



Transition Monitoring Group

(A Coalition of Human Rights, Non-Governmental and Civil Society Organisations)
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The State of the Nation: A Journey into Uncertainty *Being Text of Statement by the Transition Monitoring Group (TMG) At the press conference held at the Dennis Hotel, Abuja On Thursday, April 5, 2007*

Ladies and Gentlemen of the Press,

On behalf of my colleagues on the Coordinating Committee and the entire membership of the Transition Monitoring Group (TMG), I wish to welcome you to this press conference on the State of the Nation. I thank you for honouring our invitation and for your continued support.

We have called this press conference to express our concern over ongoing event in the country surrounding the forthcoming General Elections, particularly the apparent lack of preparations for the elections by the Independent National Electoral Commission (INEC), the seeming partisanship of a supposedly independent election management body and the state of uncertainty which now envelopes the nation.

In a Press Conference addressed by the TMG on August 21, 2003 on the occasion of the public presentation of the final report from our monitoring of the 2003 elections titled "Do the Votes Count?", the TMG urged that: "The relevant political institutions in charge of elections in the country should embark on early preparations for the 2007 elections to avoid unnecessary acts, which can destabilize the process."

It is most disheartening for us that this advice was not heeded and that situation which we sought to prevent by calling for early preparations for the forthcoming elections is now here to haunt us as a country.

It would be a monumental tragedy if Nigeria were to lose this opportunity to lay a solid foundation for sustainable democracy by having a smooth and seamless transfer of power from one regime to the other.

Preparations by INEC

It is now less than 10 days to the elections and all the indicators show a worrying lack of preparedness by INEC to organize the elections. Most worrying is the fact that not only are the arrangements in shambles, there is a criminal lack of determination, or even desire, on the part of the leadership of INEC to tackle the problems and put things in place for the elections to hold.

It is difficult to understand why INEC has decided to abandon its core business of making arrangements for the elections in favour of pursuing an agenda of exclusion of candidates from

the elections. The only thing that INEC had done with determination is its relentless desire to exclude certain classes of candidates from the elections. In so doing, it has opened up many legal battle fronts that can only serve to distract it from making preparations for the elections.

Inexplicably, INEC has continued to throw all its energies in the pursuit of this agenda of dubious value, deploying resources which should have been used to properly organize the elections into payment of mouth-watering legal fees and other related expenses. We should ask ourselves: what does INEC stand to lose by allowing candidates who have put themselves forward and have been nominated by their political parties to contest the elections? Is it that INEC cannot trust the Nigerian people to choose their leaders and feels that the choice must be made for them?

This self-created confusion is obviously also causing delays in INEC's ability to meet a lot of the timelines leading up to the elections. For instance, until the cases of those who have been disqualified are resolved by the courts, it will not be possible for INEC to procure the printing of the final ballot papers for the various elections. Yet, even when the courts have given their decisions, INEC continues to challenge the verdicts, thereby causing more delays.

Besides the distractions, delays and the drain on resources which this policy has engendered, it has also cast serious doubts on the independence and impartiality of INEC. Any systematic analysis of those who have been disqualified and the places where the disqualification is being executed leads one to the inescapable conclusion that obstacles are being removed in the way of favoured candidates. For instance, how else can one interpret the failure of INEC to give effect to the reports of panels of inquiry instituted by Abia and Oyo State Governments and the subsequent White Paper by those governments which have indicted some of the candidates standing for elections, while INEC is vigorously pursuing the disqualification of certain candidates indicted through similar processes by the Federal Government?

While all these are going on, many of the core activities which will ensure hitch-free and credible elections have been abandoned. After struggling through a voter registration process characterized by incompetence and massive disenfranchisement of hundreds of thousands of Nigerians, INEC has not been able to publish and display a Voter Register for claims and objections as required by the Electoral Act 2006 less than 10 days to the elections. One can only imagine the consequent frustration and confusion that will be the hallmark of the elections come D-Day as only recently, the voter register has been displayed in some states.

There is absolutely no information coming out of INEC about the voting procedures, the locations of polling stations. No one knows what the ballots papers look like. Civil society organizations and other agencies carrying out voter education programmes are unable to enlighten members of the public about how to vote as they do not know what the ballot papers will look like.

It is also not clear how INEC intends to recruit and train the ad hoc election officials that are supposed to man polling stations across the country. Given the shortness of time to the elections, once again, one can only imagine the havoc that will be wrought on the electoral process being conducted by untrained or ill-trained election officials on election day.

Attacks on the TMG and its Member Organizations

Over the last few weeks, member organizations of the TMG across the country have been subjected to all manner of harassment, intimidation and threats by the State Security Service (SSS) at the instigation of INEC under the guise of verifying the status of these organizations.

SSS operatives have been visiting the offices of TMG member organizations across the six geographical zones of the country questioning them about their sources of funding, their motives for seeking to observe the elections, their registration certificates, their membership strength and other questions designed to intimidate them.

In justifying their action, the SSS operatives claim that they have been instructed by INEC Chairman, Professor Maurice Iwu, to screen and verify the credentials of member organizations of TMG before they can be accredited to observe the elections.

INEC itself has waged a campaign of calumny against the TMG, deploying misinformation and outright falsehoods to tarnish the image of the Coalition and undermine its credulity.

We unequivocally condemn these acts of harassment and intimidation. The TMG pioneered independent domestic election monitoring in Nigeria in 1998 during the period of military rule. Never before has the TMG or its member organizations been assaulted in this manner using state apparatus and resources.

TMG member organizations have not applied to INEC for accreditation to observe the elections. Since 1998, when the TMG was formed, its member organizations have never applied for accreditation individually. The National Secretariat of the TMG has always applied for accreditation on behalf of its members. This is exactly what the TMG has done this time around for the 2007 elections. The SSS therefore has no business verifying applications which do not exist.

For the avoidance of doubt, the TMG will monitor every stage and aspect of the 2007 elections whether or not it is accredited by INEC. The right of domestic observers in any election is well established and recognized under international law. While national authorities may issue guidelines for election observation in order to ensure that they do not interfere with the work of election officials, it is not within the competence of national authorities, particularly an election management body, to determine who, among the citizens of the country, should monitor its conduct and activities in relation to the elections. Such an approach would be illogical and can only further undermine the credibility of the process.

The TMG will resist any attempt by INEC or other agencies of the State to cow it or its member organizations and prevent them from monitoring the forthcoming elections and issuing credible reports on the process. The TMG hereby calls on its members not to grant access to their offices to SSS officials. The SSS is a creation of law with a specific mandate which does not include harassing and intimidating civil society organizations. It is manifestly illegal for INEC to use the SSS to harass the TMG and its member organizations.

Accordingly, the Coordinating Committee of the TMG has constituted a Legal Defence team to take legal action on behalf of any of its member organizations that is harassed by the SSS or any other security or law enforcement agency. TMG advises its member organizations that are visited by the SSS to refuse them access to their offices and contact the TMG national secretariat to provide them with legal assistance, should this become necessary.

Conclusion

It is very doubtful if the current situation can be salvaged as there is very little time left to the elections. Perhaps, a determined effort by INEC can help it overcome some of the serious challenges currently facing the possibility of a credible election. However, a first step in this direction would be for it to try and restore public confidence in its independence and

impartiality as an umpire in the electoral process. This is can begin to do be abolishing its policy of exclusion and directing its energies towards ensuring that we have hitch-free elections over the next two weeks.

Ladies and gentlemen of the Press, I thank you for your attention.

Innocent Chukwuma

Chair
Transition Monitoring Group