

Voter Registration: Can INEC Keep Its Promise?

Although section 53(1)(b) of the Electoral Act specifically prohibited electronic voting, section 10(4) left the form of the Voters Register for the Independent National Electoral Commission (INEC) to decide. Following its May 2006 pilot voter registration in the Federal Capital Territory, the Commission decided to compile an electronic voters' register using Direct Data Capture (DDC), explaining that the security features would defeat double registration, double voting, accumulation of voter's cards and other electoral malpractices. Undoubtedly INEC's demonstration of the DDC registration procedure at its August 29-31 National Forum captured the imagination and hopes of many Nigerians. Concerns about the infrastructure needed to create and support an electronic register of voters appeared to have been answered by the explanation that the machines worked with rechargeable batteries and could also be recharged from car batteries.

Six weeks after voter registration commenced on the 8th of October however, there are fears whether INEC will be able to keep its promise to register all Nigeria's estimated



An INEC Voter Registration Site within the Abuja Metropolis

65 million voters before the December 14th deadline for participation in the April 2007 elections. INEC's promise, which has been repeated even as the registration period passed its halfway mark with less than a tenth of the machines needed and with less than a quarter of voters registered, is all that an increasingly worried electorate now has left to cling to.

The main problem appears to be shortage of DDC machines, while a disturbing number of those that have been delivered have mal-

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NDI Reaches Out To Youths & Students

Democratic development in Nigeria cannot be said to be complete without a mention of the role youths and students have played in the country's political history. From the active youth movements of the pre-Independence era to those of the 1960s, 70s and '80s, the resilience of this population subset, even in the face of repressive regimes made it an icon of the democratic struggle.

In recognition of this role and as part of its Issue-Based Voter Education Program, the NDI organized a Sectoral

Meeting with youths in Lagos on 18 October, 2006. Over 80 young people drawn from the National Association of Nigerian Students (NANS), Student Union presidents from universities and polytechnics across the country, representatives of youth and leadership training organizations and NDI voter education civil society partners took part.

NDI Country Director, Dr Keith Jennings and Elections Senior Program Manager, Ayo Obe, spoke on the challenges of the elections and



An NDI Staff and a participant at the Markurdi Town Hall Meeting

the 2006 Electoral Act. During a working group session, participants identified issues they felt parties and candidates should highlight as political campaigns take centre stage, such as funding of public education,

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Election '07 Timetable

Issuance of Notice of Polls—S.31(1) Electoral Act 2006—
Nov. 8, 2006

Collection of Forms commences:

Form (CF001) Affidavit/ personal particulars of candidates

Form (CF002) Party's list of candidates—Dec. 1, 2006

Last day for collection of forms

Governorship/State Assembly Elections—Dec. 14, 2006

Presidential/National Assembly Elections—Dec. 21, 2006

Last day for submission of personal particulars and list of candidates by Political Parties—S.32(1)

Governorship/State Assembly Elections—Dec. 15, 2006

Presidential/National Assembly Elections—Dec. 22, 2006

Last day for publication of personal particulars of candidates—S.32(3)

Governorship/State Assembly Elections—Dec. 22, 2006

Presidential/National Assembly Elections—Dec. 29, 2006

Collection of Nomination Forms by Parties commences—Jan. 15, 2007

Last date for Return of Nomination Forms by Political Parties—Jan. 29, 2007

Shaky Beginning for Voter Registration in Special Areas

The long awaited Voters' Registration ahead of the 2007 elections has commenced on a shaky note. The exercise started on October 7, first in places that the Independent National Electoral Commission (INEC) tagged "Special Areas" and then in other parts of the country on October 25. Although INEC had promised that the exercise would be hitch free, and accessible to all Nigerians, the exercise has been characterized by a series of problems, chief of which has been the insufficiency of the registration machines. This has raised fears that INEC may not be able to register all eligible voters for the 2007 elections unless remedial measures are taken.

Reports from the special areas of Jenuwa, Kwambai and Bika in Taraba state as well as the New Cattle Market in Ummoneachi (Issochi) Local Government Area of Abia state where INEC said registration would start on October 7 and end on October 24, indicate that the exercise had stopped before October 18 when observers visited the areas.

In Jenuwa, the Village Head, Kwe Joshua Usman, said although a registration official was sent on October 7 to commence the registration of voters, the process did not start until the fourth day because the official did not know how to operate Direct Data Capture Machine (DDCM). On the fourth day another official was brought in to com-

mence the process but this official worked for only one day and left, leaving many people who had turned out unregistered.

In Kwambai, Village Head Kwe Arumskep Kwetari expressed displeasure over the way INEC conducted the exercise in his village, noting that many of his people could not register because the officials left earlier than the date INEC had declared. Some of those who had the opportunity to register found out that wrong data had been entered for them. He also said there were cases of wrong sequencing of registrants' pictures by the registration officials; whereby pictures of male registrants appeared on female registrants' cards. In the same vein, the Village Head of Bika, Kwe Daniel Kikong said registration did not start in his village until October 9 and ended abruptly on 13 October. He said that the process was slowed down because the machine's battery kept running down.

In Ummoneachi (Issochi) Local Government Area of Abia state, the Secretary of the Cattle Market Association said registration lasted for only six days. According to him, the machine worked well on the first day but kept developing problems on subsequent days, due to the battery running down, as well as camera, keyboard and software problems which could not be rectified by the registration official.

While INEC had explained the decision to conduct registration of voters in the special areas as a response to previous marginalization and under-registration of such areas, which



NDI Debriefs Long Term Observers

included riverine areas and displaced Nigerian citizens from the Bakassi peninsula, it was also clear that the two week period ought to have provided time for INEC to bring in the additional machines to make up the 33,000 which it had declared sufficient for the registration exercise. Unfortunately, not only did events at the commencement of the nationwide exercise show that this period had not been so utilized, but there were not even enough DDC machines for the special registration period, and many of the voters in those areas remain unregistered even though INEC has declared that the lists for the special areas are complete■

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youth unemployment and human trafficking.

Participants left the program resolving to return to their campuses, organizations and communities and mobilize fellow youths and students to participate actively and positively in the electoral process starting with the voter registration exercise scheduled for October.

UNIVERSITY TOWN HALL MEETING

The NDI Election Team conducted a pilot University Town Hall Meeting in collaboration with the Department of Political Science, University of Ibadan on 21 October 2006. Over 70 participants, including students, faculty staff and lecturers attended the event held at the Faculty of Social Science Post-Graduate Hall.

A high point of the event was a lecture by Dr. Keith Jennings titled "2007 Elections and the Challenges of Democratic Consoli-

ation". He stressed the political importance of a successful conduct of the elections, not only for Nigeria as a country, but for the African continent and Africans in



NDI Country Director, Dr. Jennings at the University Town Hall Meeting held in Ibadan.

the Diaspora. He said that the election would help strengthen the foundations of democracy in Nigeria, and encouraged students and members of the academia to

join in mobilizing citizens to participate in the elections, starting with voter registration.

Participant asked questions about the electoral process, the 2006 Electoral Act and how to tackle election-related violence.

MAKURDI TOWN HALL MEETING

NDI and Lawyers Alert organized a Community Town Hall Meeting on 31 October 2006 in Markurdi, the Benue State capital. This was the third in a series of such meetings to be held in different parts of the country.

The event drew participants from women's, youths' and faith-based organizations, political parties and community leaders. NDI's Senior Program Manager for Elections, Ayo Obe, urged participants to serve as agents of change to educate citizens on the need to move from elections based on ethnic and regional identity to ones that focus on development and other issues. She

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functioned, even at such high-profile events as the registration of State Governors or the demonstration by the INEC Chairman, Professor Maurice Iwu, at the National Assembly. Failures have been ascribed to run down batteries, but even here, the time the batteries need to fully recharge suggests underlying problems with the technical equipment.

After declaring at its National Forum that Voter Registration would commence on the 7th of October, INEC later announced that the exercise would start only in certain 'Special Areas', which were either difficult to access, such as riverine areas in Lagos and Rivers States, and the Mambilla Plateau, or whose communities were under peculiar disabilities. Voter Registration for the rest of the country would start on the 25th of October. While INEC had also cited the Ramadan fast as another reason for postponing nationwide registration, it was believed that the interlude would enable the Commission to take delivery of the 33,000 DDC machines it had stipulated and complete training of *ad hoc* personnel.

Unfortunately, not only was the number of machines available as at the 8th of October (when the special registration exercise actually started) insufficient for even the reduced number of Special Areas (Lagos riverine areas having been dropped), but the two week hiatus saw no significant increase in the number of machines available for the nationwide registration. The shortage left Resident Electoral Commissioners unable to publish information about when registration would take place or where, despite the requirement of section 10(6) that "the

registration of voters shall be at the registration centres designated for that purpose by the Commission **and notified to the public**". Reports from the mass media, as well as the National Democratic Institute's own staff showed that the exercise commenced with no state receiving even 10% of the machines approved for it. There were also difficulties with ancillary equipment: printers for the temporary voters' cards required materials to produce and laminate the cards as well as power to operate. Despite often heroic efforts by *ad hoc* INEC staff to provide these materials themselves, voters' cards were not always produced at the same time as the DDC, resulting in many cards remaining uncollected. The harmattan also affected printers and in some states there were so many difficulties in capturing the bio-data – wrong photographs on cards or inability of the machines to record thumbprints – that officials resorted to manual registration.

Summoned before the House of Representatives, INEC maintained that it would supply all the machines required by the 15th of November, but as at the time of going to press, it remains to be seen whether that promise will be kept, and whether – even if it is kept – INEC can overcome the many other problems being encountered. On the plus side is the increasing familiarity with the DDC machines and competence of the voter registration officials which has greatly reduced the length of time it takes to register individual voters. But on the minus side, calculations multiplying the number of machines with the amount of time even a skilled operator needs to register one voter and the number of hours available, suggest that even if all the expected DDC machines work perfectly for eight hours a day with no interruption, unless the Electoral Act is amended to extend the registration period, the overwhelming majority of Nigeria's eligible voters may remain unregistered■

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stressed the importance of civil society organizations and community leaders working together to mobilize citizens to participate in the ongoing voter registration exercise.

In the discussions that followed, participants highlighted issues of concern on the voter registration exercise. They complained about the seeming lack of prepar-

edness on the part of the INEC, noting that it had been unable to deploy enough Direct Data Capture machines to cover the state, and that this might cause apathy among citizens. Participants also discussed how civil society organizations in the state could work together to mobilize citizens to participate in the elections. The groups resolved to make representations to the State's Resident Electoral Commission about their concerns on the voter registration exercise■

NEWSPAPER HEADLINES

- **Ekiti, Plateau crises: Beware! OBJ has a fresh agenda—Lar—**(ThisDay, October 22, 2006)
- **Red Eyes as Senate Endorses Emergency Rule—**(The Guardian, October 29, 2006)
- **Atiku's suspension: Court dismisses PDP's objection—**(The Punch, November 1, 2006)
- **First Female Governor In Nigeria—**(BBC Website, November 3, 2006)
- **You Are A Disgrace, Anambra Leaders, Ohaneze Tell Etiaba—**(Daily Sun, November 4, 2006)
- **Do Women Proud, Shekarau Tasks Etiaba—**(Daily Triumph November 13, 2006)
- **Dariye on the run - Plateau Governor removed, Deputy sworn-in, thanks Obasanjo, Mantu —** (ThisDay, November 14, 2006)
- **Obasanjo: Me, Sack Iwu? Forget It! -** ThisDay, November 16, 2006)
- **If Voter Registration Fails, 2007 Elections In Trouble—**(The Sun Newspaper, November 17, 2006)
- **INEC Should Peg Campaign Fund - House of Reps Aspirant -** (The Sun Newspaper, November 17, 2006)
- **INEC: 10,000 Direct Data Laptops Arrive Next Week —** (ThisDay Newspaper, November 18, 2006)
- **Voters' Registration: A Tension Soaked Exercise?** (ThisDay Newspaper, November 18, 2006)

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Impeachments and Emergency Rule: What Effect on 2007 Elections

With the 2007 elections looming, the fact that as many as five governors – in Bayelsa, Oyo, Ekiti, Anambra and Plateau States – have been removed from office under guise of impeachment proceedings has caused considerable comment, and some bewilderment. Why go to the trouble of impeachment proceedings fraught with irregularities, artificially achieved two-thirds majorities, extraordinary hour sittings, tight police guards and Economic and Financial Crimes Commission (EFCC) involvement if the governors are going anyway?

With allegations of corruption behind the political demise of Governors Diepriye Alamiyeseigha of Bayelsa State and Joshua Dariye of Plateau State, Governors Rashid Ladoja of Oyo State and Peter Obi of Anambra State were apparently the victims of political power-play and the long reach of spurned political godfathers. In Ekiti State, allegations of corruption, political violence and attempted and actual murders were levelled against Governor Ayo Fayose and his deputy, Abiodun Olujimi who rejected their removal. While Fayose was claiming to be governor – as President Obasanjo dryly put it – ‘in hiding’, Olujimi insisted that she was Acting Governor in his absence. Meanwhile, House of Assembly Speaker Friday Aderemi had himself sworn in as Acting Governor. This ‘sad and ridiculous situation’ provided grounds for Obasanjo to declare a State of Emergency in the state.

It is not the intention of *NEW* to delve into the legal wrongs or rights of the impeachment proceedings or the State of Emergency. But from the point of view of the 2007 electoral process, even if legal challenges to his impeachment succeed, a governor remains ineligible for re-election if he has already been elected to the office of governor of the particular state twice before, since section 182(1)(b) of the Constitution debar a person who has merely been ‘elected’ to such office at any two previous elections’, whether or not the full terms have been served. On the other hand, a governor who has not been validly removed remains entitled to privileges such as immunity from arrest or prosecution notwithstanding any State of Emergency, and Fayose may benefit from this. However, if a governor has only been elected once, e.g. Ladoja, Fayose or Obi, impeachment does not bar him from contesting for re-election.

The declaration of a state of emergency does not in itself constitute a bar to political activity in the run up to the 2007 elections, and Ekiti State may provide an interesting contrast with other states where the incumbent is an elected political officer with a vested interest either in re-election or in determining who his or her successor will be. Indeed, reports from NDI’s long term observers suggest that contestants in Ekiti State are enjoying a more level playing field under Sole Administrator Tunji Olurin than in other states.



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Is Nigeria Ready To Vote?

This is the question that millions of Nigerian are pondering as they think about Africa’s most important election in 2007. For such a historically important event, an affirmative answer depends on government working to guarantee two things: first, a voter and civil education process that explains the electoral process the options for citizens to participate in it; and second, a transparent voter registration exercise that is understood by the public and devoid of unnecessary barriers that prevent citizens from registering.

The massive task of registering an estimated 65 million voters, which began on October 7 has so far fallen only a little short of disaster. Problems with the direct data capture machines have reached the level of urban legends with the sad catch that all of them are true! Yet INEC continues to maintain that everything is on course for credible

elections in 2007, leaving many Nigerians wondering whether they are looking at the same reality. Credible media reports, testimony from National Assembly members from every state in the federation and reports from international observers, governors, political parties and even some INEC officials all confirm the crisis in the voter registration exercise. Such is the crisis that it would be optimistic to assume that INEC will be able to register even up to 12 million citizens during the six weeks set aside for the exercise, leaving close to 50 million disenfranchised.

While there are many challenges to credible and acceptable elections in 2007, perhaps the most critical is the development of a credible voters’ register. But closely following the voter registration crisis is the lack of a systematic approach to voter education, even though it has long been identified as a most critical factor in the Nigerian electoral process. Although civil society organizations’ efforts are commendable, the sheer size

and diversity of Nigeria requires a more robust effort by government. Without this, the existing political crisis and succession jockeying have left many – if not most – Nigerians with the perception that democratic politics and government are unresponsive to their needs, and that most elected leaders are unworthy of their support.

It is common knowledge that elections are complex processes requiring systematic organization. What often is less appreciated is that free and fair elections are a fundamental element of democracy and human rights. In fact, democratic elections are the symbol of a country and community that is mature and strong enough to decide its own future. They are also the source of legitimacy for governments that act in a community’s name.

With Nigeria six months away from the April 2007 elections, now is the time to speak out and to ensure that all those accountable live up to their responsibilities.

FROM NDI