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Victor Agbogun  
Project Manager

## Statement on the Cross River Gubernatorial Election – Held 25 February 2012

Delivered at Sheraton Hotel, Abuja on 27 Feb 2012

### Summary

Ladies and gentlemen of the press, on behalf of the National Steering Committee (NSC) of Project Swift Count, it is our pleasure to welcome you to this press conference to report on our observation findings for the February 25, 2012, Cross River gubernatorial election.

As you already know, Project Swift Count is jointly carried out by the Federation of Muslim Women's Associations in Nigeria (FOMWAN), Justice Development and Peace/Caritas (JDPC), the Nigerian Bar Association (NBA) and Transition Monitoring Group (TMG). Thus reflecting the rich diversity of Nigeria, it brings together Christians and Muslims, as well as organizations with citizen election observation and legal expertise.

For the Cross River gubernatorial election, Project Swift Count deployed 628 observers across all 18 Local Government Areas (LGAs) — 600 stationary observers at 300 polling units and 28 mobile observers.

The polling units to which stationary observers were deployed were carefully selected as a random, representative sample of all 2,283 polling units

across Cross River; therefore, PSC is able to conclude, with 95% certainty, that its qualitative observations about the electoral process and its quantitative estimates of the election results reflect the process and results from all 2,283 polling units in Cross River, not merely at the polling units observed.

Our findings today address the processes of accreditation of voters, the voting and counting at polling units, and the verification of the Cross River gubernatorial election results as announced by the Independent National Election Commission (INEC).

Project Swift Count finds generally that the process provided most of the people of Cross River with a meaningful opportunity to exercise their right to vote and that the official results as announced by INEC accurately reflect the ballots cast at polling units.

The problem of late arrival of polling staff and materials was a significantly greater problem in Cross River than for the other recent gubernatorial elections, reversing improvements from Sokoto. Another significant concern was that no polling units in the Bakassi LGA conducted an election due to the on-going issue of sovereignty and citizenship that has impeded electoral participation in Bakassi. These concerns, however, did not occur at levels and rates that would substantially undermine the overall credibility of the process or of the results announced by INEC.

Project Swift Count again encourages INEC to address the logistical challenges relating to late arrival of election officials and materials for the upcoming gubernatorial elections to be held in Kebbi and Edo States.

## **Methodology**

The primary objective of Project Swift Count is to help promote free, fair, peaceful, credible, and legitimate elections in Nigeria

that are conducted in accordance with international and regional standards as well as the laws and the constitution of our country and the “Declaration of Global Principles for Nonpartisan Election Observation and Monitoring by Citizen Organisations”.

The Swift Count methodology provides voters, political contestants and electoral authorities with an accurate, real-time picture of the conduct of the accreditation of voters, voting, and counting. This serves as a deterrent to anyone tempted to manipulate the process. Project Swift Count also provides voters and political contestants greater confidence that the official results accurately reflect the ballots cast.

Project Swift Count uses samples of polling units for each election that have been carefully selected by trained Nigerian statisticians, using time-tested statistical principles to ensure that they are both representative and unbiased. This methodology, when matched with the latest technology—text messages transmitted by cell phones to a central data base—enables Project Swift Count to present an objective, nonpartisan, real-time picture of the conduct of the election and to verify the accuracy of the official results.

As PSC has noted previously, INEC did not make available to PSC the voter register for individual polling units for Bayelsa or Sokoto, nor has it done so for Cross River. Instead, PSC can only obtain the number of persons registered to vote at the polling units as it is announced by the electoral officers at each polling unit. Because the percentage of voter turnout is calculated by dividing the number of voters casting ballots at a polling unit by the total number of persons eligible to vote at that polling unit, PSC cannot reliably and independently verify the voter turnout percentage without having access to the official voter registers for the polling units. PSC renews its call to INEC to release the voter register lists for individual polling units to improve transparency in the electoral process.

## Findings

### Opening of Polling Units

INEC continues to suffer logistical challenges, as evidenced by the delayed deployment of polling officials and election materials to some polling units.

- As of 7:30 am, at 81% of the polling units across Cross River, polling officials and election materials had **not yet** arrived at the polling unit. This is a marked decline from Sokoto (57%) and even Bayelsa (68%).
- 3% of polling units failed to open altogether, all of which occurred in Bakassi, where every polling station failed to open due to the issues over sovereignty and citizenship that continue to impair electoral participation. For Sokoto, every polling unit opened, while in Bayelsa, 9% of polling units never opened at all.

### Accreditation of Voters

- Accreditation of voters had started by 9:00 a.m. at only 35% of polling units by 9:00 am, with 91% by noon. For Sokoto 73% of polling units were reported open by 9:00 a.m., while Bayelsa had 32%.
- Across all polling units, there were on average 2 polling officials and 2 political party polling agents present at polling units.
- There were security personnel at 96% of the polling units.
- At 88% of polling units, no one was accredited to vote who did not have a voter's card, while at an additional 11% of polling units, only a few people were accredited who did not have voter's card.
- At 95% of polling units, none or only a few voters were turned away because their name was not found on the register of voters.

- Voters' names were ticked in the register of voters at 95% of all polling units, and voters had their cuticles marked with indelible ink at 98% of polling units.

Of concern during accreditation of voters:

- Everyone or nearly everyone remained at their assigned polling unit after being accredited at 69% of polling units; however, at 29% of the polling units, most people left their assigned polling unit after being accredited. This problem was most acute in Calabar Municipal, Calabar South, Abi, Etung, and Odukpani LGAs.
- There were incidents of harassment or intimidation at 6% of polling units during the accreditation process—with this problem most frequent in Akamkpa, Obanliku, Odukpani, and Yala LGAs.

## Voting

- Voting had commenced by 2:00 pm at 91% of polling units.
- At 99% of polling units, the ballot box was shown to be empty before being closed and locked.
- At 93% of polling units, voters were able to mark their ballots in secret.
- All voters showed voters cards and had indelible ink on the cuticle of a left finger when voting at 93% of polling units;
- All voters' names were checked in the register of voters at 95% of voting units;
- At 99% of polling units, all ballot papers were stamped and signed;
- All voters' cuticles on a right finger were marked with indelible ink at 94% of polling units.

Of concern during voting:

- In Cross River, 19% of polling stations accredited new voters after voting had started. This problem was worst in Obanliku (50%) and Yala (39%) LGAs. By comparison,

Sokoto permitted accreditation of new voters during voting at 10% of polling units, with Bayelsa at 16%, and 5% during the general elections.

- Incidents of harassment or intimidation during the voting process occurred at 6% of the polling units. This problem was more prevalent in Yala (22%), Akamkpa (15%), Etung (11%), Calabar Municipal (11%), and Obanliku (10%) LGAs

## Counting

- Ballot papers were properly sorted and counted at 99% of polling units.
- At 96% of polling units, the official results were publicly posted, and these posted results matched the announced results at 98% of the polling units.

Of concern during counting:

- At 6% of polling units, some political party agents present disagreed with the results as announced by the polling officials. This issue was most problematic in Bekwarra (18%), Akamkpa (15%), and Obudu (13%) LGAs. This is compared with 12% in Sokoto and 6% in Bayelsa. While this is of concern, it did not substantially affect the outcome of the election, given the large margin of victory in the election.
- Acts of intimidation during the counting process occurred at 4% of the polling units, with the problem most severe in Ogoja (14%), Akpabuyo (12%), Akamkpa (11%), and Etung (11%) LGAs.

## Turnout and Rejected Ballots

The estimated turnout for the Cross River Gubernatorial election is 37.0%, with a margin of error of 4.0%. This is within the margin of error when compared to the official voter turnout of 39.2% as announced INEC. Turnout for Cross River was

similar to the estimated turnouts for Sokoto (29.9%), Adamawa (37.5%) and Kogi (35.1%). The Bayelsa turnout (71.4%) stands in sharp contrast, which PSC found not to be a credible figure.

Rejected ballots (meaning those for which the voter's intent could not be clearly determined and hence were not counted) were only (2.0%). This represents a substantial improvement over Sokoto (6.4%).

## Verification of Official Results

Using a random, representative sample that included reports from 300 polling units, the results estimated by Project Swift Count are consistent with the results announced by INEC. Our observers collected official results as they were announced and posted at the polling unit by INEC.

<b>Table 1: Project Swift Count Cross River Gubernatorial Election*</b>				
<b>Political Party</b>	<b>PSC Estimates (%)</b>	<b>Margin of Error (at 95% level of confidence)</b>	<b>PSC Estimated Range (%)</b>	<b>INEC Announced Results (%)</b>
ACN	6.6%	1.4%	5.2% – 8.0%	6.19%
PDP	89.9%	1.5%	88.4% – 91.4%	90.11%
Remaining 10 parties	1.5%	0.5%	1.0% – 2.0%	1.47%
Rejected Ballots	2.0%	0.5%	1.5% - 2.5%	2.23%

\*Results as announced by INEC on its website on February 26, 2012.

The order and magnitude of the INEC results for each of these parties is the same as the Swift Count estimates. Because Project Swift Count was able to independently collect official results from polling units and arrive at the same results as INEC, political contestants and the public alike should have a high degree of confidence that the official results as announced

by INEC reflect the votes cast in the Cross River gubernatorial election.

## **Critical Incidents**

Critical incidents are electoral irregularities, whether intentional or inadvertent, that could undermine the integrity of the overall process if they were to occur at significant levels and rates. For the 628 observers, only 41 critical incident reports were received.

The most frequently reported incidents were:

- accreditation of voters after voting has commenced
- late arrival of election materials
- intimidation and harassment
- vote buying
- illegal voting
- simultaneous voting and accreditation
- partisan polling officials

The less frequently reported incidents included:

- campaigning and campaign materials in or near polling units
- underage voting
- partisan security personnel
- shortage of election materials
- stealing of ballot papers
- suspension of voting
- ballot box stuffing/snatching

While these incidents are serious and must be addressed by INEC, they did not occur at levels and rates that would substantially undermine the integrity of the overall electoral process or the results of the Cross River gubernatorial election held 25 February 2012, due to the large margin between the contestants.



## Recommendations

- Only 19% of the polling units were opened on time, which is substantially worse than for Sokoto (43%), Bayelsa (34%), Adamawa (38%), and the 2011 general elections (42%). INEC must address this issue for upcoming gubernatorial elections in Kebbi and Edo States.
- Voter turnout was estimated at 37.0%. This is compared to the turnout rates for Kogi (35.1%), Adamawa (37.5%), and Sokoto (29.9%). Bayelsa remains the aberration at 71.4%, which PSC noted was not a credible figure. Low voter turnout remains an impediment to deepening the democratic process in Nigeria. INEC should ensure the voters register accurately reflects the number of voters registered for each polling unit to ensure accurate turnout figures, and more efforts should be made by INEC, political parties, and civil society organizations to educate voters on the importance of participating in the electoral process.
- Intimidation and harassment of voters and polling officials have been a significant concern in these gubernatorial elections; however, in Cross River, incidents of intimidation and harassment were considerably less than for the other elections. Of interest, there were four LGAs that reported both an absence of security personnel and incidents of intimidation and harassment (Yakuur, Boki, Yala, Odukpani). This underscores the importance of having security personnel present at polling units to prevent intimidation and harassment.
- People leaving the polling unit after they have been accredited remains a significant problem. In Cross River, 69% of the polling units reported none or only a few people left after being accredited; however, at 31% of the polling units, more than half of the people left after accreditation.

Allowing people to leave the polling unit after accreditation opens the possibility of multiple voting, and INEC should address this concern for the upcoming elections in Kebbi and Edo States.

- It was anecdotally observed that the voters' names in the register were not in any order, neither alphabetically nor numerically. INEC should ensure some form of order to achieve efficiency and reduce the burden on voters.
- Secrecy of the ballot continued to be a challenge, violating a fundamental dimension of democratic elections. In Cross River, 7% of polling units failed to provide secrecy of the ballot for voters. INEC should continue to review the processes in place to allow voters to cast ballots with their choice free from scrutiny. INEC should provide adequate cubicles for voter to achieve the required secrecy.
- There is an urgent need for political parties and contestants to show maturity and respect for the voting process so as to forestall nefarious practices such as ballot box snatching, vote buying, bribing of security agencies and sponsoring of political thugs.

Project Swift Count plans to continue to observe the electoral process and deploy observers for upcoming Gubernatorial Elections in Kebbi and Edo States.

God Bless Nigeria



Dafe Akpedeye (SAN)  
1<sup>st</sup> Co-Chair



Mashood Erubami  
2<sup>nd</sup> Co-Chair

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**For media inquiries please contact:**

Festus Owete: 08033312677; email:festusowete@yahoo.com

Learn more about Project Swift Count at [www.pscnigeria.org](http://www.pscnigeria.org)

## Appendix 1: Project Swift Count Cross River Gubernatorial Election (All Parties)

Political Party	PSC Estimates (%)	Margin of Error (at 95% level of confidence)	PSC Estimated Range (%)	INEC Announced Results (%)
ACN	6.6%	1.4%	5.2% – 8.0%	6.19%
ALP	0.1%	0.1%	0.0% - 0.2%	0.06%
ANPP	0.4%	0.1%	0.3% - 0.5%	0.45%
APS	0.0%	0.1%	0.0% - 0.2%	0.03%
CDC	0.0%	0.1%	0.0% - 0.1%	0.04%
CPC	0.2%	0.1%	0.1% - 0.3%	0.14%
DFPF	0.1%	0.1%	0.0% - 0.2%	0.04%
HDP	0.0%	0.1%	0.0% - 0.2%	0.05%
LP	0.4%	0.1%	0.3% - 0.5%	0.38%
PDP	89.9%	1.5%	88.4% – 91.4%	90.11%
PPA	0.2%	0.1%	0.1% - 0.3%	0.23%
UNPD	0.0%	0.1%	0.0% - 0.2%	0.05%
Rejected Ballots	2.0%	0.5%	1.5% - 2.5%	2.23%