

Chapter 1

INTRODUCTION

At the invitation of the Independent National Electoral Commission (INEC), the Commonwealth Secretary-General, HE Kamallesh Sharma, constituted an Observer Group for the April 2011 National Assembly and Presidential Elections. In line with usual practice, the Secretary-General sent an Assessment Mission to Nigeria to assess the prevailing situation as well as the pre-electoral environment, prior to his final decision on whether to constitute a Commonwealth Observer Group. The Assessment Mission was in the country from 4 to 11 February 2011.

The Secretary-General subsequently constituted a Commonwealth Observer Group for the elections. The Observer Group was led by HE Festus Mogae, former President of Botswana and it comprised thirteen eminent persons. The Observer Group was supported by a staff team from the Commonwealth Secretariat. A full list of members is at **Annex I**.

TERMS OF REFERENCE

The Secretary-General established the following Terms of Reference for the Observer Group:

The Group is established by the Commonwealth Secretary-General at the request of the Independent National Electoral Commission of Nigeria. It is to observe relevant aspects of the organisation and conduct of the National Assembly and Presidential Elections which are scheduled to take place on 2 and 9 April 2011, in accordance with the laws of Nigeria.

The Group is to consider the various factors impinging on the credibility of the electoral process as a whole. It will determine in its own judgement whether the elections have been conducted according to the standards for democratic elections to which Nigeria has committed itself, with reference to national election-related legislation and relevant regional, Commonwealth and other international commitments.

The Group is to act impartially and independently and shall conduct itself according to the standards expressed in the International Declaration of Principles to which the Commonwealth is a signatory. It has no executive role; its function is not to supervise but to observe the process as a whole and to form a judgment accordingly. In its Final Report, the Group is also free to propose to the authorities concerned recommendations for change on institutional, procedural and other matters as would assist the holding of future elections.

The Group is to submit its report to the Commonwealth Secretary-General who will forward it to the Government of Nigeria, the INEC, political parties and civil society organisations and thereafter to all Commonwealth member states.

Activities

The Observer Group was present in Nigeria from 25 March 2011. During four days of briefings, the Group met with INEC, some Presidential candidates, political party representatives, the Nigeria Human Rights Commission, civil society groups, youth representatives, news media, Commonwealth High Commissioners, and national, regional and international observer missions.

An Arrival Statement was issued on 28 March 2011 (**see Annex III**).

The Observer Group was deployed from 31 March to 4 April for the National Assembly elections scheduled for 2 April. However the National Assembly elections were aborted soon after mid-day on that day, as some sensitive election materials, including results sheets and ballot papers, had not reached all polling stations. They were initially rescheduled for 4 April but later postponed to Saturday 9 April. The Presidential elections were, in turn, postponed to 16 April. As a consequence of these unforeseen changes to the electoral timetable the stay of the Observer Group in Nigeria was extended. However, the Group was unable to stay for the governorship elections which were rescheduled for 26 April 2011.

In the event, the Observer Group redeployed for the National Assembly elections from 8 to 11 April and thereafter for the Presidential elections from 15 to 17 April. The Group divided itself into teams that covered eight States (Edo, Enugu, Plateau, Oyo, Kaduna, Kano, Lagos, Nasarawa) plus the Federal Capital Territory, Abuja.

While in the field, our teams liaised with police, local election officials, civil society groups and party officials. In addition, teams met and co-ordinated with other observers, national, regional and international, in their respective areas to build a comprehensive picture of the conduct of the process. On the day of the election the teams visited a range of polling stations in their respective areas following the voting and counting processes. They later followed the results tabulation and collation at the local and State levels.

In view of the unexpected postponements, the Chair issued public statements on 2, 3 and 11 April (**Annexes IV, V and VI**). On the basis of the Group's findings about the Presidential election, the Chairperson issued an Interim Statement on 18 April 2011 (**Annex VII**). The Group's Report was completed in Abuja prior to departure on 21 April 2011 and transmitted to the Commonwealth Secretary-General.