIONS

Although delegates were suspicious of voter tally inflation from the earlier state and local elections, more firsthand evidence of electoral irregularities and fraud from the legislative and presidential elections prompted them to emphasize the inflated vote tallies in these later reports. In addition, the increased number of international and domestic observers for the presidential election helped confirm earlier suspicions that this practice was indeed widespread.

Concerned with the results from the delegation's findings, Gen. Powell and other delegates met with Gen. Obasanjo late Sunday evening, and with Chief Falae early Monday morning to discuss the group's findings and alert the candidates of an early morning press conference. Chief Falae announced that the entire process had been "a farce" and informed the delegation that he was planning to appeal the results. The NDI/Carter Center co-leaders urged Chief Falae to take his appeal through the court system rather than to the streets, and he agreed to adhere to the INEC-specified legal route.

On Monday, March 1, the delegation released its second statement and held a second press conference focused on electoral irregularities in greater detail, and the wide disparity between what was observed and what the INEC officially reported. The second statement did not contradict the preliminary statement, as was alleged by some.



*After all votes have been cast, a presiding officer empties the ballots to begin counting.*

After more election returns arrived, President Carter sent a letter to INEC Chairman Akpata. (See Appendix L for NDI/Carter Center Statement on the presidential election and Appendix M for President Carter's letter to INEC.) It stated:

"There was a wide disparity between the number of voters observed at the polling stations and the final results that have been reported from several states. Regrettably, therefore it is not possible for us to make an accurate judgment about the outcome of the presidential election."



## OBSERVING THE 1998-99 NIGERIA ELECTIONS

## POST-ELECTION OPPORTUNITIES

Throughout Nigeria's transition process, NDI and The Carter Center stressed that their comprehensive role stretched beyond merely watching the voting process. Therefore, both organizations undertook assessment missions well before the first round of elections and established offices in Abuja and Lagos. One of their objectives was to explore potential longer-term activities to continue fostering democracy in Nigeria after the elections.

At the conclusion of the elections, NDI assessed the political climate and determined that its post-election work would focus on:

- ✓ Assisting newly elected officials at the state level.
- ✓ Providing ongoing assistance to civil society with the National Assembly committee system.
- ✓ Aiding civil-military relations programming.

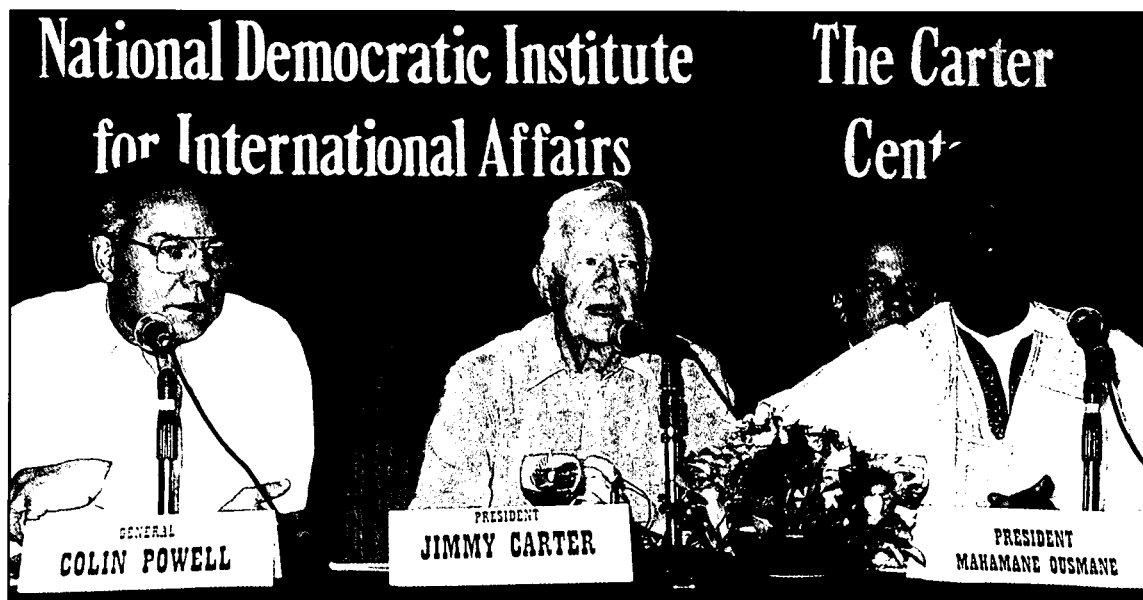
Maintaining offices in Lagos and Abuja, NDI held its first post-election program in April, convening the 36 governors-elect for a national Governors' Forum. The forum provided the governors a chance to share ideas, discuss policy, and build nonpartisan relationships. NDI sponsored a post-election conference for

the Transition Monitoring Group in May, where TMG members discussed their future role in Nigeria's new dispensation. Later this year, NDI will work with the National Assembly and civil-military programming and continue to work with state governors and civil society at large.

The Carter Center, in addition to its ongoing agriculture and health programs in Nigeria, identified potential longer-term projects. Based on a series of meetings during the transition, The Carter Center planned to pursue the following:

- ✓ Explore a role in facilitating consensus for a strategy on economic reform, with special emphasis on anti-corruption efforts and transparency in the privatization process.
- ✓ With approval from the incoming government, seek ways to help resolve tensions and promote sustainable development in the troubled Niger Delta region, building on President Carter's January meeting with representatives from minority communities there.
- ✓ Via meetings with key human rights actors in Nigeria, The Carter Center would like to help promote rule of law, provide technical assistance for police and judicial officials, and strengthen the National Human Rights Commission. ■

(l-r) Gen. Powell, President Carter, and President Ousmane speak at a Feb. 28 press conference in Abuja. Tim McCoy, an NDI senior program officer and interpreter, is in the background.



## OBSERVING THE 1998-99 NIGERIA ELECTIONS

## CONCLUSION

Nigeria's elections and transfer of power from a military regime to a civilian government mark historic steps for the country. The 1998-99 transition remains, however, just one step in a longer process of democratization that will require continued commitment from all sectors of Nigerian society. While the international community has an important role to play in supporting this democracy, it is ultimately the people of Nigeria who must determine the legitimacy of this and future elections in the country.

Nigeria deserves credit for the giant strides it has taken so far. Commendable are the actions of Gen. Abubakar, Justice Akpata, many of the INEC and party officials who adhered to the election

guidelines, security officers, local government officials, and the Nigerian voting public who contributed to the transition process under extremely tight time restrictions and against formidable challenges. To all of their credit, the elections proceeded on time, with limited disruption or incidences of violence, and achieved their primary goal of transferring power.

However, this transition process fell short of its democratic objectives. Electoral irregularities, including fraud and vote rigging, that our observers and others in the field witnessed are cause for serious concern. Especially disconcerting were the inflated voter returns and altered results in many states. These instances not only call into question the integrity of the overall election process, but also

the legitimacy of those elected and their ability to govern.

From the onset, a compressed timetable and top-down structure controlled by the very military officials it intended to replace affected the process. Whether the transition should have been given more time immediately after a registration exercise that was, by most accounts, seriously flawed, became a topic of some considerable debate. Whether voting in specific areas should have been canceled and held again also became a question

that cast doubt on the legitimacy of the process. Although these questions are less relevant now that the elections are over and a new administration is poised to

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*"While the international community has an important role to play in supporting this democracy, it is ultimately the people of Nigeria who must determine the legitimacy of this and future elections in the country."*

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govern, they remain serious for Nigeria's future.

Throughout the transition, Nigerians feared that the military would renege on its promises and hold onto power. This fear created a tendency to overlook imperfections in the process so as not to give the generals a pretext to halt or reverse the transition or annul the election results as was done after the last presidential race in 1993. This tendency may be understandable given Nigeria's past, but it should not be an excuse to ignore the problems in the electoral process.

Many positive signs during the four elections encouraged The Carter Center, NDI, and our delegates. Foremost were Gen. Abubakar's commitment to seeing the transition process from start to finish; INEC's dedication and credibility, especially

## OBSERVING THE 1998-99 NIGERIA ELECTIONS

at the national and state levels; and the determination and courageous efforts made by NGO members, the independent press, women's groups, and many others. A vibrant civil society, that continues to build on the democratic foundations now in place and serves as a watchdog against future governmental or military repression, is critical.

In the end, the role of both international and domestic observers is to watch and report, not to judge or investigate. Challenges to the political process should begin with parties working through the established legal system. Ultimately, political change depends on the standing government, the incoming administration, opposition parties, and the will of the people. Nonetheless, we, as observers, can offer some recommendations based on our observations during this transition and on past initiatives in which our organizations were involved.

Specific recommendations for improving elections and developing democracy in Nigeria are located at the end of each of the five statements in the appendices to this report. We encourage Nigerians and the wider international community to consider them carefully, particularly focusing on the following:

- ✓ Promote and strengthen strict enforcement of Nigeria's electoral laws and regulations, based on a just and representative constitution, to prevent fraud and increase confidence in democratic institutions and processes.

- ✓ Ensure that ruling and opposition parties work cooperatively to establish common rules of democratic conduct.

- ✓ Support local nongovernmental organizations and other civic-minded groups to play a watchdog role in safeguarding democracy.

- ✓ Emphasize federalism and local government authority and provide for a reinvigorated judiciary

to maintain the rule of law.

- ✓ Integrate the military into a democratic society and develop the mechanisms and knowledge among civilian leaders to oversee and manage security affairs.

For democracy truly to take root, Nigeria must promote more effective systems of checks and balances among its government institutions, safeguard human rights and liberties at all levels of society, and guarantee public accountability. The international community must do all it can to encourage the new government, opposition parties, and the public to work together to promote genuine democracy. NDI and The Carter Center intend to continue assisting in these areas to help Nigeria achieve its great potential as a leading democratic African nation. ■

## OBSERVING THE 1998-99 NIGERIA ELECTIONS

## ACKNOWLEDGMENTS



*Carter Center and NDI staff, consultants, interns, and local personnel pose with President and Mrs. Carter following the presidential election press conference in Abuja.*

LEWIS S. MURPHY

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The elections could not have occurred without the work of several key actors, especially INEC Chairman Justice Ephraim Akpata. Operating under difficult conditions and strict time pressures, INEC administered the process with confidence. Several organizations greatly assisted INEC, such as the United Nations, European Union, Commonwealth, Organization for African Unity, as well as

## OBSERVING THE 1998-99 NIGERIA ELECTIONS

individual governments and many NGOs, including the International Foundation for Election Systems (IFES) and the International Republican Institute (IRI). We thank each for their assistance and cooperation.

Also critical to the elections' success was the Transition Monitoring Group. Courageous and tireless individuals led the TMG, committed to ensuring that the elections were held according to international standards and that they were observed and monitored, for the first time in Nigeria's history, by trained Nigerians. Special thanks goes to TMG's Chairman Clement Nwankwo, its Secretariat staff, and its Coordinating Committee members.

In addition, we recognize Nigeria expert Dr. Peter Lewis of American University and his valuable contribution as primary consultant to The Carter Center. Special thanks also go to Susan Palmer of the IFES, for many years on The Carter Center staff, who provided important technical insights and political information.

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In Atlanta, Democracy Program Director Charles Costello was responsible for directing The Carter Center's Nigeria program. Conflict Resolution Director Harry Barnes and Director of Peace Programs Gordon Streeb directed the project before January. Democracy Program Associate Director David Carroll and Conflict Resolution Program Coordinator Kirk Wolcott led daily operations, including hiring and managing staff, and selecting and briefing delegates. Assisting them were Democracy Program Administrative Assistant Tynesha Green and Logistics Coordinator Janet Owens. During the elections, several other Center staff played vital roles in Atlanta and Nigeria, including Nancy Konigsmark who oversaw arrangements for President Carter's January visit, Jason Calder, Catherine Clarke, Matt Cirillo, Curtis Kohlhaas, Mike Meenan, Karine Pouchain, Laine Price, and Karin Ryan.

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## OBSERVING THE 1998-99 NIGERIA ELECTIONS

insight to their work.

Throughout the transition, NDI and The Carter Center received important assistance from the Nigerian Ministry of Foreign Affairs in accrediting and obtaining visas for our international observers. Special thanks also go to Nigerian Ambassador to the United Nations Professor I.A. Gambari and his staff in New York, who assisted immeasurably by providing visas expeditiously.

Sincere thanks also go to the NDI/Carter Center delegates who volunteered their time and expertise and brought unique contributions to the success of this endeavor. The delegates accepted grave responsibilities under frequently harsh conditions without complaint, demonstrating great commitment to the cause of advancing democracy throughout the mission.

Finally, we again acknowledge Kirk Wolcott, who drafted sections of this report and managed final editing and revisions. Other sections were drafted by Gillian Flies, Robert LaGamma, Peter Lewis, and Brent Preston. David Carroll, Shari Bryan, Chris Fomunyoh, Todd Dusenbery, and Carter Center Publications Manager Pam Smith assisted in editing the report, along with Carter Center interns Catherine Clarke, Karin Pouchain, Laine Price, and Caroline Wild. ■

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## OBSERVING THE 1998-99 NIGERIA ELECTIONS

## APPENDIX A

NIGERIAN HEADS OF STATE, 1960–PRESENT				
NAME	DATES CMLIAN	MILITARY/ ORIGIN	REGION OF	METHOD OF POWER TRANSFER
Abubakar Tafawa Balewa	Oct. 1960– Jan. 1966	Civilian	North	Killed in military coup
General Aguiyi Irons	Jan.–Jul. 1966	Military	East	Killed in military coup
Lt. Colonel (later Gen- eral) Yakubu Gowon	Jul. 1966– Jul. 1975	Military	North (middle belt)	Deposed by military coup
Brigadier General Murtala Mohammed	Jul. 1975– Feb. 1976	Military	North	Killed in unsuccessful military coup
Lt General Olusegun Obasanjo	Feb. 1976– Oct. 1979	Military	West	Peaceful trans- fer to civilian rule following elections
Alhaji Shehu Shagari	Oct. 1979– Dec. 1983	Civilian	North	Deposed by military coup
Major General Muhammadu Buhari	Dec. 1983– Aug. 1985	Military	North	Deposed by military coup
Major General Ibrahim Babangida	Aug. 1985– Aug. 1993	Military	North (middle belt)	Retired in favor of civilian-led interim national government
Chief Ernest Shonekan	Aug.–Nov. 1993	Civilian	West	Deposed by military coup
General Sani Abacha	Nov. 1993– Jun. 1998	Military	North	Reportedly died of heart attack
Major General Abdulsalam Abubakar	Jun. 1998–	Military	North (middle belt)	—

Source: Naomi Chazan, et al., *Politics and Society in Contemporary Africa*, 2d ed. (Boulder, Colo.: Lynne Rienner Publishers, 1992).

## OBSERVING THE 1998-99 NIGERIA ELECTIONS

## APPENDIX B

## TRANSITION TIMELINE

1998	Oct.	5	Voter registration begins
		19	Voter registration ends INEC announces registered parties
	Dec.	5	Elections: Local government Councilors and Chairmen
1999	Jan.	7	Elections: House of Assembly and Gubernatorial
	Feb.	15	Election campaign begins
		20	Elections: Senate and House of Representatives
		26	Election campaign ends
	March	27	Elections: Presidential
		6	Run-off, if any, for National Assembly and presidential elections
	May	29	Swearing in of the President

## OBSERVING THE 1998-99 NIGERIA ELECTIONS

## APPENDIX C

## ELECTION OVERVIEW

Nigeria's Independent National Electoral Commission (INEC) announced Oct. 19 that it had registered nine political parties to contest the first round of elections:

## Local Elections

Alliance for Democracy (AD)	The United Democratic Movement
The Peoples' Democratic Party (PDP)	The United Peoples' Party
Peoples' Redemption Party	Movement for Democracy and Justice
Democratic Advancement Movement	National Solidarity Movement
All Peoples' Party (APP)	

INEC stipulated that to contest the next three rounds of elections, parties must win at least 5 percent of the vote in 24 of Nigeria's 36 states. The following three parties advanced:

## State and National Elections

APP  
AD\*  
PDP

\* The PDP and APP secured the required votes in the minimum number of states. AD won 5 percent in only 12 states, but INEC registered the party, stipulating that at least three parties would contest the remaining elections.

## Alliance

To defeat the PDP, which won more than half the votes in the first two elections, the APP and AD sought to present a joint candidate for the Feb. 27 presidential election. INEC Chairman Justice Ephraim Akpata ruled that the proposed alliance was unacceptable, but he did allow the parties to put forward a single candidate for the presidential election if the candidate ran for one party only.

## Presidential Elections

After the parties held their conventions, the AD decided to run its candidate on the APP ticket. The APP-AD alliance and the PDP named their presidential and vice presidential candidates as follows:

<u>AD/APP</u>		<u>PDP</u>	
President:	Chief Olu Falae (AD)	Gen. Olusegun Obasanjo	
Vice President:	Alhaji Umaru Shinkafi (APP)	Alhaji Abubakar Atiku	

## OBSERVING THE 1998-99 NIGERIA ELECTIONS

## APPENDIX D

**Summary Statement of the NDI/Carter Center  
Election Assessment Delegation to Nigeria**

December 8, 1998 Abuja

*Note: This summary is excerpted from the full statement, available from NDI or The Carter Center.*

**I. The Delegation and Its Work**

This statement is offered by an international election assessment delegation jointly organized by the National Democratic Institute for International Affairs (NDI) and The Carter Center, which visited Nigeria from November 30 through December 8, 1998. This is the first in a series of multinational delegations that will observe and assess the ongoing transition in Nigeria, culminating in a delegation during the presidential elections in February that will be led by former President Jimmy Carter.

The delegation is composed of Sharon Pratt Kelly, former mayor of Washington, DC; Hama Amadou, former prime minister of Niger; J. A. Kufuor, leader of Ghana's New Patriotic Party; Thomas Melia, NDI vice president for Programs; Gordon Streeb, associate executive director of The Carter Center; Njoki, Ndungu, Kenyan jurist and civic leader; Gwendolyn Mikell, chair of the African Studies Program of Georgetown University; James Oliver, former member of the Maine State Legislature; Linda Rotblatt, legislative assistant to U.S. Senator Russ Feingold (Member, Senate Subcommittee on Africa); Grant Wilson, U.S. businessman and philanthropist; David Carroll, associate director of The Carter Center's Democracy, Program; and Kirk Wolcott, Program Coordinator of The Carter Center's Conflict Resolution Program.

**II. Observations of December 5th Elections**

The NDI/Carter Center delegation deployed observers for the December 5 local government elections. Given the size of Nigeria and the complexity of its politics, we cannot claim to have completed a comprehensive assessment of the elections. Nonetheless, our observation teams visited six states, and Abuja, and observed the activities during Election Day at 205 polling sites.

Despite the difficult conditions in which these elections were held, our observers reported that they were largely orderly and peaceful. Most Nigerians we encountered felt that these elections represented a positive step in the transition to civilian rule. While there were reports of several election-related deaths and acts of violence, these were apparently isolated events and not characteristic of the overall process.

## OBSERVING THE 1998-99 NIGERIA ELECTIONS

An important indicator of the credibility of the electoral process was the fact that party agents were present at polling stations throughout the country. However, it is unclear to us how well they were able to fulfill their responsibilities.

We note that a number of Nigerian civic groups have assumed responsibility for monitoring the process and for conducting civic and voter education. These initiatives are a critical element in any successful democracy, and are to be applauded. Members of the delegation saw domestic monitors in various locations and exchanged information with them. The network of organizations that has come together in the Transition Monitoring Group has set out to mobilize thousands of volunteers by the time of February's presidential election, and to coordinate with other compatible and complementary efforts, such as those organized by the free trade unions in the re-emerging Nigerian Labor Congress.

While our overall assessment is thus a positive one, there were several clear shortcomings in the administration of the elections that our observers noted. Before discussing them, however, it is important to underscore our admiration for the many thousands of INEC officials at every level. They endured personal hardships and labored tirelessly to implement this election and often had to rely on individual creativity and common sense to see the process through to completion. The conspicuous role of women as polling officials was heartening.

The forthcoming elections for statewide and federal offices may well be more hotly contested, receive more scrutiny or attract larger numbers of voters. If they are to succeed, these elections will require organizers, political parties and observers to pay attention to several important issues. These included:

- **Election procedures and poll workers** – The delegation observed that the procedures described in the INEC training manual were not followed at the polling stations. Instead, individuals resorted to ad-hoc measures to complete their tasks. Specific examples include: divergent instructions given to voters, unemployed indelible ink, rejection of ballots, bad control and distribution of ballots.
- **Ballot Secrecy** – In the majority of the polling stations, the secrecy of the ballot was not guaranteed either at the point of marking the ballot, or at the point of casting the ballot in the box. However few Nigerians found this to be troubling.
- **Women's Participation** – Observers were struck by the low turnout of women in many locations, particularly in the northern regions. Nigerians we spoke with suggested that this was due in part to the divided accreditation/voting process. In some areas cultural factors also influenced the low turnout.
- **Registration and Accreditation** – There was disenfranchisement of voters due to problems with registration and to problems with the accreditation process. The two-week registration period was not sufficient to register all Nigerians who wanted to participate in the process.

### III. Recommendations

- **Registration** - In order to address the concern that many Nigerians were not afforded the chance to register, we recommend that INEC consider opening a short Claims and Objections period for additional registration. To prevent multiple registration, we recommend that further measures be adopted, including strict adherence to the procedures for indelible inking and other measures which the international community could assist INEC in implementing.

## OBSERVING THE 1998-99 NIGERIA ELECTIONS

- **Accreditation** - While in theory INEC's accreditation process should prevent multiple voting, in practice it was not implemented properly. It also was cumbersome, time consuming and contributed to lower turnout, especially among women.

- **Poll Worker Training** - Given the wide disparities in the ways that poll workers implemented Saturday's election, it's clear that more consistent training in the proper procedures is needed. This includes training relating to the secrecy of the ballot, consistent use of the indelible ink, and implementation of the accreditation process.

- **Voter education** - In light of widespread confusion about election day processes, including the accreditation process, we recommend that INEC enhance its national voter education program and encourage civic organizations and political parties to do so as well.

- **Resources** - The government should ensure additional resources for IN'EC to carry out its mandate, including providing additional transportation, sufficient fuel, extra supplies and personnel.

- **Credentialing of Domestic Monitors** - Credentials for non-partisan domestic monitors should be made available more widely and easily to competent organizations throughout the country. Although INEC provided 370 credentials to domestic observers this week, we hope that a substantially larger number will be provided in the future because of the vital confidence-building and civic education role that nonpartisan independent monitors can play.

- **Party Development** - It is incumbent on political party leaders to promote and develop a political culture that supports internal party democracy and reflects a commitment to including all Nigerians in the development of their country

#### IV. Conclusion

The December 5 elections mark an important step forward in Nigeria's transition. In order to take the next steps however, several things must occur; INEC and the government will have to address some of the shortcomings that became apparent on December 5; political parties and community leaders must remain committed to making a transition to civilian rule, and voters must increase participation and ownership of the political process. Moreover, Nigeria's return to the international community requires the military to abide by the mandate for a political transition through the elections and beyond May 29, 1999. Along with others in the international community, we are prepared to assist Nigeria at this time; we applaud the people of Nigeria in their efforts to secure a more genuine democracy.

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## OBSERVING THE 1998-99 NIGERIA ELECTIONS

## APPENDIX E

**Summary Statement of the NDI/Carter Center  
January 1999 Election Assessment Delegation to Nigeria**

Abuja, January 12, 1999

*Note: This summary is excerpted from the full statement, available from NDI or The Carter Center*

**I. The Delegation and Its Work**

This statement is offered by an international election assessment delegation, jointly organized by the National Democratic Institute for International Affairs (NDI) and The Carter Center, that visited Nigeria from January 5 through January 12, 1999.

The delegation included Harry Johnston, former member of the United States House of Representatives and chairman of the House Subcommittee on Africa; Theresa Nyarko-Fofie, member of the Ghanaian Parliament and chair of the Women's Caucus; Maria Leissner, representative of the Swedish Development Agency and former leader of the Swedish Liberal Party and Member of Parliament; Maiga Amadou, secretary of elections of the PNDS Tarayya party of Niger and former prefect of Dosso; Kenneth Melley, secretary of NDI's Board of Directors; Robert LaGamma, The Carter Center's Nigeria country director; Peter Lewis, professor of political science at American University; Christopher Fomunyoh, director of NDI's Programs in East, Central and West Africa; Patrick Merloe, NDI senior associate and director of NDI Programs on Election and Political Processes; Peter Manikas, NDI senior associate and regional manager for Southern Africa. The delegation was also joined by Shari Bryan and Jerry Henderson, NDI Representatives in Nigeria; Vernice Guthrie, NDI program officer for Nigeria; and Gillian Flies, The Carter Center's Nigeria deputy country director.

The delegation would like to stress that it did not attempt to carry out a comprehensive assessment of the January 9 elections. Our election-day teams visited eight states and witnessed activities at over 100 polling sites and collation centers.

**II. Observations of the January 9 Elections**

The January 9 elections were generally peaceful and orderly. It appeared to the delegation that the elections represented another step forward in Nigeria's transition to civilian rule. The delegation noted a number of encouraging aspects in the electoral environment and on Election Day. At the same time, the delegation observed a number of problems and irregularities in the electoral process, and identified several areas for improvement to help ensure that the transition process leads to democratic civilian rule, as planned.

## OBSERVING THE 1998-99 NIGERIA ELECTIONS

Nigerian voters appeared to be enthusiastic about the January 9 election, and hopeful about the transition process. It was apparent that the Independent National Electoral Commission (INEC) worked hard between the December 5 and January 9 elections to improve transportation, provide adequate materials and ensure that polling officials and security personnel were present at the polling sites. Agents from political parties were present in virtually all of the polling sites visited by the delegation, although all three parties were not universally represented. Nonpartisan Nigerian election observers were mobilized for the elections by the Transition Monitoring Group (TMG) and other non-governmental organizations.

In addition to these positive aspect of the election, the delegation noted a number of issues that cause concern, including:

- ❖ **Lack of ballot secrecy:** The common practice of marking ballots in the view of others and allowing the voter's choice of candidates to be visible as the ballot is put into the ballot box runs counter to INEC's guidelines and its polling official's manual. While many voters did not show dissatisfaction with the procedures, the process may well subtly but decisively affect some voter's choices.
- ❖ **The involvement of nonpartisan local observers:** Nonpartisan Nigerian election observers were mobilized for the elections by the TMG and other non-governmental organizations. The delegation noted that the approximately 1,000 local observers accredited by INEC did not allow for adequate coverage of the over 110,000 polling stations.
- ❖ **Low participation of women in the electoral process:** Traditional practices may account for low participation of women in many instances, but a more concerted effort by INEC, political parties, local monitoring groups and civic and religious leaders could enhance the participation of women in the upcoming February elections.
- ❖ **Inconsistent application of electoral procedures:** This included, among other problems, unavailability and/or non-application of indelible ink, failure at many polling stations to follow prescribed times for the accreditation process, departure of a large number of voters after accreditation, lax security of ballot boxes, and failure to provide legible copies of vote count forms to party agents and police.
- ❖ **Electoral irregularities:** There existed a limited number of instances where political party agents acted as polling officials or as the de facto manager of polling stations; reports of bribery, intimidation of polling officials and party agents, and efforts to stuff ballot boxes; and allegations that party agents "snatched" ballot boxes.

### III. Recommendations

The delegation appreciated the enthusiasm and determination of Nigerians to improve the election process and to complete a successful transition to civilian rule in accordance with the transition timetable. The delegation was warmly received by INEC, government officials, political and civic leaders and by the voters. Based upon the global experience of NDI and the Carter Center and in the spirit of international cooperation, the delegation therefore offers the following recommendations in hopes of assisting those working to implement the transition program.

**1) Political Dialogue -** The government, political parties and organizations representing civil society should advance a dialogue concerning issues that are central to building a political environment marked by political inclusiveness and pluralism.



## OBSERVING THE 1998-99 NIGERIA ELECTIONS

**2) Constitutional Framework** - Without prejudice to long-term constitutional development, the government should provide a constitutional framework at the earliest possible date to establish a clear legal basis for the National Assembly and the Presidential elections.

**3) Accreditation of Local Observers** - INEC has provided for accrediting local observers in its guidelines, and a number of nonpartisan Nigerian observers participated in the December 5 and January 9 elections. However, not all-local observers were able to receive accreditation.

**4) Political Party Code of Conduct** - Having noticed the political parties commitment to ensuring the integrity of the election process, the delegation recommends that the political parties and INEC agree on a code of conduct and ethics for the upcoming elections. As the stakes get higher and competition sharpens for national offices, the parties and the electorate would benefit if the parties agree not to manipulate the process through financial incentives, intimidation of voters and violence against each other.

**5) Candidate Selection** - In order to further enhance party development and internal democracy, the political parties should clarify, at the earliest possible time, the process each will use for candidate selection for National Assembly and President. This also would reduce the potential for conflict within the parties and provide a fairer chance to secure nominations.

**6) INEC-Political Party Communication** - INEC and the political parties should maintain regular and frequent communications. One method of structuring this would be establish a "party liaison committee" at the national and subordinate levels.

**7) Release of further INEC Guidelines** - INEC should release guidelines for the February 20 National Assembly elections and the February 27 presidential election on an urgent basis. Expedited release of the guidelines could help the parties prepare properly as the elections approach.

**8) Ballot Secrecy** - Concerted voter education should be conducted at this point, including that secrecy of voting is a right. More voting screens should be provided, if possible, at all polling stations and all polling officials should be specially instructed in setting up their station to ensure secrecy of the ballot.

**9) Voter Education and Enhancing Women's Participation** - Confusion about voting procedures merits further voter education efforts, especially efforts that can help illiterate voters know how to identify each candidate/party and mark the ballot properly. INEC, the political parties and civic organizations also should conduct concerted civic education efforts aimed at encouraging women to participate in the transition as INEC polling officials, party agents, local observers, voters and candidates.

**10) Further Training for Polling Officials and Providing Adequate Resources** - Inconsistent application of voting procedures and reports of irregularities in the January 9 elections indicate that further training of polling officials will be needed before the February elections.

### III. Conclusion

The delegation would like to express its sincere appreciation to all of the political leaders, INEC officials, leaders of civic groups and representatives of the international community with whom it met. Without their valuable insights, the delegation could not have completed its work. The upcoming elections and the period leading to the May 29, 1999, transfer of power to civilian rule will require continued hard work by electoral authorities, political parties and civic organizations. The pre-transfer period will be an important challenge to Nigeria's leaders to advance dialogue, while taking on the pressing tasks of the third and fourth elections in the transition timetable.

## OBSERVING THE 1998-99 NIGERIA ELECTIONS

## APPENDIX F

**NEWS RELEASE**

FOR IMMEDIATE RELEASE

February 22, 1999

**NDI/Carter Center Statement on the  
February 20 National Assembly Elections**

The Carter Center and the National Democratic Institute (NDI) were pleased to observe the peaceful conduct of the February 20 elections for the Senate and House of Representatives, and we reaffirm our strong support for the transition process in Nigeria. Voting in many places adhered to electoral regulations, but our observers noted low voter turnout throughout the country and witnessed serious irregularities in several areas.

In some cases, abuses of the electoral process were widespread enough to call into question the outcome of elections in certain constituencies and senatorial zones. Our observers documented numerous cases of ballot box stuffing, inflated vote tallies, and other manipulations of results committed by members of all three political parties and poll officials. We have reported our findings to the Independent National Electoral Commission (INEC).

We call on the political parties and INEC to take immediate corrective action, where appropriate, to ensure the integrity of the February 27 presidential election and to build on the progress of the previous rounds of voting. Specific recommendations follow.

**The Delegation and Its Work**

The Carter Center and NDI are in Nigeria to assess the evolving political environment, offer an impartial report on the third of four elections, and demonstrate the support of the international community for Nigeria's developing democratic process. We have maintained an in-country presence in Nigeria since November 1998 to monitor the transition process. The two organizations will bring a 60-member multinational delegation to Nigeria this week to observe

## OBSERVING THE 1998-99 NIGERIA ELECTIONS

For the February 20 National Assembly elections, ten observer teams traveled to nine states and the Federal Capital Territory, where they visited more than 150 polling sites, collation centers and INEC offices in 20 Local Government Areas. The observers coordinated with international and domestic observer groups in each state. They also met with a cross-section of Nigerian political party leaders, election officials, journalists, and representatives of non-governmental organizations.

**Delegation Findings and Concerns**

Given the size of Nigeria and the limited number of polling stations visited, the delegation did not attempt to carry out a comprehensive assessment of the February 20 election. Despite the difficult conditions under which these elections were held, our observers reported that most voting was orderly and peaceful. In several states we visited, elections were conducted in accordance with INEC procedures.

However, low voter turnout and several important shortcomings were noted that warrant serious attention. Irregularities and abuses were especially troubling in Enugu, Rivers, and Kaduna states.

**Low Voter Turnout** - The delegation observed that turnout for the Senate and House elections was notably lower than for previous elections.

**10 - 15% Turnout** - In most parts of the country our observers and members of other international delegations reported a turnout of 10 to 15 percent of registered voters, a significant drop in participation from last month's election.

**Low Participation by Women** - As in previous elections, our observers noted very low participation of women at the polls.

**Inconsistent Application of Voting Procedures** - The delegation observed that many poll officials failed to abide by the voting procedures outlined in the INEC manual.

**Secrecy of the Ballot** - Little effort was made to ensure the secrecy of the ballot, however, most voters did not seem concerned with the lack of privacy or secrecy.

**Late Opening of Polls** - Many polling sites did not open until 10:00 a.m. and some opened as late as 2:00 p.m. Some polling sites never opened. This delay in opening was usually due to poor distribution of voting materials

**Materials Late or Lacking** - Ballot papers and other essential materials often did not reach polling sites on time in many areas. This was usually due to a lack of vehicles and fuel.

**Indelible Ink** -- There were numerous reports of misapplication or non-use of indelible ink.

## OBSERVING THE 1998-99 NIGERIA ELECTIONS

and assess the presidential elections and are providing ongoing assistance to the work of the Transitional Monitoring Group (TMG), a coalition of NGOs that will field as many as 10,000 domestic election monitors.

**Election Irregularities** -- Observers in several parts of the country witnessed widespread voting irregularities and electoral fraud.

**Ballot Box Stuffing** -- Several observers witnessed ballot boxes that clearly appeared to have been stuffed with ballots marked by the same person's fingerprint or neatly stacked in sequential order. At a number of polling sites, observers witnessed poll officials and party representatives fraudulently voting multiple times by thumb-printing stacks of ballots in plain view of voters and observers.

**Inflation of Results** -- In many cases, observers noted that at the close of accreditation low numbers of voters had been accredited - usually less than 15 percent. However, later in the day when observers visited collation centers, they found that the same polling stations were reporting high numbers of voters - up to 100 percent of registered voters. Observers also visited polling stations where at one moment there were no voters in line and less than ten ballots in the box, only to return 15 minutes later to find that 200 or 300 ballots had been cast with no voters in sight.

**Intimidation** - Party members, poll officials, and groups of young men ("area boys") were seen at several polling stations verbally intimidating voters and attempting to disrupt the electoral process.

### **Recommendations**

1. INEC should acknowledge that irregularities occurred in this election and should publicly state that such behavior is illegal and will not be tolerated. INEC needs to take immediate action to guarantee the integrity of the presidential election in order to ensure that the results are seen as legitimate by the people of Nigeria and the international community.
2. Political party leaders should swiftly address misconduct by their members and ensure that those who perpetrated abuses are held accountable for their actions.
3. Voter education by INEC and the political parties should be heightened over the next three days to urge voters to participate in the presidential election and to prevent large numbers of invalid votes from being cast.
4. INEC officials should make every effort to ensure that voting procedures are followed by all INEC representatives throughout the country. This includes the timely distribution of election materials, which is subject to providing adequate fuel and transportation. Most important, local polling officials should be instructed to seek immediate assistance from security officials or senior INEC personnel at the first sign of electoral misconduct.

## OBSERVING THE 1998-99 NIGERIA ELECTIONS

## APPENDIX G



JIMMY CARTER

February 24, 1999

To General Olusegun Obasanjo

I am very concerned about the high level of election irregularities seen by observers in the national assembly elections. The main culprits clearly are political party operatives. If repeated this Saturday, international acceptance of the legitimacy of the elections and the entire transition process is threatened, not to mention the voting rights of the Nigerian people themselves.

I call on you to make a public statement to your supporters nationwide to obey election regulations and avoid any kind of election tampering. I will repeat this request when I arrive in Nigeria tomorrow. I have sent the same message today to your opponent, Olu Falae, and have submitted a copy of these letters to the Nigerian news media.

Sincerely,

## OBSERVING THE 1998-99 NIGERIA ELECTIONS

## APPENDIX H

# NDI/Carter Center Presidential Election Deployment Plan

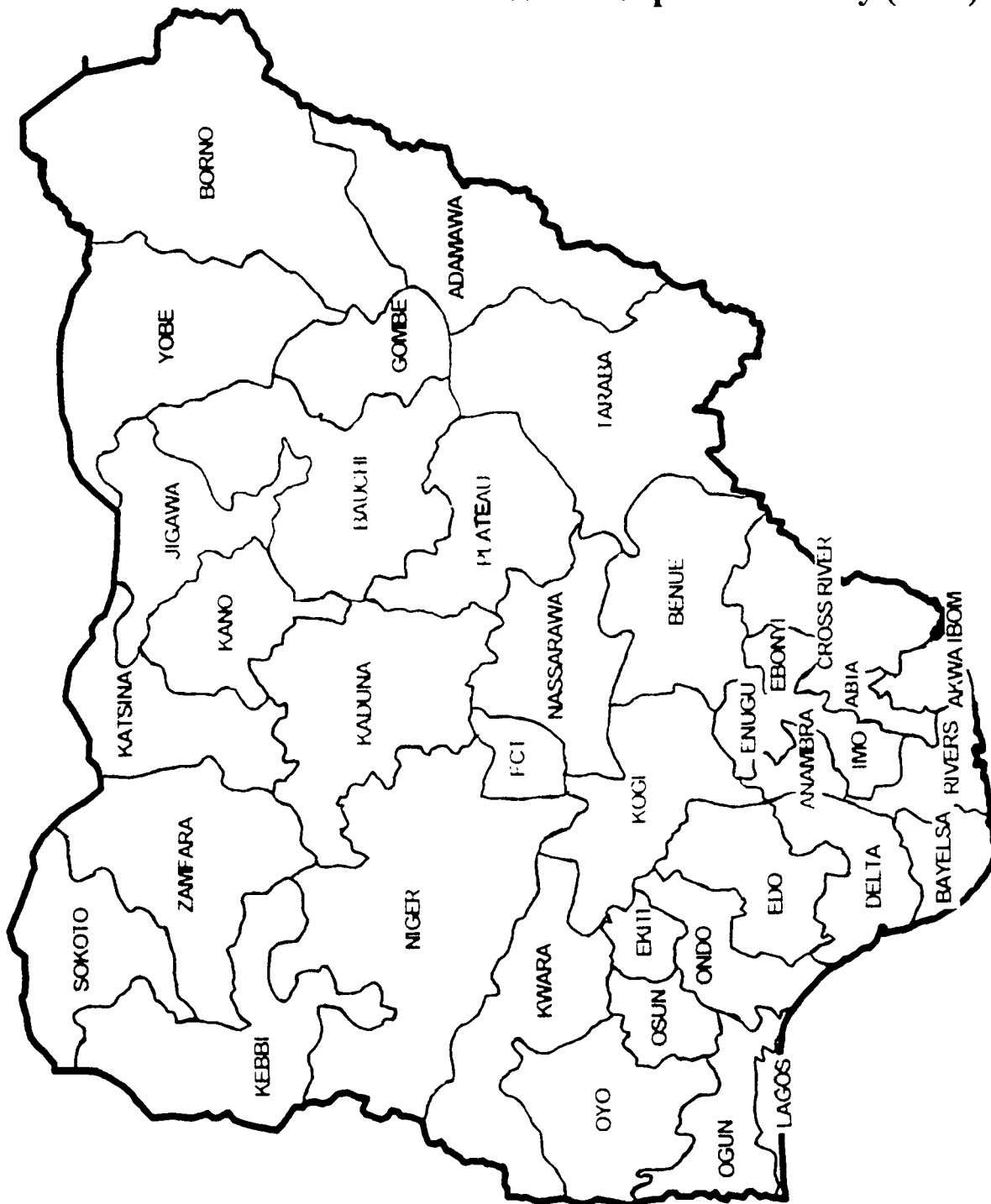
February 27, 1999

Site	Delegates
<b>Abeokuta</b> Ogun State	Princeton Lyman Sharon Pratt-Kelly
<b>Abuja</b> FCT	Matt Cirillo Catherine Clarke Deanna Congileo Karine Pouchain Mike Thayer
<b>Asaba</b> Delta State	Mora McLean Gwendolyn Mikell
<b>Bauchi</b> Bauchi State	Charles Brumskine David Carroll
<b>Benin City</b> Edo State	Shandal Sullivan Charles Williams
<b>Calabar</b> Calabar State	Alessandra Cabras Rose Waruhiu
<b>Enugu</b> Enugu State	Henry McConnon Patrick McConnon
<b>Ijebu-Ode</b> Ogun State	Smydge Perry Sudjana Sapi'ie
<b>Kaduna</b> Kaduna State	Tim McCoy President Ousmane John Paden
<b>Kafanchan</b> Kaduna State	Dick Blum James Carter IV Sara Tindall
<b>Kano</b> Kano State	Paul Lubeck Shirley Robinson Hall

Site	Delegates
<b>Katsina</b> Katsina State	Eric Happel Nadia Sood
<b>Keffi</b> Plateau State	President and Mrs. Carter Charles Costello
<b>Lagos</b> Lagos State	Shari Bryan, Jason Calder, Gillian Flies, James Kavanagh, Prince Moulay Hicham, Colin Powell, George Springer, Laurie Wiseberg, Ken Wollack
<b>Langtang</b> Plateau State	Marie Nelson Kirk Wolcott
<b>Maiduguri</b> Borno State	Alison Boyer Dave Peterson
<b>Minna</b> Niger State	Chris Fomunyoh Robert LaGamma
<b>Onitsha</b> Anambra State	Yusuf Mwawa Brent Preston
<b>Otta</b> Ogun State	Linda Rotblatt Ron Shaiko
<b>Owerri</b> Imo State	Carrie Manning Mariano Matsinhe
<b>Port Harcourt</b> Rivers State	Pauline Baker Peter Lewis
<b>Sokoto</b> Sokoto State	Darren Kew Pearl Robinson

## OBSERVING THE 1998-99 NIGERIA ELECTIONS

## APPENDIX I

**Map of Nigeria's 36 States and  
Federal Capital Territory (FCT) of Abuja**

## OBSERVING THE 1998-99 NIGERIA ELECTIONS

## APPENDIX J

## INDEPENDENT NATIONAL ELECTORAL COMMISSION

SUMMARY OF RESULTS FROM STATES  
(ELECTION INTO THE OFFICE OF PRESIDENT)

NO.	NAME OF STATE	TOTAL VOTE CAST	APP NAME OF CANDIDATE CHIEF O. FALAE VOTES SCORE	% VOTES SCORED	PDP NAME OF CANDIDATE GEN. O. OBASANJO (RTD) VOTES SCORE	% VOTES SCORED
1.	ABIA	535,918	175,095	32.67	360,823	67.33
2.	ADAMAWA	845,107	177,868	21.05	667,239	78.95
3.	AKWA IBOM	883,278	152,534	17.27	730,744	82.73
4.	ANAMBRA	833,178	199,461	23.94	633,717	76.06
5.	BAUCHI	1,176,541	342,233	29.09	834,308	70.91
6.	BAYELSA	610,032	152,220	24.95	457,812	75.05
7.	BENUE	1,252,957	269,045	21.47	988,912	78.53
8.	BORNO	915,975	334,593	36.53	581,382	63.47
9.	CR/RIVER	876,156	283,468	32.35	592,688	70.57
10.	DELTA	816,574	240,344	29.43	576,230	72.56
11.	EBONYI	345,921	94,934	27.44	250,987	72.56
12.	EDO	679,784	163,203	24.01	516,581	75.99
13.	EKITI	713,690	522,072	73.15	191,618	26.85
14.	ENUGU	835,585	195,168	23.36	640,418	76.64
15.	GOMBE	844,539	311,381	36.87	533,158	63.13
16.	IMO	736,106	314,339	42.70	421,767	57.30
17.	JIGAWA	548,596	237,025	43.21	311,571	56.79
18.	KADUNA	1,676,029	381,350	22.75	1,294,679	77.25
19.	KANO	904,713	222,458	24.59	682,258	75.41
20.	KATSINA	1,193,397	229,181	19.20	964,216	80.80
21.	KEBBI	512,229	172,336	33.64	339,893	66.36
22.	KOGI	984,710	476,807	48.42	507,903	51.58
23.	KWARA	659,598	189,088	28.67	470,510	71.33
24.	LAGOS	1,751,981	1,542,969	88.07	209,012	11.93
25.	NASARAWA	597,008	173,277	29.02	423,731	70.98
26.	NIGER	871,130	140,465	16.12	730,665	83.88
27.	OGUN	475,904	332,340	69.83	143,564	30.17
28.	ONDO	801,797	668,474	85.37	133,323	16.63
29.	OSUN	794,639	607,628	76.47	187,011	23.53
30.	OYO	921,178	693,510	75.29	227,668	24.71
31.	PLATEAU	672,442	173,370	25.78	499,072	74.22
32.	RIVERS	1,565,603	213,328	13.63	1,352,275	86.37
33.	SOKOTO	354,427	198,829	56.10	155,598	43.90
34.	TARABA	871,039	81,290	9.33	789,749	90.67
35.	YOBE	311,578	165,061	52.98	146,517	47.02
36.	ZAMFARA	380,078	243,755	64.13	136,324	35.87
	FCT	99,022	39,788	40.18	59,234	59.82
	TOTAL	29,848,441	11,110,287	37.22	18,738,154	62.78



## OBSERVING THE 1998-99 NIGERIA ELECTIONS

## APPENDIX K

**NEWS RELEASE**

FOR IMMEDIATE RELEASE

February 28, 1999

CONTACTS in Abuja

*For Carter Center:*Ms. Deanna Congileo  
(234.9) 523-1811, Rm 798*For NDI:*Ms. Shari Bryan  
(234.9) 523-1811, Rm 939**Preliminary statement of The Carter Center/NDI International  
Observer Delegation to the Nigerian Presidential Election**

The Carter Center and the National Democratic Institute (NDI) offer this preliminary statement on the February 27 presidential election in Nigeria. A more detailed report will be made available at a 10 AM press conference tomorrow following further releases of election results, a more detailed analysis of the observations of our delegation, and of the information collected from the thousands of Nigerian election observers. Our 66-member delegation visited polling stations and collation centers in 20 states and the Federal Capital Territory of Abuja.

The Carter Center/NDI delegation included elected officials, political leaders, regional and election experts from ten countries in Africa, Asia, and North America. The delegation is led by former US President Jimmy Carter, former Niger President Mahamane Ousmane and retired US General Colin Powell. We were invited to participate as international observers by Head of State General Abdulsalami Abubakar and the Independent National Election Commission (INEC). During the entire process we received complete cooperation and support from the government, INEC, Nigerian political parties and non-governmental organizations that monitored the electoral process.

The Carter Center/NDI have made previous reports of their observations of local, state and national assembly elections to INEC and to the major political parties, including expressions of concern about irregularities witnessed in the national assembly elections of February 20.

Based on our observation of the presidential election of February 27, the delegation noted a number of positive aspects of the process:

-- The delegation recognizes the commitment of the Head of State to move forward with the established transition program, including the handover of power to elected civilian authorities on May 29.

## OBSERVING THE 1998-99 NIGERIA ELECTIONS

-- The delegation believes that the Chairman and members of INEC and most polling officials made efforts to ensure the integrity of the election.

-- Our delegation was also impressed by the efforts of political parties and civic groups to increase confidence in the election. In addition, the delegation was heartened by the generally peaceful nature of the campaign and voting process.

Finally, and most important, our delegation wants to acknowledge the Nigerian voters, regardless of whom they voted for, who gave voice to the people's overwhelming desire to bring about an end to military rule, and the restoration of civilian government, that can begin to build a democratic system at all levels based on accountability, transparency, and the rule of law. These democratic aspirations are the real meaning of the election.

Nigerians must therefore now focus attention on the serious challenges that lie ahead, including the need for civilian oversight of the military, constitutional reform, and public integrity by elected officials and institutions at all levels of government. If these steps are not taken, Nigerian citizens may quickly lose confidence in the transition process.

Despite positive developments in the election, our delegation members and others witnessed serious irregularities and/or overt electoral fraud in a number of states. These problems included ballot box stuffing, inflated vote tallies, and manipulation of results. It appeared that many of these electoral abuses were a result of collusion between polling officials and party agents and operatives.

At many polling sites in these places, the serious abnormalities that were observed made it impossible to ascertain the number of voters who actually participated or whether ballots were counted accurately. In some cases, after only a few voters were observed at polling stations, more than 80% were later alleged to have voted, and the votes counted were overwhelmingly in favor of one of the two candidates.

While at this time the delegation has no evidence indicating that the electoral abuses would have affected the overall outcome of the election, they, nevertheless, compromised the integrity of the process in the areas where they occurred. Regrettably, these electoral malpractices were similar to those observed by our delegation during the February 20 National Assembly elections. INEC should investigate all documented reports submitted to it, and those responsible should be held accountable according to the law. Nigerians need to be reassured of the country's continued progress toward a genuine democratic society in which their rights are respected.

As noted above, tomorrow the delegation will issue a more detailed assessment, which will include a series of recommendations on ways to strengthen the election process and enhance confidence in the transition to democratic rule in Nigeria.

The delegation wishes to express its appreciation to all Nigerians who contributed to the delegation's work. NDI and The Carter Center reaffirm their commitment to assisting Nigerians seeking to build and consolidate democratic values, practices, and institutions in their country.

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## OBSERVING THE 1998-99 NIGERIA ELECTIONS

## APPENDIX L

**NEWS RELEASE**

FOR IMMEDIATE RELEASE

March 1, 1999

**Statement of The NDI/Carter Center International Observer  
Delegation to the Nigerian Presidential Election**

The Carter Center and the National Democratic Institute (NDI) offer this statement on the February 27 presidential election in Nigeria, to supplement the preliminary statement of February 8.

-- The delegation commends the strong, widespread support of Nigerians for a rapid transition to democratic civilian rule.

-- The delegation recognizes the commitment of the Head of State to move forward with a transition program, including the handover of power to civilian authorities on May 29.

-- Although there were many positive aspects of the presidential election, notably the peaceful conduct of polling, we are greatly concerned about evidence of serious flaws in the electoral process in certain areas of the country.

-- Such problems as we observed in the election process, and any grievances, can best be addressed within the context of democratic procedures and the rule of law.

-- We support Nigerian and international efforts to develop democratic institutions and to strengthen political and civic organizations at local, state and federal levels.

**The NDI/Carter Center Delegation and its Work**

The delegation was led by former US President Jimmy Carter, former Niger President Mahamane Ousmane and retired US General Colin Powell, and included elected officials, political leaders, regional and election experts from 10 countries in Africa, Asia and North America. We were invited to participate as international observers by Head of State General Abdulsalami Abubakar and the Independent National Electoral Commission (INEC).

## OBSERVING THE 1998-99 NIGERIA ELECTIONS

Throughout the process we received full cooperation and support from the government, INEC, Nigerian political parties and non-governmental organizations that monitored the electoral process.

For the presidential election, the 66-member delegation visited polling stations and collation centers in 20 states and the Federal Capital Territory of Abuja. The delegation visited 335 polling stations, in 112 wards in 61 Local Government Areas, in all six zones of the federation. Delegates also observed collation processes at 33 Wards, 20 Local Government, and 6 State levels. Our observers coordinated with international and domestic observers in each state and met with a cross section of Nigerian political party leaders, election officials, and representatives of non-governmental organizations.

The delegation's mission is intended to assess in an impartial and nonpartisan manner the evolving political environment, to offer a report on the presidential election, and to demonstrate the support of the international community for Nigeria's developing democratic process. Although the international community may well play an important role in supporting Nigerian democracy, it will ultimately be the people of Nigeria who will determine the legitimacy of the elections and the transition process.

**Transition from Military Rule**

This election represents the final electoral step in the process of transition from military rule to civilian government. Throughout this process The Carter Center and NDI have been impressed by the determination of Nigerians throughout the federation to realize democratic government. The Nigerian people have expressed their desire for a rapid end to military rule, both through voting and through other forms of popular expression, including the media and public forums. In addition, we are encouraged by the firm commitment of the present military government to adhere to their transition schedule and to achieve a prompt handover to civilian rule on May 29.

**Conduct of the Election**

We noted many positive elements of the election process, including the peaceful conduct of the balloting and the pre-election campaign, the general lack of intimidation of voters, and the thorough and fair coverage by the Nigerian media. In addition, in many locations the voting process followed INEC procedures. We also wish to commend many INEC officials, party agents, security officers, and local government officials who helped to ensure proper conduct of the elections in these localities. Millions of Nigerian voters also showed patience and commitment in following procedures and taking the time to cast ballots.

Although there were many positive features of the presidential election, members of the delegation also observed serious malpractice in certain places. These included:

## OBSERVING THE 1998-99 NIGERIA ELECTIONS

**Inflated vote returns** - At polling sites in at least nine states, particularly in the South-South zone, we observed turnout that was significantly lower than that reported at a statewide level. In general, our observers estimated participation averaging twenty percent at the polling stations we visited. We also observed a distressingly low participation of women voters in many areas. In some places, the reported figures appeared to be so inflated that it was impossible to ascertain who actually won the election in that area.

**Ballot box stuffing** - Several observers witnessed instances of ballot box stuffing, including cases of ballots marked by the same persons' fingerprint or neatly stacked in sequential order inside the boxes.

**Altered results** - In many instances, observers recorded low numbers of accredited voters or few voters at polling stations, sometimes less than 10 percent of those registered. During the counting and/or collation processes later in the day, however, they found that these same polling stations, or adjacent polling stations, reported considerably higher numbers of voters, sometimes 100 percent. Usually, the voters in these polling stations were entirely for a single party. In several wards, we noted that a few polling units with extremely high returns could determine the outcome for the entire ward. Observers saw apparent instances where inflated tally sheets were substituted for the original sheets at counting centers. At many polling stations where we witnessed irregularities, it appeared that party agents and/or polling officials were involved in malpractice.

**Disenfranchisement of voters** - Observers noted some wards where voters were denied their opportunity to vote because ballots were delivered at the end of polling and in insufficient numbers.

-- Another matter of concern was inconsistent application of INEC procedures. These included: the lack or non-use of indelible ink at many polling stations, failure to ensure ballot secrecy, late poll openings, and a failure to adhere to a separate accreditation process. This was seen in most areas. However, the delegation made a clear distinction between those procedural difficulties that did not appear to have an adverse effect on the conduct of this election, and malpractice which clearly distorted the poll results in some localities.

### Resolving Electoral Disputes

While we witnessed a number of abuses, the delegation has no systematic evidence indicating that these abuses would have affected the overall outcome of the election. Nevertheless these abuses may have substantially compromised the integrity of the process in the areas where they occurred. We would hope that any credible and documented allegations of electoral violations will be investigated by the appropriate authorities.

It is essential that any grievances related to this election be decided according to the rule of law in a transparent manner, and through those procedures that are consistent with democracy.

## OBSERVING THE 1998-99 NIGERIA ELECTIONS

## APPENDIX P

© 1999, *The Washington Post*. Reprinted with permission.**Washington Post**  
**Tuesday, March 2**

# Nigeria Confirms Vote Result

## *Loser Cites Fraud, Calls for Protests*

*By JAMES RUPERT*  
*Washington Post Foreign Service*

LAGOS, Nigeria, March 1—Nigeria's election commission declared today that former military ruler Olusegun Obasanjo won Saturday's presidential election, but Obasanjo's opponent called for protests against what he said was a fraudulent result.

In Abuja, the capital, Nigeria's election commission chairman, retired Supreme Court judge Ephraim Akpata, declared Obasanjo elected with nearly 19 million votes, or 63 percent of all ballots cast. His opponent, Olu Falae, received 11 million votes, or 37 percent. Under rules laid down by Nigeria's military government, Obasanjo will be sworn in on May 29 as the first civilian president in more than 15 years.

Former U.S. president Jimmy Carter, who is in Nigeria as part of an observer delegation from the Carter Center and the National Democratic Institute for International Affairs, said irregularities had clouded the outcome of the voting, and Falae's supporters seized on the statement as evidence for their case.

Falae, a former finance minister, asked his voters "to show their dissatisfaction by protesting" with "political action, yes, protest, yes, but not violence." Vote fraud was "so monumental as to make nonsense of the entire process," he told the Associated Press.

Obasanjo, who led a military government for four years before handing power to civilians in 1979, said voting irregularities had been committed by "ignorant" people. But he called on his opponents to accept the result and "join hands with all of us, because at this point in time that is what we need."

In a letter to the election commission, Carter noted that, in some states, many more votes were recorded than there were voters observed at the polls. "Regrettably, therefore, it is not possible for us to make an accurate judgment about the outcome of the presidential election," he said.



BY CORAHE DURIA—REUTERS

**Obasanjo reads Falae's statement  
refusing to accept election results.**

The election's credibility carries high political stakes. After military rule that has left Nigeria, Africa's most populous country with more than 100 million people, in a shambles, an election perceived as fair would ease the return to civilian rule. That, say democracy advocates, would be the single greatest advance for democracy on this continent since the end of apartheid in South Africa in 1994.

With only 13 weeks before the military is due to hand power to the winner of Saturday's vote, "God knows, no one wants to see this fail," a foreign diplomat said.

Blatant fraud was evident Saturday, as journalists, diplomats and election monitors reported that local officials stuffed ballot boxes on behalf of one candidate or the other. While no monitoring organization echoed Falae's contention that Obasanjo's victory was clearly fraudulent, they differed on its certainty.

The European Union's observer mission expressed "serious concern" over the fraud but said, "We judge that the result of the election ... reflects the wishes of the Nigerian people." The Transition Monitoring Group, a coalition of Nigerian pro-democracy organizations that fielded 10,000 election observers, said fraud had been committed by both sides and "it is difficult to say the extent to which the efforts of [the] two parties canceled each other."

The Clinton administration withheld judgment on the credibility of Obasanjo's victory. In Washington, National Security Council spokesman David Leavy said "any allegations of vote irregularities should be looked into by the appropriate authorities." He underscored the importance of Nigeria's shift to civilian rule, saying that "a Nigeria that is democratic and protects human and civilian rights can be an anchor for the new Africa."

## OBSERVING THE 1998-99 NIGERIA ELECTIONS

## APPENDIX M



JIMMY CARTER

1 March 1999

To Chairman Akpata, Independent National Elections Commission

There was a wide disparity between the number of voters observed at the polling stations and the final results that have been reported from several states. Regrettably, therefore, it is not possible for us to make an accurate judgment about the outcome of the presidential election.

*Jimmy Carter*  
*for The Carter Center*

## OBSERVING THE 1998-99 NIGERIA ELECTIONS

## APPENDIX N

**Transition Monitoring Group****Summary of The Interim Report  
on the Presidential elections held on  
Saturday, 27 February 1999**

March 1 1999

*Note: This summary is excerpted from the full report, available from NDI, which provided technical assistance to the TMG throughout the transition process. Formed in August 1998, with only a handful of members, TMG expanded to include organizations representing all six of Nigeria's geo-political zones.*

**INTRODUCTION**

The transition-monitoring Group (TMG), a coalition of 63 human rights and civil society organizations, monitored the Presidential Elections held throughout Nigeria on Saturday, February 27, 1999, by deploying 10,700 observers across the country. This report is based on the observations of the polls made by TMG monitors from the 36 states of Nigeria and the Federal Capital Territory, Abuja.

**HIGHLIGHTS**

TMG observed that the trend of awarding high votes, or votes in excess of the number of accredited voters, which had been observed during the presidential elections. This trend was observed across the country, although there were areas where the incidence of electoral fraud was great enough to completely distort the election result. Most disturbing was the extent to which electoral officers colluded across the country in the falsification of results. Reports submitted by TMG's monitors make it clear that both parties were heavily involved in electoral malpractice, although it is difficult to say the extent to which the efforts of the two parties cancelled each other out.

In view of the concerns raised by the TMG in its interim report on the National Assembly elections about the effect that the rise in election malpractice would have on the credibility of the electoral process, it is extremely disturbing to note that INEC appears to have taken no steps to sanction erring officials or to correct the anomalies observed then. Undoubtedly this removed much of the constraint that ought to have informed the actions of INEC polling officials, particularly against a background where perceptions about the relative strengths of the parties might have led each to feel that there was something to gain by "boosting" the votes cast in their favor.

INEC's major solution to the problem of election malpractices appeared to consist of urging a high voter turnout, and indeed, it was observed that voter turnout was generally higher than in previous elections, across the country, particularly in the South-West. In some areas however, there remained a fairly high incidence of voter apathy, and the voter turnout was not sufficient to guarantee the integrity of the electoral process.

There was a marked increase in political campaigns and civic education to sensitize and mobilize the voters to turn out for the election despite the fact that there was little time between the nomination and clearance of the candidates, particularly having regard to the size of the constituency (the whole country) to be covered.



## OBSERVING THE 1998-99 NIGERIA ELECTIONS

There were of course, only two candidates for the Presidential polls - presented by the PDP and by the alliance between the AD and the APP. INEC however, had made no effort to lessen any possible confusion which might be caused by refusing to remove the AD logo from the ballot papers on the excuse that the ballot papers had already been printed. Although questions might justifiably be raised about what INEC proposes to do if the need for a run-off election between only two parties arises (when presumably a ballot paper bearing only two parties will have to be sued), it was observed that the AD-APP alliance had certainly done a great deal of work to explain the alliance to the voting public. Although there were some cases of votes cast for the AD, these were insignificant, and could not be said to have affected the overall result of the election.

**MALPRACTICES**

The election saw a marked increase in the number of election malpractices. Rivers State was a particular victim in this regard. So blatant was the incidence that even where a combination of local and international monitors was observing what was going on, along with a police officer, a presiding officer in ward 7B stuffed 114 ballot papers for the PDP into the ballot box. She was arrested. At ward 7C, the presiding officers refused to record the votes cast at the polling point in the presence of party agents as required by the INEC procedure. In fact, the aggregate of the report by the 406 election monitors deployed by the TMG in the state was that the presidential election witnessed the worst level of malpractice in the state since the commencement of the transition elections. This is particularly disappointing in view of the widespread publicity given to the malpractices which marred the immediately preceding election, as observed by both local and international monitors which ought to have resulted in increased vigilance on the part of INEC.

In Kano, malpractice occurred on all sides. While in Gaya LGA some voters were offering their votes for sale for as little as N 10.00, in other areas, such as Madobi, INEC officials and party agents connived in bribery and rigging.

Under aged voting remained a problem. At Queen Amina College polling station in Kakuri ward in Kaduna South LGA, over 50 under-aged students were registered and led to be accredited for voting by their teachers while dressed in their school uniforms! Six of them had actually voted when international monitors were sighted. At this, the students were herded back into the school, and brought out as soon as the international monitors left, to continue their attempt at under-aged voting.

Abia State witnessed heavy rigging, for example, a presiding officer inflated the number of accredited voters from 20 to 426 in readiness for thumb-printing ballot papers. Bribery was also observed.

Election malpractices in Ekiti State were particularly marked in areas where governorship aspirants or candidates appeared to have been anxious to "make a good showing". For example, at Ilejemeje, Ido Osi, Ekiti West, irepodun/Ifelodun and Ijero TMG monitors observed that as many as 600 voters were recorded as having voted within a period of 30-60 minutes, although only a handful of people had been actually seen at relevant polling stations waiting to vote.

**CONCLUSION**

From the foregoing narrative, it is clear that the presidential election recorded a far higher incidence of electoral malpractices than previous elections, and this is a matter for grave concern as it calls the legitimacy of the process into question. Particularly worrying is the role of some INEC officials in perpetrating these malpractices. These kinds of malpractices have the potential to erode the confidence of the electorate in the whole transition to civil rule process. It will be recalled that the TMG has consistently

## OBSERVING THE 1998-99 NIGERIA ELECTIONS

stressed the importance of INEC's attending to all the lapses and irregularities which had been observed, in order that all participants in the transition process would feel able to accept the outcome, as Nigeria has suffered greatly in the past from the inability of losing parties to accept that the integrity of the electoral process had been maintained. INEC carries a heavy responsibility in this regard.

**RECOMMENDATIONS****a. Incoming civilian government**

In view of the doubts which will inevitably be raised about the outcome of the electoral process as a result of the malpractices noted above, it is important for the incoming civilian government to appreciate and understand that the emphasis in the current process has been on transition to civilian rule, rather than the establishment of full-blown democracy in Nigeria. Any triumphalist insistence on a "winner-take-all" stance on the basis of a supposed democratic mandate must be avoided. The incoming civilian government must therefore begin to make determined and sustained efforts to cultivate democratic norms and values amongst its members, as well as in the society at large.

**b. INEC**

Although, as observed, INEC maintained a steady improvement in its performance, at least as regards logistic arrangements, the manner in which many of its officials colluded in electoral malpractices shows that a great deal remains to be done. It is indeed unfortunate that erring officials have hardly been brought to book, thereby giving the impression that a culture of impunity has been entrenched in the INEC. These issues must be addressed.

**c. Political parties**

It is important for political parties to imbibe the principles of democracy at all levels, particularly as regards their internal processes. The part played by money in the whole transition process does not augur well for democracy in Nigeria. It is to be hoped that party members will learn to win votes by the persuasiveness of their programs and policies, rather than by rigging, bribery and violence.

**d. Outgoing Federal Military Government**

The entire transition process has now been conducted without any constitutional framework whatsoever. The TMG therefore wishes to caution the Federal Military Government against attempting to place the emerging Nigerian civilian democratic process into any straitjacket, by imposing a Constitution on the nation. The TMG is of the firm view that as the Provisional ruling Council is unrepresentative and unelected, whatever constitutional arrangements it may resolve upon should at the most be strictly transitional.

**e. Pro-democracy groups**

Although the electorate is to be commended for its perseverance and determination to see the transition process through, many of the incidents observed by the TMG monitors make it clear that a great deal still remains to be done in the field of civic education, voter mobilization and empowerment, particularly by women's groups.

For: **Transition Monitoring group**

**Clement Nwankwo**  
**Chair, Coordinating Committee**

## OBSERVING THE 1998-99 NIGERIA ELECTIONS

## APPENDIX O

P

CHECKLIST - NIGERIAN PRESIDENTIAL ELECTION - FEBRUARY 1999  
ACCREDITATION PROCESS

(Prepared by the International Foundation for Election Systems, in consultation with UN-EAS)

TEAM NUMBER	<input type="text"/>	Arrival Time	<input type="text"/>
Name(s)	<input type="text"/>	Departure Time	<input type="text"/>
State	<input type="text"/>	LGA	<input type="text"/>
Ward	<input type="text"/>		
Polling Station	<input type="text"/>	Code	<input type="text"/>

<b>POLLING STATION STATISTICS</b>		Time sensitive material arrived	<input type="text"/>
Number of voters on register	<input type="text"/>	Time accreditation began	<input type="text"/> ended <input type="text"/>
Count the accredited on register	<input type="text"/>	Number waiting to be accredited	<input type="text"/>
Time to process each accred. voter	<input type="text"/>	Time voting began	<input type="text"/> ended <input type="text"/>
Percentage of women being accred.	<input type="text"/> %	Number waiting to vote	<input type="text"/>

<b>PEOPLE PRESENT</b> ✓ (Tick where people present. Note any comments they make about the process on reverse.)			
INEC Staff:	Presiding Officer <input type="checkbox"/>	Poll Orderly <input type="checkbox"/>	Poll Clerk <input type="checkbox"/>
Security Agents:	Police <input type="checkbox"/>	Army <input type="checkbox"/>	Other <input type="checkbox"/>
Party Agents:	AD <input type="checkbox"/>	APP <input type="checkbox"/>	PDP <input type="checkbox"/>
Observers:	Local accredited <input type="text"/>	International <input type="text"/>	Local unofficial <input type="text"/>
Representing	<input type="text"/>	<input type="text"/>	<input type="text"/>

<b>GENERAL OBSERVATIONS</b>		Yes	No
1. <b>Material:</b> Is all the required material present in sufficient quantities? (see checklist in manual)		<input type="checkbox"/>	<input type="checkbox"/>
2. <b>Voters Register:</b> Is it accurate, complete, a clean copy, and being correctly marked?		<input type="checkbox"/>	<input type="checkbox"/>
3. <b>Poll Officials Manual:</b> Is it present, being used, and its directions followed?		<input type="checkbox"/>	<input type="checkbox"/>
4. <b>Election Forms:</b> Are these being completed accurately and at the correct time?		<input type="checkbox"/>	<input type="checkbox"/>
5. <b>Conduct:</b> Are all officials, Party Agents, voters, Security Agents conducting themselves correctly?		<input type="checkbox"/>	<input type="checkbox"/>
6. <b>Opening:</b> At what time did the polling station open for accreditation?	<input type="text"/>		
7. <b>Polling Station Management:</b> Is layout correct, queues orderly, and are voters efficiently processed?		<input type="checkbox"/>	<input type="checkbox"/>
8. <b>Processing:</b> Are voters register and voter's cards checked and marked correctly?		<input type="checkbox"/>	<input type="checkbox"/>
9. <b>Integrity of Processing</b>			
(a) Are any voters being refused accreditation?		<input type="checkbox"/>	<input type="checkbox"/>
If Yes, how many <input type="text"/> and why <input type="text"/>			
(b) Are any voters apparently ineligible to vote being granted accreditation?		<input type="checkbox"/>	<input type="checkbox"/>
If Yes, how many <input type="text"/> and what irregularities were apparent? (describe on reverse)			
10. <b>Confinement:</b> Are voters staying at the polling station after being accredited?		<input type="checkbox"/>	<input type="checkbox"/>
11. <b>Polling Station Evaluation</b> (tick applicable)			
	Party Agents' View	Observer Team's View	
Polling Station functioning correctly	<input type="checkbox"/>	<input type="checkbox"/>	
Minor irregularities not significant to result	<input type="checkbox"/>	<input type="checkbox"/>	
Serious problems, could affect result	<input type="checkbox"/>	<input type="checkbox"/>	

Where problems are indicated give a brief description on reverse of this sheet.

## OBSERVING THE 1998-99 NIGERIA ELECTIONS

P

## CHECKLIST- NIGERIAN PRESIDENTIAL ELECTION - FEBRUARY 1999

## VOTING PROCESS

(Prepared by the International Foundation for Election Systems, in consultation with UN-EAS)

TEAM NUMBER	<input type="text"/>	Arrival Time	<input type="text"/>
Name(s)	<input type="text"/>	Departure Time	<input type="text"/>
State	<input type="text"/>	LGA	<input type="text"/>
Ward	<input type="text"/>		
Polling Station	<input type="text"/>	Code	<input type="text"/>

## POLLING STATION STATISTICS

Number of voters on register	<input type="text"/>	Time sensitive material arrived	<input type="text"/>
Count the accredited on register	<input type="text"/>	Time accreditation began	<input type="text"/>
Time to process each accred. voter	<input type="text"/>	ended	<input type="text"/>
Percentage of women voting	<input type="text"/> %	Number waiting to be accredited	<input type="text"/>
		Time voting began	<input type="text"/>
		ended	<input type="text"/>
		Number waiting to vote	<input type="text"/>

## PEOPLE PRESENT

(Tick where people present. Note any comments they make about the process on reverse.)

INEC Staff:	Presiding Officer	<input type="checkbox"/>	Poll Orderly	<input type="checkbox"/>	Poll Clerk	<input type="checkbox"/>
Security Agents:	Police	<input type="checkbox"/>	Army	<input type="checkbox"/>	Other	<input type="checkbox"/>
Party Agents:	AD	<input type="checkbox"/>	APP	<input type="checkbox"/>	PDP	<input type="checkbox"/>
Observers:	Local accredited	<input type="checkbox"/>	International	<input type="checkbox"/>	Local unofficial	<input type="checkbox"/>
Representing	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

## GENERAL OBSERVATIONS

	Yes	No
12. <b>Material:</b> Is all the required material present in sufficient quantities? (see checklist in manual)	<input type="checkbox"/>	<input type="checkbox"/>
13. <b>Poll Officials Manual:</b> Is it present, being used, and its directions followed?	<input type="checkbox"/>	<input type="checkbox"/>
14. <b>Election Forms:</b> Are these being completed accurately and at the correct time?	<input type="checkbox"/>	<input type="checkbox"/>
15. <b>Conduct:</b> Are all officials, Party Agents, voters, Security Agents conducting themselves correctly?	<input type="checkbox"/>	<input type="checkbox"/>
16. <b>Voting Information:</b> Did the Presiding Officer fully inform voters about voting processes?	<input type="checkbox"/>	<input type="checkbox"/>
17. <b>Polling Station Management:</b> Is layout correct, queues orderly, and are voters efficiently processed?	<input type="checkbox"/>	<input type="checkbox"/>
18. <b>Access:</b> Is access to the polling station area (i.e. queues) properly controlled after voting commences?	<input type="checkbox"/>	<input type="checkbox"/>
19. <b>Processing:</b> Are ballots being issued (stamped, signed, folded) correctly to properly accredited voters?	<input type="checkbox"/>	<input type="checkbox"/>
20. <b>Indelible Ink:</b> Is the indelible ink used correctly on all voters?	<input type="checkbox"/>	<input type="checkbox"/>
21. <b>Secrecy:</b> Is a polling booth or private space provided with access to it controlled?	<input type="checkbox"/>	<input type="checkbox"/>
22. <b>Ballot Paper Fold:</b> Are ballot papers being folded after being marked to preserve secrecy?	<input type="checkbox"/>	<input type="checkbox"/>
23. <b>Security:</b> Is there secure control over the ballot papers and the ballot box?	<input type="checkbox"/>	<input type="checkbox"/>
24. <b>Assistance:</b> Is assistance being provided to disabled voters?	<input type="checkbox"/>	<input type="checkbox"/>
25. <b>Irregularities:</b> Were any voting irregularities detected?	<input type="checkbox"/>	<input type="checkbox"/>
If Yes, how many <input type="text"/> (describe on reverse)		
26. <b>Polling Station Evaluation</b> (tick applicable)		
	Party Agents' View	Observer Team's View
Polling Station functioning correctly	<input type="checkbox"/>	<input type="checkbox"/>
Minor irregularities not significant to result	<input type="checkbox"/>	<input type="checkbox"/>
Serious problems, could affect result	<input type="checkbox"/>	<input type="checkbox"/>

Where problems are indicated give a brief description on reverse of this sheet.

## OBSERVING THE 1998-99 NIGERIA ELECTIONS

P

CHECKLIST - NIGERIAN PRESIDENTIAL ELECTION - FEBRUARY 1999  
COUNTING PROCESS

(Prepared by the International Foundation for Election Systems in consultation with UNLEADS)

TEAM NUMBER		Arrival Time	
Name(s)		Departure Time	
State		LGA	
Ward			
Polling Station		Code	

PEOPLE PRESENT ☒ (Tick where people present. Note any comments they make about the process on reverse.)

INEC Staff:	Presiding Officer	<input type="checkbox"/>	Poll Orderly	<input type="checkbox"/>	Poll Clerk	<input type="checkbox"/>
Security Agents:	Police	<input type="checkbox"/>	Army	<input type="checkbox"/>	Other	<input type="checkbox"/>
Party Agents:	AD	<input type="checkbox"/>	APP	<input type="checkbox"/>	PDP	<input type="checkbox"/>
Observers:	Local accredited		International		Local unofficial	
Representing						

## GENERAL OBSERVATIONS

	Yes	No
27. <b>Material:</b> Is all the required material present in sufficient quantities? (see checklist in manual)	<input type="checkbox"/>	<input type="checkbox"/>
28. <b>Poll Officials Manual:</b> Is it present, being used, and its directions followed?	<input type="checkbox"/>	<input type="checkbox"/>
29. <b>Election Forms:</b> Are these being completed accurately and at the correct time?	<input type="checkbox"/>	<input type="checkbox"/>
30. <b>Conduct:</b> Are all officials, Party Agents, voters, Security Agents conducting themselves correctly?	<input type="checkbox"/>	<input type="checkbox"/>
31. <b>Count Management:</b> Is the Presiding Officer managing the count correctly and effectively?	<input type="checkbox"/>	<input type="checkbox"/>
32. <b>Ballot Validity:</b> Are ballots being correctly assessed as to validity?	<input type="checkbox"/>	<input type="checkbox"/>
33. <b>Accuracy:</b> Is the count completed accurately and transparently?	<input type="checkbox"/>	<input type="checkbox"/>
34. <b>Reconciliation:</b> Is reconciliation of voters accredited, ballots issued and counted correctly done?	<input type="checkbox"/>	<input type="checkbox"/>
35. <b>Packaging of Materials:</b> Are materials correctly packaged and dispatched after the count?	<input type="checkbox"/>	<input type="checkbox"/>
36. <b>Party Agents:</b> Do Party Agents sign and take a copy of completed results sheets?	<input type="checkbox"/>	<input type="checkbox"/>
37. <b>Polling Station Evaluation:</b> (tick applicable)		
Count functioning correctly	<input type="checkbox"/>	<input type="checkbox"/>
Minor irregularities not significant to result	<input type="checkbox"/>	<input type="checkbox"/>
Serious problems, could affect result	<input type="checkbox"/>	<input type="checkbox"/>

## POLLING STATION STATISTICS (complete as appropriate)

Serial Nos used Pres ballots		Serial Nos unused Pres ballots	
Serial Nos used Pres ballots		Serial Nos unused Pres ballots	
Voters on register		Time count began/ended	
Accredited as per count		Claimed accredited (if different)	

Party	PS Ref President	PS Ref President	PS Ref President	PS Ref President	PS Ref President
AD					
APP					
PDP					
Total Votes Scored					
Invalid					
Total Cast					
On Register					
Accredited					

Where problems are indicated give a brief description on reverse of this sheet.

## OBSERVING THE 1998-99 NIGERIA ELECTIONS

## APPENDIX P

© 1999, *The Washington Post*. Reprinted with permission.**Washington Post**  
**Tuesday, March 2**

# Nigeria Confirms Vote Result

## *Loser Cites Fraud, Calls for Protests*

*By JAMES RUPERT*  
*Washington Post Foreign Service*

LAGOS, Nigeria, March 1—Nigeria's election commission declared today that former military ruler Olusegun Obasanjo won Saturday's presidential election, but Obasanjo's opponent called for protests against what he said was a fraudulent result.

In Abuja, the capital, Nigeria's election commission chairman, retired Supreme Court judge Ephraim Akpata, declared Obasanjo elected with nearly 19 million votes, or 63 percent of all ballots cast. His opponent, Olu Falae, received 11 million votes, or 37 percent. Under rules laid down by Nigeria's military government, Obasanjo will be sworn in on May 29 as the first civilian president in more than 15 years.

Former U.S. president Jimmy Carter, who is in Nigeria as part of an observer delegation from the Carter Center and the National Democratic Institute for International Affairs, said irregularities had clouded the outcome of the voting, and Falae's supporters seized on the statement as evidence for their case.

Falae, a former finance minister, asked his voters "to show their dissatisfaction by protesting" with "political action, yes, protest, yes, but not violence." Vote fraud was "so monumental as to make nonsense of the entire process," he told the Associated Press.

Obasanjo, who led a military government for four years before handing power to civilians in 1979, said voting irregularities had been committed by "ignorant" people. But he called on his opponents to accept the result and "join hands with all of us, because at this point in time that is what we need."

In a letter to the election commission, Carter noted that, in some states, many more votes were recorded than there were voters observed at the polls. "Regrettably, therefore, it is not possible for us to make an accurate judgment about the outcome of the presidential election," he said.



BY CORAHE DUFRA—REUTERS

**Obasanjo reads Falae's statement  
refusing to accept election results.**

The election's credibility carries high political stakes. After military rule that has left Nigeria, Africa's most populous country with more than 100 million people, in a shambles, an election perceived as fair would ease the return to civilian rule. That, say democracy advocates, would be the single greatest advance for democracy on this continent since the end of apartheid in South Africa in 1994.

With only 13 weeks before the military is due to hand power to the winner of Saturday's vote, "God knows, no one wants to see this fail," a foreign diplomat said.

Blatant fraud was evident Saturday, as journalists, diplomats and election monitors reported that local officials stuffed ballot boxes on behalf of one candidate or the other. While no monitoring organization echoed Falae's contention that Obasanjo's victory was clearly fraudulent, they differed on its certainty.

The European Union's observer mission expressed "serious concern" over the fraud but said, "We judge that the result of the election ... reflects the wishes of the Nigerian people." The Transition Monitoring Group, a coalition of Nigerian pro-democracy organizations that fielded 10,000 election observers, said fraud had been committed by both sides and "it is difficult to say the extent to which the efforts of [the] two parties canceled each other."

The Clinton administration withheld judgment on the credibility of Obasanjo's victory. In Washington, National Security Council spokesman David Leavy said "any allegations of vote irregularities should be looked into by the appropriate authorities." He underscored the importance of Nigeria's shift to civilian rule, saying that "a Nigeria that is democratic and protects human and civilian rights can be an anchor for the new Africa."

## OBSERVING THE 1998-99 NIGERIA ELECTIONS

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## NIGERIA'S FUTURE



## Can Obasanjo save Nigeria?

ABUJA

**The task facing Nigeria's new president is immense. Is he up to it?**

AS HE surveys the state of his country in the aftermath of his election victory on February 27th, President-elect Olusegun Obasanjo might be forgiven for thinking that what Nigeria needs is a sharp kick from a military boot. Yet, once a general himself, Mr Obasanjo of all people knows how years of military rule have corrupted and weakened his country. Can this crusty old warrior, who last ran the country—in uniform—in 1979, now drag Nigeria back from the brink of chaos?

For an ex-general, his political credentials are good. As military ruler in 1979, he nobly handed over to an elected civilian government. That government borrowed, stole and squandered until it was overthrown by the soldiers again four years later. Then the army, once seen as the only institution capable of running the country, turned instead to looting, and destroyed it. Nigeria's descent into chaos accelerated.

In the 20 years since Mr Obasanjo last held the reins of power, this vast, shambolic but energetic country of more than 100m people has seen its income per person slide from \$788 to \$679. Nigeria's currency, the naira, has gone from nearly \$2 then to little more than one cent now. Today's Nigeria has no constitution. Its economy, already plundered by high-level theft and corrup-

tion, will be further damaged by the continuing slide in the price of oil, the commodity that provides 98.9% of export earnings. More and more Nigerians now live in poverty, angry and demoralised. Can one man, however well-intentioned, make a difference?

Mr Obasanjo will be given no period of political grace, either before he takes office on May 29th or after. His defeated rival for the presidency, Olu Falae, a former finance minister, has already challenged the election result, claiming that voting was rigged and ballot boxes were stuffed. International monitors agree up to a point, but say that any rigging was done by the political parties, not by the government, and that anyway it was not on a big enough scale to affect the result.

With 7m more votes than Mr Falae, Mr Obasanjo has a comfortable-sounding margin. Yet he may still lack the clout to govern effectively in such a divided country. He won a clear majority in most central and northern states, yet did quite poorly in four south-western states (see map on next page). Both he and Mr Falae are Yorubas from the south-west, but Mr Obasanjo is distrusted there as a man co-opted by the north. In Lagos, Nigeria's commercial capital and the engine-room of what is left of

the non-oil economy, he won only 12%.

Perhaps the new president's greatest asset is that he comes to office after General Sani Abacha, the worst ruler Nigeria has ever had. Under pressure from international donors, Abacha had been planning a return to civilian rule, but his plan entailed all five officially sanctioned political parties proclaiming him their candidate for president. That prospect proved too much even for Nigeria's pliable political elite. It drove 18 northern leaders and another 16 from the south—known as the Group of 34—to join forces with a handful of democracy campaigners and oppose publicly the general's plan to "succeed himself". Last June, as they braced themselves for the general's wrath, Abacha died (whether from natural or unnatural causes is still not certain). Luckily for Nigeria, his relaxed and affable interim successor, General Abdulsalam Abubakar, did a prompt about-turn, released some political prisoners, and set in train the process that led to this week's flawed but free election.

Luckily for Mr Obasanjo, General Abubakar had already begun to restore relations with Nigeria's western donors and to persuade them to lift sanctions imposed in 1995, after the hanging of Ken Saro-Wiwa, a prominent minority activist. Negotiations began with the IMF and the general abolished the dual exchange rate that had allowed Abacha's cronies to buy cheap dollars. Until May 29th, when Mr Obasanjo takes over, the country will be run by a Provisional Ruling Council (PRC) of senior military officers.

Mr Obasanjo could use this time, first, to build a national coalition government, second, to work on his promised blueprint for Nigeria. Top of his agenda should be three issues: corruption, weaning the economy off its dependency on oil, and finding a more democratic federal system that spreads power and money more evenly through the country.

**For the chop**

Hardest of all, perhaps, will be to eradicate Nigeria's culture of theft. Take just one example. Nigeria is the world's eighth-largest oil producer, pumping about 2m barrels a day, yet for the past five years it has had a fuel shortage. The country's three refineries should provide Nigerians with oil, yet there is almost none. Queues of vehicles wait days at garages for a few litres. Why? Because Abacha found fuel import licences an effective source of patronage for his cronies, so he made sure that the refineries were not maintained and therefore that Ni-

## OBSERVING THE 1998-99 NIGERIA ELECTIONS

## NIGERIA'S FUTURE

geria had to import fuel. Much of it was then sold on the black market at twice the official price.

The fate of Mobutu's Zaire, where the state had withered away completely and the only system was corruption, now hangs over Nigeria. Some public servants still try to stay honest, but most, from bureaucrats to policemen and nurses, will not lift a finger without a bribe. Ordinary Nigerians are only mimicking their political masters. Corruption spreads from the top down. The Nigerian state does not command loyalty or service. It is regarded as a vast pie to be eaten—or "chopped" as Nigerians say—at every opportunity, especially by those who run it. Pat Utomi, director of the Lagos Business School, says: "Nigeria is the most privatised state in the world, only those who now own it did not pay for it."

Nigeria's public and private institutions—including foreign companies—are being eaten away by corruption. Roads, hospitals and schools disintegrate as funds for maintenance are pocketed. Daily power cuts in the cities force factories to close. Drug smuggling, money laundering and all sorts of frauds have made Nigeria synonymous with international crime. American drug officials speak almost in awe of the inventiveness and audacity of Nigerian crime syndicates.

The injection of petrodollars has meant that Nigeria's governments, particularly its military governments, have not been accountable to the people. They have relied on foreign oil companies and the army, rather than votes or taxes, to keep them in power. Local leaders, emirs, kings or chiefs could always be bought. It is a system most Nigerians seem to accept with a shrug.

If Mr Obasanjo wants to change this, he will also have to start at the top. But that means taking on some of the ex-military men who bankrolled his campaign. Here he could join forces with General Abubakar. Early on in his interim administration, the outgoing general trumpeted the discovery of \$800m, stolen by Abacha. The Abacha family finances were to be investigated. But then silence. Diplomats say that the stolen money has been distributed to members of the PRC, as their final pay-off before leaving office.

Chances are, the first demands on Mr Obasanjo will come from campaign backers, who will now want to recoup their outlay through government contracts and concessions. Some of Nigeria's richest men,

many of them former generals, hope that because they backed their former comrade-in arms, they will now be spared any probe into their fortunes. But Mr Obasanjo has promised an investigation into corruption. That would help win over some of his opponents in the south-west. Forcing a few prominent generals to turn out their pockets would make him the most popular man in Nigeria. Lebanon, Britain and Switzerland, where much of the stolen money lies, have indicated they would be willing to freeze bank accounts of those accused. The money recovered could be spent on the roads, hospitals and schools it was meant for. It would be a start, at least.

The economy, meanwhile, is in a critical state. Oil, or rather the misuse of oil money, has been the downfall of Nigeria.

\$15.2 billion. After debt repayments and investment in oil, there will be little left for the government to pay its army of public servants, let alone the country's twitchy soldiers. Forget about new roads or school books or medicine. The budget gap will widen if the oil price falls further. And with billions in unserviced debts, Nigeria cannot borrow more to fill the hole.

In January General Abubakar reached a tentative agreement with the IMF. Its staff will monitor basic economic policy until June, when they will negotiate an economic reform programme for Nigeria. Once the IMF is satisfied that Nigeria is on track, the country will be able to renegotiate its debt (the amount is disputed: \$28 billion, says the Fund, \$31 billion, says the World Bank, \$26 billion, says Nigeria). In

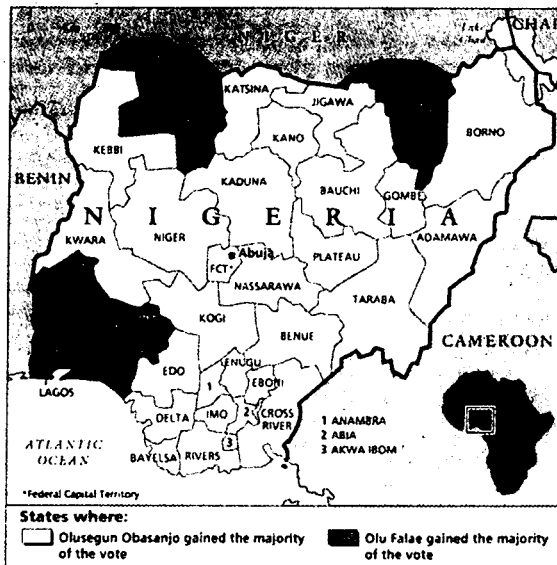
the meantime the Bank, which has had minimal contact with Nigeria since 1993, is trying to arrange a meeting of western donor countries to provide support for the new government in its first difficult year. The meeting, however, will not take place until next month at the earliest.

In the short term, the new government will probably be blamed for doing little or nothing to make life easier for the people. Yet, if it can survive this recession, Nigeria may find some harsh benefit in a lower oil price. Its future political and economic stability depends in large part on ending the dependency culture oil has created. The government needs to learn to collect taxes, for proper social spending, and Nigerians need to find more productive livelihoods. Like many a bust econ-

omy, Nigeria has talent, energy and creativity in abundance. Mr Utomi estimates that unrecorded economic activity, from metal bashing to bun selling in the streets, already produces double the output of the more formal non-oil part of the economy. The difficulty is to harness such entrepreneurship to make things Nigeria can export, alongside its oil.

Following the example of others with empty coffers, Nigeria has already begun to prepare its decrepit national power supply and telecoms for privatisation. Any benefit, however, will be long in coming. A more dramatic sell-off would be the oil industry. Were the government to sell its majority share, it would be relieved of the yearly burden of "cash calls", the millions of dollars needed for its share in continuing exploration costs.

But selling at this time would bring in less than the government might wish. And



After the price leap in the 1970s, Nigerians abandoned almost all other economic activity in the mad scramble for a sop of oil wealth. The professional middle classes devoted themselves to getting government contracts and licences to import goods, while the oil-driven, high-valued naira destroyed Nigeria's traditional agricultural exports of cocoa, cotton and groundnuts. Millions of small farmers were quickly impoverished.

#### Running on empty

Now the state's coffers are empty, just when some extra spending might give the new government a breathing-space and a chance to appease angry losers. The arithmetic is horribly simple. The economy is expected to shrink by more than 1% this year. If the oil price drops to \$11 a barrel, Nigeria will receive only \$7.3 billion from its oil exports this year. In 1997, oil revenue was



## OBSERVING THE 1998-99 NIGERIA ELECTIONS

## NIGERIA'S FUTURE

privatisation is still politically unpopular in Nigeria. Some see it as selling off the family silver. Others fear that all the most valuable companies will be bought up for a song by the corrupt generals who milked and ruined them in the first place. To the outside world, however, such sales, managed tolerably decently, would at least be a sign that Nigeria now understood its salvation no longer lies with oil and the political corruption the business has spawned.

**Split and fractured**

Oil, however, has not only cursed Nigeria's economy. By making people believe they should be rich, it has also blighted politics, especially among those who live over it. The people of the Niger Delta have watched billions of dollars flow out from their soil as they have grown poorer. Now they are angry. The delta is home to some 8m people, split into thousands of small communities divided by language and ethnicity. The government's policy in the past, followed to some extent by the oil companies, was to play one group off against another. That has merely exacerbated rivalries: small wars have broken out in some areas.

Young militants have started to attack oil installations, kidnap oil workers and damage pipelines to demand compensation for oil spills. Some radical groups campaigning against the oil companies are demanding "control of resources and self-determination". This sounds like a call to break away from Nigeria, but the radicals say they will settle for direct negotiations with the oil companies for a slice of their income. Last year such agitation managed to halve Nigeria's on-shore production for several months.

The oil companies are chary of anything that suggests the oil belongs to anyone except the Nigerian government. However, Royal Dutch/Shell, the main onshore

operator and chief victim of the disruption, is trying to head off local anger by spending some \$40m on "community relations" this year, spread across the 1,500 communities in Shell's operational area. This sum does not include the millions more spent on compensation and ransom. Yet the rivalry between and within local groups is now so bad that Shell's well-intentioned efforts, building roads and schools, may only exacerbate jealousies and rivalries between villages, rather than pacify the delta region. For now, the fighting is done with old guns, bows and arrows. But these conflicts could yet turn the area into another Sierra Leone or Liberia.

Only Nigeria's government can stop this. General Abubakar, having withdrawn some soldiers from the region, has been trying to keep the temperature down by talking. Mr Obasanjo's new government, when it takes office, may be forced to look again not only at the land law, which designates all minerals as government property, but also the amount of revenue given back to the oil regions from central funds. The figure was once 15%, but has fallen to 3% under successive military governments. Almost none anyway reaches the ordinary people of the delta, who have become some of the poorest in Africa.

The delta crisis is also forcing a rethink of Nigeria's federal structure. Under military rule, the number of states was increased from 19 to 36, so that senior officers could be given jobs as governors and the opportunity to "chop". Real power however remained firmly at the centre. A consensus is now emerging, at least in the south, that Nigeria should be allowed to develop as six regions: north-east, north-west, middle belt, south-west, south-east and the delta, called south-south. Mr Obasanjo could transfer funds and power to these regions and allow the present states to be-

come provinces within them, with local government functions.

Will the new president be allowed to go beyond thinking about it? Election fraud and a loser crying foul are classic excuses in Nigeria for military intervention. This time, however, the soldiers are unlikely to try to step in immediately. They know that Abacha—and their own greedy behaviour—have made them too unpopular. Meanwhile, senior officers still provide the governors of the states and the bosses of the country's big companies—positions that have made them extremely rich. With luck, that means that most senior officers will be content to retire from their posts in government after May 29th.

**Rank insiders?**

The bigger danger will come from the second rank: colonels and brigadiers who have patiently lived on measly army pay, waiting for their turn at the trough. Many of them were promoted for loyalty to Abacha, rather than skill. They will feel slighted if Mr Obasanjo now passes them over to appoint his own men to top army posts. Another threat could come from junior officers, inspired by idealism rather than money, who want to purge the country of corruption by a violent revolutionary coup.

There have been coup attempts along these lines in Nigeria before, but none has succeeded because of the sheer size of the army and because its senior officers are too numerous and powerful. These days, however, a large part of Nigeria's 80,000-strong army is serving in the West African peace-keeping force in Sierra Leone—and suffering hundreds of casualties. This makes junior officers, who have borne the brunt of the fighting in a small country they care little about, even more dissatisfied. There have been reports of desertions and of troops refusing to be sent to Sierra Leone. Mr Obasanjo has said he will review the commitment to Sierra Leone. A strong internationalist, he is unlikely to pull the troops out willingly, but pressure from within the army may force his hand. Then how would the army spend its days?

In an attempt to head off any brewing discontent, Mr Obasanjo needs to work closely over the next few months and beyond with General Abubakar, making sure that he does not alienate the army completely, even as he seeks to restructure it and implement economic reforms to rescue the country from the army's own past excesses. He also needs a vision for Nigeria and a plan to bring it about. He revealed little of either during the election campaign. As for those army officers who stand to lose some of the perks they have grown rich on, many are confident that the civilians will mess things up again—and, sooner or later, they will be back in charge.



Awaiting a new burst of energy

## OBSERVING THE 1998-99 NIGERIA ELECTIONS

NATIONAL DEMOCRATIC INSTITUTE  
FOR INTERNATIONAL AFFAIRS

**T**he National Democratic Institute for International Affairs (NDI) is a nonprofit organization working to strengthen and expand democracy worldwide. Calling on a global network of volunteer experts, NDI provides practical assistance to civic and political leaders advancing democratic values, practices, and institutions. NDI works with democrats in every region of the world to build political and civic organizations, safeguard elections, and promote citizen participation, openness, and accountability in government.

Democracy depends on legislatures that represent citizens and oversee the executive, independent judiciaries that safeguard the rule of law, political parties that are open and accountable, and elections in which voters freely choose their representatives in government. Acting as a catalyst for democratic development, NDI bolsters the institutions and processes that allow democracy to flourish.

**Build Political and Civic Organizations:** NDI helps build the stable, broad-based, and well-organized institutions that form the foundation of a strong civic culture. Democracy depends on these mediating institutions — the voice of an informed citizenry, which link citizens to their government and one another by providing avenues for participation in public policy.

**Safeguard Elections:** NDI promotes open and democratic elections. Political parties and governments have asked NDI to study electoral codes and recommend improvements. The Institute also provides technical assistance for political parties and civic groups to conduct voter education campaigns and organize election monitoring programs. NDI is a world leader in election monitoring, having organized international delegations to monitor elections in dozens of countries, helping to ensure that polling results reflect the will of the people.

**Promote Openness and Accountability:** NDI responds to requests from leaders of government, parliament, political parties, and civic groups seeking advice on matters from legislative procedures to constituent service to the balance of civil-military relations in a democracy. NDI works to build legislatures and local governments that are professional, accountable, open, and responsive to their citizens.

International cooperation is key to promoting democracy effectively and efficiently. It also conveys a deeper message to new and emerging democracies that while autocracies are inherently isolated and fearful of the outside world, democracies can count on international allies and an active support system. Headquartered in Washington, D.C., with field offices in every region of the world, NDI complements the skills of its staff by enlisting volunteer experts from around the world, many of whom are veterans of democratic struggles in their own countries and share valuable perspectives on democratic development.

## OBSERVING THE 1998-99 NIGERIA ELECTIONS

## ABOUT THE CARTER CENTER

The Carter Center strives to relieve suffering by advancing peace and health worldwide. With a fundamental commitment to human rights, the Center is guided by the principle that people, with the necessary skills, knowledge, and access to resources, can improve their own lives and the lives of others.

Founded in 1982 by Jimmy and Rosalynn Carter in partnership with Emory University, the nonprofit Center works to prevent and resolve conflicts, enhance freedom and democracy, and improve health. The Center collaborates with other organizations, public or private, in carrying out its mission. In this way, the Center has touched the lives of people in more than 65 countries.

Charitable contributions from individuals, foundations, corporations, and other donors support the Center's activities. Programs are directed by resident experts or fellows. They design

pavilions house offices for the former president and first lady and most of the Center's program staff. The complex includes the Ivan Allen III Pavilion and the nondenominational Cecil B. Day Chapel, other conference facilities, and administrative offices. Adjoining the Center is The Jimmy Carter Library and Museum, a repository for the records of the Carter administration. It is operated by the National Archives and Records Administration of the federal government and open to the public. The Center and the Library and Museum

are known collectively as The Carter Presidential Center.

More information about The Carter Center is available on the World Wide Web at [www.cartercenter.org](http://www.cartercenter.org). ■

PAUL DINGMAN



*The Carter Center is located in a 35-acre park, two miles east of downtown Atlanta.*

and implement activities in cooperation with President and Mrs. Carter, networks of world leaders, and partners in the United States and abroad.

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