

EUROPEAN PARLIAMENT

2004



2009

Session document

15.5.2007

B6-0201/2007

MOTION FOR A RESOLUTION

to wind up the debate on statements by the Council and Commission

pursuant to Rule 103(2) of the Rules of Procedure

by Filip Kaczmarek and Edward McMillan-Scott, on behalf of the PPE-DE Group

by Margrietus van den Berg, John Attard-Montalto and Libor Rouček, on behalf of the PSE Group

by Toomas Savi, Thierry Cornillet and Johan Van Hecke, on behalf of the ALDE Group

by Ryszard Czarnecki, Eoin Ryan, Adam Bielan and Michał Tomasz Kamiński, on behalf of the UEN Group

by Margrete Auken, on behalf of the Verts/ALE Group

by Vittorio Agnoletto, on behalf of the GUE/NGL Group

on the recent elections in Nigeria

B6-0201

European Parliament resolution on the recent elections in Nigeria

The European Parliament,

- having regard to the Statement of Preliminary Findings and Conclusions of the European Union Election Observation Mission to the Federal Republic of Nigeria of 23 April 2007,
 - having regard to the Declaration of Principles for International Election Observation and the Code of Conduct for International Election Observers, commemorated at the United Nations on 27 October 2005,
 - having regard to Commission Communication COM(2000) 191 final of 11 April 2004 on EU Election Assistance and Observation,
 - having regard to Rule 103(2) of its Rules of Procedure,
- A. whereas the 2007 state and federal elections in Nigeria fell short of basic international and regional standards for democratic elections and cannot be considered credible, free and fair,
- B. whereas these elections did not live up to the hopes and expectations of the Nigerian people, who eagerly engaged in the electoral process and voted under often very difficult circumstances, showing strong determination to cast their vote and make use of their democratic right despite the atmosphere of voter insecurity and fear in many areas,
- C. whereas the European Union Election Observation Mission concluded that the elections were deeply flawed due to poor organisation, lack of transparency, widespread procedural irregularities, significant evidence of fraud, particularly during the result collation process, voter disenfranchisement at different stages of the process and lack of equal conditions for contestants,
- D. whereas, instead of guaranteeing the basic right of citizens to vote freely, the Nigerian Government and electoral officials actively colluded in the fraud and violence or at least ignored human rights abuses committed by supporters of the ruling party and others,
- E. whereas, on state elections day, polling stations opened very late or not at all, lacked sufficient materials, and had an insufficient number of election officials, most of them without adequate training,
- F. whereas secrecy of the ballot was frequently not guaranteed due to the lack of polling booths and poor layout of polling stations, procedures were not followed correctly, independent monitoring was partially hampered, and under-age voting was witnessed,
- G. whereas EU observers reported irregularities during the counting and collation process, including incidents of disruption, no counting, and discrepancies between results, and polling station results were not publicly displayed at any level of the election

administration throughout the country,

- H. whereas these problems led to violence, which resulted in at least 50 people being killed, and as many wounded, over the state elections day period, on 14 April, half of the deaths occurring in the Niger Delta region, and to chaos, including incidents of hijacking of ballot boxes by groups of thugs,
- I. whereas it was possible to remedy some of the deficiencies between the ballots of 14 April and 21 April, and concrete steps could have been taken by political parties and the police to create a peaceful and stable environment,
- J. whereas on federal elections day EU Observers witnessed the same type of irregularities as on 14 April, namely ballot box stuffing, alteration of official result forms, stealing of sensitive polling materials, vote buying and under-age voting,
- K. whereas the end result in both cases was a landslide victory for the ruling People's Democratic Party (PDP), in some cases with 100 per cent of all votes cast in favour of the PDP,
- L. whereas serious concerns have been raised by political parties, civil society and the media about the conduct of the elections,
- M. whereas the Transition Monitoring Group, the largest domestic observer organisation in Nigeria, called for the rerun of the presidential polls,
- N. whereas the Independent National Electoral Commission did not prepare well for the elections and did not inspire confidence among election stakeholders regarding its capacity and impartiality,
- O. whereas preparatory phases of the elections revealed failings in terms of basic fairness for the opposition, transparency, voter registration and respect for the rule of law, with President Olusegun Obasanjo attempting to exclude candidates,
- P. whereas the Obasanjo presidency has recorded impressive achievements and championed democracy across Africa, but now needs to consolidate these positive steps and commit to free and fair elections, in accordance with international standards,
- Q. whereas women remain underrepresented as candidates and within the electoral administration,
- R. whereas the general elections offered a possibility for the country to experience its first-ever transition of power from one civilian leadership to another, thus consolidating democracy,
- S. whereas with Nigeria's 110 million people making up some 250 ethnic groups and living in 36 states, each with its own governor and legislature, and with 64 million registered voters, the elections were the largest ever held in Africa,
- T. whereas the transparency and credibility of the elections strongly affect the international standing of Nigeria, as well as the quality of bilateral relations and economic cooperation,

- U. whereas successful and credible elections also require immediate and proactive national, regional and wider international involvement to guard against electoral violence and manipulation,
- V. whereas, despite the professional work carried out by the EU Election Observation Mission in building voter confidence in general by exposing irregularities, deterring fraud and providing recommendations to improve the electoral process, the credibility of the EU is damaged by the lack of a coherent post-electoral policy when it comes to addressing failed elections,
- X. whereas the fragile stability of Nigeria is in the balance,
1. Calls for urgent remedial action by the relevant authorities and stakeholders in order to restore the conditions for credible and transparent elections to be held in Nigeria;
 2. Urges the Nigerian authorities to investigate election irregularities urgently, thoroughly and transparently and to take immediate action to redress the situation and to make the perpetrators of those irregularities accountable for their actions;
 3. Calls for concrete measures to establish a truly independent election administration fully capable of conducting free and fair elections;
 4. Affirms that the Nigerian people is entitled to new credible elections, to be held under a truly independent and efficient Independent National Electoral Commission (INEC); underlines the fact that currently the INEC is not able to meet the organisational and logistical challenges it faces;
 5. Regrets that the Electoral Act 2006 still fails to meet fundamental transparency requirements, in particular regarding collation and publication of results, and calls for it to be amended;
 6. Notes that a committee, made up of Members of the House of Representatives and the Senate belonging to all parties, could be set up to revise the election process and to come forward with suggestions for new and credible elections;
 7. Regrets that despite an improved atmosphere in which freedoms of expression and assembly were broadly respected during the campaign, with courts playing a generally positive and independent role and people genuinely committed to democracy, the elections cannot be considered credible;
 8. Strongly regrets that, despite the Government's arrangements for massive deployment of the police, army and state security services, the elections led to deaths, even before vote counting began and sometimes even before votes were cast, with at least 200 people, including candidates and police officers, being killed in election-related incidents;
 9. Calls on the Nigerian authorities, the INEC and political parties to investigate all cases of violence and hold perpetrators of such violence to account;
 10. Condemns the atmosphere of impunity for electoral violations, executive immunity and

the practice of hiring thugs to perpetrate electoral violence, and calls for concrete action in this area;

11. Calls on the Nigerian Government not to interfere with legal challenges to the electoral process and calls on the opposition political parties to use the electoral court procedures, to refrain from the use of violence and to support joint AU-ECOWAS mediation to hold new, credible elections in order to find solutions to the dramatic post-electoral situation;
12. Welcomes the mechanisms established by the Courts of Appeal to simplify and ensure timely determination of post-election petitions, but regrets that aggrieved opposition parties which filed petitions before the Election Petition Tribunal were still waiting for hearings to commence two weeks after the presidential vote;
13. Calls for effective and widespread civic rights and electoral education and stresses the need to tackle widespread illiteracy, which denies Nigerian people access to the printed press and is also one of the main constraints on participation in elections, especially for women;
14. Endorses the conclusions of the European Union Election Observation Mission;
15. Calls on the Commission to submit to the Council and the European Parliament a coherent and credible proposal on EU post-election policy which respects the free choice of the population in a given country, and fears that the current 'business as usual' policy is damaging and defeats the credibility of EU Election Observation Missions;
16. Stresses that EU aid to Nigeria should not be given to federal or state structures until new, credible elections have been held; points out that this money must benefit the Nigerian people and should therefore be used for good governance, democratisation, voter education and community-based basic social services, particularly through civil society organisations;
17. Calls on the EU Commission and its Delegation in Nigeria to ensure that the Government has no involvement in the selection of projects or the implementation of any funding under the European Instrument for Democracy and Human Rights, which is explicitly designed to operate without host country consent;
18. Urges the Federal Government to combat the patterns of corruption, violence and impunity that have undermined governance in much of the country, especially at state and local levels, and have kept the majority of the citizens of Nigeria in poverty and deprived of basic health and education services, and to respect human rights;
19. Calls on the Nigerian authorities to start negotiating with local populations on the future of the Niger Delta region, namely on its social, economic and environmental development;
20. Notes that achieving the Millennium Development Goals is a key aspect of democracy and contributes to improving social justice and economic development;
21. Instructs its President to forward this resolution to the Council, the Commission, the

governments of the Member States, the Government of Nigeria, the Co-Presidents of the ACP-EU Joint Parliamentary Assembly, the Chairmen of the Commission and Executive Council of the African Union and the Council of ECOWAS.