



STATEMENT OF THE JOINT NDI/IRI PRE-ELECTION ASSESSMENT MISSION TO NIGERIA January 20, 2015

I. INTRODUCTION

This statement is offered by an international delegation organized jointly by the National Democratic Institute (NDI) and the International Republican Institute (IRI). The delegation visited Nigeria from January 15-20, 2015. The delegation's goals were to:

- assess the current political and electoral environment in the lead-up to the February 14 presidential election;
- assess preparations for the presidential election and offer recommendations to enhance citizen confidence in the process and mitigate violence; and
- demonstrate international support for Nigeria's democratization process.

The delegation comprised: Ambassador (rtd) George Moose, former U.S. assistant secretary of state for African Affairs, and vice chairman of the board of directors of the U.S. Institute of Peace; Brigalia Bam, former chairperson of the Independent Electoral Commission of South Africa; Hon. Patrick Muyaya, member of parliament, the Democratic Republic of Congo; Pauline Baker, former president of the Fund for Peace; Michael Bratton, distinguished professor of political science and African studies at Michigan State University; Robert Lloyd, professor of international relations at Pepperdine University, and senior fellow at the Atlantic Council's Africa Center; Christopher Fomunyoh, senior associate and regional director for Central and West Africa at NDI; and Gretchen Birkle, regional director for Africa at IRI.

The delegation met with the chairman and senior officials of the Independent National Electoral Commission (INEC), one presidential candidate, senior representatives of another candidate, leaders of political parties, civic organizations, professional associations and religious bodies, as well as legislators and senior government officials. The delegation expresses its deep appreciation to everyone with whom it met for welcoming the mission and for sharing freely their views on the electoral process.

The delegation notes that the 2015 presidential race is likely to be Nigeria's most competitive election since the transition from military to civilian rule in 1999. The mission would like to underscore the growing and often expressed determination of Nigerians to ensure that the election is peaceful and credible through all phases of the process, including during the campaign period, on election day and in the post-election period after the release of final election results. The team observed that while the election management body – INEC – has undertaken several innovative steps to reinforce the integrity of the electoral system, information about these concrete steps is not widely understood by other stakeholders, many of whom

stressed the need for further efforts to enhance citizen confidence and participation in the process. In the spirit of international solidarity, the delegation offers recommendations on steps that should be taken to enhance such confidence and contribute to violence-free elections in February 2015.

Both NDI and IRI have deployed international election observation missions to every presidential election in Nigeria since 1999. The two Institutes are nonpartisan, nongovernmental organizations that support and strengthen democratic institutions and practices worldwide. Both NDI and IRI will deploy international observers to the February 14 presidential poll.

II. CONTEXT: MAJOR ISSUES AFFECTING THE OVERALL POLITICAL ENVIRONMENT

The delegation found that the views of most Nigerians with regards to the upcoming polls are influenced by past issues of national significance. These include:

History of past elections. Since the end of military rule, Nigeria has conducted four electoral contests – in 1999, 2003, 2007 and 2011. The successful conduct of the 2011 elections marked a turning point in the country’s democratic trajectory, as it contrasted sharply with the electoral mismanagement and widespread fraud of previous polls. Even then, violence in some northern cities in the immediate aftermath of the announcement of election results in 2011 resulted in over 800 deaths and tremendous destruction of property. In the public’s mind, perpetrators of election-related violence and/or electoral fraud from 2011 have not been prosecuted. Furthermore, the delegates heard that the failure to create the Electoral Offences Commission recommended by the “Justice Muhammed Uwais Electoral Reforms Panel” of 2007, and advocated for even by INEC, calls into question the commitment of the country’s political leaders to curb or deter fraud, violence and other criminal activity around elections.

Perceptions of political power in Nigeria. Access to public resources by government officials at the federal and state levels, and the abuse of same by some office holders intensifies competition for political power. The “winner-takes-all” frame of reference in the Nigerian political system exacerbates exclusion and inequality while ethnic, religious and regional identity is frequently manipulated by politicians for personal gain. Many political elites are alleged to dispense public resources and services through patronage networks that cater less to the broader populace and more to a select few. Many of the persons from civil society and political parties with whom the delegation met agreed that the patronage system starts with weak democratic norms and processes within political parties. For example, they point to the lack of transparency in candidate nominations or party primaries, citing cases in which the candidate preferred by party leaders is given the nomination regardless of votes cast in the primaries. As noted by a highly respected Nigerian democrat, “Once an unpopular candidate emerges through this ‘selection process,’ the leadership that anointed that candidate then has no choice but to use fraudulent means to help the candidate win.” Given that party leadership in Nigeria is mostly male, this process also discourages the meaningful participation of women in politics and their access to positions of leadership.

Flashpoints of insecurity and political polarization. The 2015 elections are taking place in a difficult security environment, as an insurgency led by the extremist group “Boko Haram” continues to kill innocent citizens and attack villages and military installations in the North Eastern geopolitical zone of the country. The assessment team learned that at various times, debates over the Boko Haram insurgency have taken a partisan tone, with accusations of complacency and complicity levelled against each other by ruling and main opposition party members. Media reports allege an increase in the circulation of small arms and light weapons in some areas, notably parts of the Niger Delta, while intercommunal violence between herdsman and farmers continues in the Middle Belt. Overall, on the eve of the February elections, the country is fairly polarized along partisan, regional and religious lines. Some Nigerians are fearful that should extraordinary steps not be taken to temper partisan rhetoric and stigmatization, violence could erupt in the strongholds of whichever candidate loses the presidential race.

Declining oil prices. Although the decline in world oil prices has not yet become a matter of national debate, many analysts told the delegation that the effects of this decline on the country’s foreign reserves, its economy and its national budget could further exacerbate tensions.

Emergence of a strong opposition party. The 2015 polls will likely be the most competitive elections since the return to civilian rule in 1999. While the ruling People’s Democratic Party (PDP) has dominated national politics since that time, the emergence of the All Progressives Congress (APC) following the merger in 2013 of several opposition parties, has created what many Nigerians now see as a viable alternative. Several former PDP stalwarts, including state governors and national legislators, have crossed over to the APC. For the first time in recent Nigerian history, two closely matched contenders for the presidential race have emerged – incumbent President Goodluck Jonathan of the PDP and General (rtd) Muhammadu Buhari of the APC. Closely contested races are also projected for the national legislature, governorships, and state houses of assembly. As of the time of the delegation’s visit, significant numbers of supporters of the two frontrunners in the presidential race believe strongly that their candidate would win.

III. CHALLENGES SPECIFIC TO THE 2015 POLLS

The impact of Boko Haram. Ongoing terrorist attacks and killings of Nigerians by Boko Haram have disrupted daily life in Borno State and several local government areas (LGAs) in Yobe and Adamawa States. The presence of Boko Haram poses a political risk in that not conducting polls in significant parts of a region viewed as the stronghold of one of the contesting parties, even if for reasons of insecurity, would mean the disenfranchisement of a large number of voters. This would well call into question the legitimacy of the election in the eyes of the population, not only in the affected states but more widely. According to INEC, the three states have a cumulative total of approximately 4.5 million registered voters (Adamawa 1.5, Borno 1.9 and Yobe 1.1 million).

Internally displaced persons (IDPs). In the north east geopolitical zone, a number of LGAs are inaccessible because of insecurity caused by Boko Haram. The presence and de facto control of territory in these states by Boko Haram has resulted

in the internal displacement of hundreds of thousands of people (IDPs). Advocacy for steps to be taken to facilitate IDP voting continues to grow, as INEC pursues its consultations with political parties and other election stakeholders on ways to facilitate such IDP voting. Nigerians recognize that it is imperative that their fellow citizens already traumatized by terrorist attacks be afforded the opportunity to exercise their constitutional rights.

Miscommunication. The delegation noted that a number of positive steps taken by INEC to enhance the integrity of the electoral system were either misinterpreted or misunderstood – sometimes willfully – by some segments of society. For example, while INEC introduced a biometric registry and machine-readable permanent voter cards (PVCs) to curb fraud and duplicate registrations, some critics of INEC argue that there are no legal provisions for INEC to require a PVC (in lieu of a temporary voting card), and that the biometric features of the PVC go beyond minimum requirements of Nigerian law. Similarly, INEC explains the reduction in the number of voters in the voter registry from 73 million in 2011 to 68.8 million in 2014 as a result of steps taken to expunge from the registry double registrations and underage and deceased voters. However, some critics of INEC are concerned that the new figure does not reflect the growing population of the country.

According to a recently released Gallup poll¹, confidence in elections in Nigeria has eroded significantly since 2011: whereas 51 percent of Nigerians expressed confidence in the honesty of elections in 2011, that number declined to 13 percent in 2014. A number of Nigerians with whom the delegation met expressed concern that insufficient communication by the election management body – and disparagement of INEC’s efforts by some of its critics – could undermine the efficient administration of the polls.

The delegation concluded that there is a paramount need for more, and more regular, updates and increased service announcements to the public regarding progress in election preparations, including with regards to the procurement and distribution of PVCs and other materials, to dissipate mistrust among citizens.

Election administration. The delegation is concerned that millions of *permanent voter cards* (PVCs) have not yet been distributed by INEC. Although INEC plans to move the distribution of PVCs from the LGA level down to the level of wards (which are smaller units under the LGAs and closer to the polling points), that exercise has not started in all states. Moreover, some Nigerians stated that in a number of states, the distribution exercise has repeatedly been postponed in some locations, leading to further erosion of trust in INEC. Some Nigerians are still unsure whether a voter without a PVC, but whose name is on the register, will be allowed to vote on election day and what arrangements will be put in place to adjudicate such matters.

Similarly, INEC brands the *voter card readers* (VCRs), a handheld machine that will be used to scan the biometric voter cards, as an innovation in Nigeria that would strengthen the integrity of the voting process; however, the procurement of the VCRs is still underway and not all card readers have been delivered to INEC. INEC is

¹ Jay Loschky, “Ahead of Polls, Few Nigerians Trust in Elections,” Gallup, 13 January 2015, available at http://www.gallup.com/poll/180914/ahead-poll-few-nigerians-trust-elections.aspx?utm_source=alert&utm_medium=email&utm_content=morelink&utm_campaign=syndication

confident the delivery will be made and has issued guidelines to address card reader malfunction. INEC also views the card reader as a confidence building measure that would allow the commission to track the number of accredited voters and make sure they match the figures to be reported on the results sheet. Yet, some Nigerians are apprehensive about what would happen should the remaining VCRs not be delivered on time, or should many of these new machines malfunction on election day.

While INEC has specific plans for recruiting and deploying *ad hoc poll workers* that would include current and former members of the National Youth Service Corps and students in tertiary education institutions, some members of the public are concerned that training of these workers has yet to begin.

Violence in pre-election period. The delegation heard reports of recent election-related violence in Jos, Plateau State and Port Harcourt, Rivers State, and the use of inflammatory messages by some party officials and supporters, sometimes delivered through print and social media. Some interlocutors alleged that in response to these acts of violence and utterances, certain elements of the security services have not conducted themselves evenhandedly. Security services interviewed by the delegation denied this allegation. Lack of confidence in the security services, were it to persist, could as just one example provide an excuse for vigilante activity, which would then raise the risk of spiraling partisan violence at the state and local levels. The delegation learned that unlike during past elections when interagency collaboration among security services was a challenge, INEC has created and co-chairs with the national security adviser, the “Interagency Consultative Committee on Election Security” (ICCES), to facilitate seamless coordination. ICCES committees have been created at the state and LGA levels as well.

Despite political polarization, many Nigerians are hopeful that the political situation of the country will not degenerate as a result of the polls. There is a very significant pool of Nigerians within and outside of political parties (what some called the ‘third voice’) which “sees the larger interests of the country and votes for Nigeria.” This ‘moderate center’ should be encouraged to speak up and help restrain more extreme positions in the lead up to the elections, as well as in the post-election period. A greater focus on issue-based campaigns and the substantive difference between party platforms would enrich the political discourse and allow voters to make informed choices on election day.

Risk that candidates may not accept the outcome of meaningful polls. Many Nigerians believe that having two strong and closely matched parties in competition provides an incentive for the effective deployment of party agents by political parties so as to minimize or deter fraud while increasing confidence in the electoral outcome. Others are more skeptical and argue that the losers in close races may reject an unfavorable outcome. The delegation urges candidates and parties to respect electoral outcomes within the framework of Nigerian electoral law. The delegation applauds the signing on January 14 of a pledge by 11 of the 14 presidential candidates which exhorts Nigerians to reject incitement to violence before, during and after the election. The delegation strongly supports this “Abuja Accord” – signed in the presence of former United Nations Secretary General Kofi Annan – which can serve as the foundation for a broad campaign for violence-free elections. Nigerian civic and political leaders with whom the delegation met agreed

on the urgency of implementing the Accord and ensuring that its provisions are communicated to party supporters at grassroots level across the country. In the words of one political leader with whom the delegation met, “Leaders have to drum [the Accord] into the ears of their supporters.”

IV. NIGERIAN LED INITIATIVES TO ADDRESS THESE CHALLENGES

Despite the challenges listed above, the 2015 polls provide an opportunity for political parties, INEC, the government, media and civil society to build upon and expand the advances from 2011 to ensure peaceful and credible elections. Many Nigerians take pride in the country being Africa’s most populous nation, endowed with vast reserves of oil and minerals, fertile land, and a resilient population, and recognize that the country has the capacity for enormous prosperity and regional leadership. The delegation noted a strong commitment by INEC and multiple civil society organizations to enhance citizen confidence and participation in the election as well as mitigate violence around the polls.

Non-violence campaigns. Nigeria’s vibrant civil society has been a driving force in the promotion of an inclusive, transparent and peaceful electoral process. Many prominent individuals and organizations are contributing substantively to the promotion of peaceful participation, urging Nigerians to exercise their democratic rights and civic responsibility, and to ensure that their votes count. For example, the *2face Foundation*, sponsored by the musician *2face Idibia*, and *Youngstars Foundation* have launched “*Vote Not Fight: Election no be war,*” as a nationwide youth get-out-the-vote (GOTV) campaign. At GOTV events and concerts, youth sign a “Vote Not Fight” nonviolence pledge. Other initiatives include: *Enough is Enough’s* RSVP, or *Register, Select, Vote and Protect*, a peaceful election participation campaign; Open Society Initiative for West Africa’s (OSIWA) *Situation Room*; the *Dreams4Naija Campaign*; the *CLEEN Foundation’s* violence monitoring campaign; the *Foundation for Partnership Initiatives in the Niger Delta’s* (PIND) *Partners for Peace (P4P)* project; as well as the *National Bar Association’s* and *Labor Union* voter education and awareness series.

Voter education. Many Nigerian civil society groups are engaged in creative initiatives to educate voters about the electoral process, including initiatives such as: the *9jaVoter project* by *West African NGO Network (WANGONeT)*, which has produced a mobile voter education app to increase youth participation; *Human Rights Monitor Nigeria*, which is distributing election information cards and posters; the *Nigerian Women’s Trust Fund*, whose multimedia campaign focuses on the benefits of increased women’s political participation; the women’s political education sessions conducted by the non-partisan *Women in Politics Forum* to increase women’s chances to run successful campaigns for office; the *Youth Alliance on Constitution and Electoral Reform (YACORE)* and its awareness campaign to educate northern youths on non-violence in electoral participation ahead of the 2015 polls; and the “*On the Road to 2015*” voter education radio program conducted by the *Partners for Electoral Reforms (PER)*.

Presidential debates. The Nigerian media plans to organize candidate debates to include presidential and vice-presidential debates in the coming weeks. If successful, these debates would send a message to Nigerians across the country that

competition for high office is a debate of ideas and should not result in violence. The optics of the two main contenders on the same stage and engaged in meaningful discussion of issues pertinent to the electorate would elevate political discourse, assuage concerns of excessive polarization and enhance the possibility that the winner would be gracious in victory and the loser accept the outcome.

The Abuja Accord. This agreement, signed by 11 of 14 presidential candidates, commits the signatories to run issue-based campaigns at national, state and local government levels; to refrain from violent acts and inflammatory speech before, during and after the elections; and to speak out against any such violence. The Accord reinforces the inter-party Code of Conduct renewed by political parties in 2013. The Accord is widely hailed as an encouraging development that provides civil society, the media and the international community with a yardstick against which to hold candidates and parties accountable for their conduct in violence-free polls.

INEC communication. INEC has created a media corps as a mechanism for sharing information with the media and the public at large, and should enhance its effectiveness and frequency in the remaining weeks leading to election day.

Religious leaders. Highly respected leaders, such as the Sultan of Sokoto and the Cardinal of Abuja, have launched the Nigeria Inter-Faith Initiative for Peace, which aims to mitigate the negative impact of polarization along religious lines. This and similar initiatives should be encouraged to expand their mission to include appealing to their followers to take actions to contribute to peaceful polls.

Citizen monitoring of electoral processes. Drawing upon lessons learned and best practices acquired over the last four elections, citizen monitoring groups continue to play a critical role in providing Nigerians with accurate information on the integrity of the electoral process. Their programs and activities deter and detect irregularities during voter registration, in the pre-election period, on election day, and in the post-election period. One civil society network, the Transition Monitoring Group (TMG) – a coalition of over 400 civil society organizations – will, for the second time in a presidential election, use statistical random sampling methodology or ‘Quick Count’ to monitor election day processes and to verify the accuracy of official voting results.

V. RECOMMENDATIONS

The delegation believes that with sufficient political will, many of the immediate challenges can be addressed in ways that enhance citizen confidence and participation in the election and hence mitigate violence during and after the polls. In the spirit of international cooperation, the delegation therefore offers the following recommendations for review and consideration:

Confidence building measures. There is a perceived gap between those election preparations that have been undertaken by INEC and what some stakeholders understand to be the status of election preparation. This miscommunication is contributing to heightened tension around the election process. All parties should ensure that citizens have the knowledge and information they need to vote, and that citizens have confidence their vote will contribute to a credible electoral process.

Communications

- INEC should improve its communication strategy with voters, to include, for example, daily press briefings and more frequent public service announcements, including in local languages, in order to bridge any miscommunication on electoral preparedness and voting procedures.
- INEC should undertake a concerted voter education effort to demonstrate to the public the use of new technology such as the PVCs and card readers.
- INEC should better inform stakeholders and make publicly available contingency plans to expeditiously repair or replace technical broken-down equipment. They should also inform the public in advance of procedures such as those that relate to the handling of voters who appear on the voter list but do not have a PVC. It is important that the INEC response to these anticipated problems be uniform across the country.
- INEC should commit to make public in its final results the results from each polling unit. Making the commitment public prior to election day would add transparency to the process and enhance citizen confidence in election results.
- Political parties and candidates should focus on issue-based campaigns that address national priorities such as security, the economy and governance.
- Civil society should continue monitoring the election process and advocating for improvements in its integrity.
- The media should elevate civil discourse and report accurately, responsibly and professionally, in line with the media code of ethics, in order to contribute to raising voter awareness and education.
- The international community should continue to monitor and report publicly on the actions of individuals who violate the spirit of free and fair elections before, during and after the election.

Election administration

- INEC should urgently complete the distribution of PVCs to get them in the hands of the voters. INEC should also urgently complete the procurement of card readers, and communicate relevant information on these issues to the electorate as soon as possible in advance of election day.
- INEC should accelerate recruitment and training of polling officials.
- INEC should explore ways to increase voting by Internally Displaced Persons (IDPs) and ensure that properly registered IDPs are not disenfranchised.
- INEC should make maximum efforts and take concrete steps to avoid the disenfranchisement of sizeable populations in LGAs in north eastern states impacted by the Boko Haram insurgency. The government should make all possible efforts to provide the security and support necessary for the conduct of elections in those areas. INEC should facilitate consensus building around these efforts among all stakeholders.
- INEC should fully implement its gender policy that fosters gender equity in the recruitment and deployment of poll workers.

Political parties

- Political parties and candidates should focus on issue-based campaigns that address national priorities, such as security, the economy and governance.
- Political parties should train and deploy party agents to all polling sites to facilitate evidence-based monitoring of voting activities and documentation of any irregularities that may occur.
- Political parties should adhere to the rule of law and respect the INEC guidelines for political parties, specifically provisions that deplore the use of violence and inciteful language.

Violence mitigation. Many of the foregoing measures would contribute to mitigating violence. In addition, the delegation recommends the following:

Government of Nigeria

- The Government of Nigeria (GON) should reinforce security measures within the framework of the law and without intimidation to facilitate the conduct of polls in all 36 states and the Federal Capital Territory.
- The GON should reiterate to all security services their constitutional obligation to be professional and impartial in guaranteeing election security for all citizens.

Political parties

- Political parties and candidates should actively undertake voter and civic education so their supporters can be better informed and conduct themselves peacefully before, during and after the polls.
- Political parties and candidates should sensitize party supporters at the grassroots level on the political party Code of Conduct and provisions of the Abuja Accord and the commitment of candidates and party leaders to avoid and reject violence.

Civil society

- The delegation appeals to religious groups across inter-denominational faiths, traditional and community leaders, media and civil society organizations, including trade unions, youth and women's organizations, to launch a concerted and collective national movement for violence-free elections.
- The delegation urges contingency planning in the event of post-election violence and encourages the creation of a network of agents of peace across communities.

The international community

- The international community should expand and intensify its observation efforts to provide objective assessments of and recommendations on the electoral process, prior, during and after the election.
- The international community should more forcefully convey its belief that election-related violence will have consequences for the legitimacy of the election outcome.

- International partners should intensify their efforts to support the electoral process, including initiatives by Nigerian civil society.

NDI and IRI will continue to observe the electoral process and will issue additional statements as appropriate. NDI and IRI will deploy international election observers to the February 14 presidential poll, and will cooperate with other international observation missions and nonpartisan election observation efforts by Nigerian citizen groups in accordance with the Declaration of Principles and Nigerian law.

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The delegation's work was funded by a grant from the US Department of State.