

IRI/NDI Nigeria International Election Observation Mission Final Report

June 2019



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Letter from the Presidents



The International Republican Institute (IRI) and the National Democratic Institute (NDI) hereby present our final report on the 2019 elections in Nigeria. We would like to express our deepest gratitude to all Nigerians with whom our delegates met during this long-term observation process including government officials, the Chairman and members of the Independent National Electoral Commission (INEC), polling officials, party members, candidates, citizen election observers, civic activists and members of the National Peace Committee for their hospitality and cooperation.

Four years ago, Nigeria held elections that were recognized internationally as free, fair and credible. The 2019 general elections fell significantly short of standards set in 2015. Citizens' confidence in elections was shaken. Nigeria holds great promise with a dynamic youth population, substantial human and material resources and a vibrant civil society. Election stakeholders, especially the federal government, National Assembly, political parties and INEC should take concrete steps to address the concerns of citizens with regards to the polls in order to rekindle their faith in the power and possibility of credible elections. That is the only way to safeguard and strengthen the country's democracy.

Preparations need to begin now for the 2023 general elections, and the Nigerian government should urgently pursue a comprehensive and inclusive electoral reform process. Such a process should include lessons learned from the 2019 electoral cycle as well as past recommendations from credible Nigerian initiatives. The 2019 elections highlighted for many Nigerians the need for a national conversation about the country's democratization since the 1999 transition to civilian rule. We hope this report may both spur and contribute to enriching that national conversation.

In partnership with Nigerians across the political spectrum, NDI and IRI have long supported efforts to strengthen the country's democracy and recent successes. We look forward to continuing those partnerships in the years ahead.

Respectfully,

Ambassador Derek Mitchell
President
National Democratic Institute

Dr. Daniel Twining
President
International Republican Institute

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Acronyms and Abbreviations

AA	Action Alliance
ADC	African Democratic Congress
ADP	Action Democratic Party
APC	All Progressives Congress
APGA	All Progressives Grand Alliance
APM	Allied People's Movement
EECSP	Electoral Empowerment of Civil Society Project
EFCC	Economic and Financial Crimes Commission
FCT	Federal Capital Territory
IDP	Internally Displaced Persons
IMN	Islamic Movement in Nigeria
INEC	Independent National Electoral Commission
IRI	International Republican Institute
LGA	Local Government Area
LP	Labour Party
NNPP	New Nigeria Peoples Party
NDI	National Democratic Institute
PVT	Parallel Vote Tabulation
PDP	People's Democratic Party
PRP	People's Redemption Party
PVC	Permanent Voter Card
SDP	Social Democratic Party
STO	Short-Term Observer
YPP	Young Progressives Party
ZLP	Zenith Labour Party



Executive Summary

The International Republican Institute (IRI) and the National Democratic Institute (NDI) organized a joint international election observation mission for the 2019 national and state-level elections in Nigeria. This report reviews the joint mission's findings and offers recommendations to various stakeholders in the spirit of international cooperation. The IRI/NDI mission conducted its activities in accordance with Nigerian law and the Declaration of Principles for International Election Observation.¹

Mission Overview

During the mission, IRI/NDI deployed:

- Three high-profile pre-election assessment missions:
 - » July 2018 (to coincide with the Ekiti gubernatorial election of July 14, 2018).
 - » September 2018 (to coincide with the Osun gubernatorial election of Sept. 22, 2018).
 - » December 2018.
- Forty international observers for the Feb. 23, 2019, postponed presidential and National Assembly election, dispatched to the Federal Capital Territory (FCT) and 16 states covering all six of the country's geopolitical zones.
- Twenty international observers for the March 9, 2019, gubernatorial and State Houses of Assembly elections dispatched to 10 states covering all six geopolitical zones.

In the lead-up to the anticipated elections on Feb. 16, the leadership of the IRI/NDI mission met with various political and senior leaders to assess the final stages of election preparations. The leadership team included His Excellency Festus Mogae, former president of Botswana; Her Excellency Vaira Vike-Freiberga, former president of Latvia; Her Excellency Fatoumata Tambajang, former vice president of The Gambia; Ambassador Johnnie Carson, former U.S. assistant secretary of state for African affairs; Ambassador Derek Mitchell, NDI president; and Randy Scheunemann, vice chairman of IRI's board of directors. IRI/NDI also dispatched 40 observers to 16 states and the FCT, and had to recall them when the Independent National Electoral Commission (INEC) announced the postponement of the Feb. 16 elections a few hours before the polls opened. The IRI/NDI delegation for the presidential and National Assembly elections, rescheduled to Feb. 23, was co-led by Tambajang; Mitchell; and Dr. Daniel Twining, IRI president. For the March 9 elections, the IRI/NDI observation mission was co-led by Dr. Christopher Fomunyoh, NDI senior associate and regional director for Central and West Africa; and John Tomaszewski, IRI regional director for Africa.

Background

To many Nigerians, the 2019 elections—the sixth since the country's 1999 transition back to civilian democratic rule—were an opportunity to consolidate democratic gains and build on sound electoral practices. Significant improvements in the administration of the 2011 and 2015 elections boosted expectations for the 2019 electoral process. Moreover, Nigeria's first peaceful transfer of power between political parties following the 2015 elections underscored for Nigerians that credible elections matter.

¹ The declaration is available at www.ndi.org/DoP.

Although many new political parties nominated candidates for the 2019 elections, the polls were largely a contest between the incumbent All Progressives Congress (APC) and the People's Democratic Party (PDP). The APC hoped to renew the mandate of President Muhammadu Buhari and consolidate its majority in the National Assembly and of governorships. However, the party faced internal wrangling and defections of some key figures in the months before the polls. The PDP fielded former Vice President Atiku Abubakar as its standard-bearer and, entering the election process for the first time as an opposition party, challenged the APC's record, claiming the ruling party had not kept its campaign promises to fight corruption, improve security and boost the economy.

The IRI/NDI observation mission concluded that the 2019 elections did not meet the expectations of many Nigerians. The last-minute postponement of the presidential and National Assembly elections on the morning of Feb. 16, and delays in opening some polling units and other administrative challenges on Feb. 23 undermined public confidence in INEC. While INEC distributed materials and opened polls in a more timely fashion for the March 9 gubernatorial and State Assembly elections, many serious irregularities occurred, including vote buying, intimidation of voters and election officials, and election-related violence.

Political parties remain the weakest link among Nigeria's nascent democratic institutions. Opaque candidate nomination processes led to violence in some states and many pre-election lawsuits. The paucity of women and youth nominated to run on the tickets of the two major parties, the APC and PDP, demonstrated Nigerian political elites' lack of commitment to opening space for new faces and new voices. Moreover, political parties and their leaders did not uphold their commitment to peaceful and credible elections, failing to restrain and hold accountable members and supporters who committed electoral offenses.

Only 35.66 percent of registered voters cast a ballot for president, the lowest turnout rate since Nigeria's democratic transition in 1998/'99. There is a pressing desire among Nigerians for a national conversation about the future of their democracy, which must begin with addressing the clear and urgent need to resume the electoral-reform process that stalled prior to the 2019 election cycle.

Key Issues in the 2019 Elections

Election Administration

Ahead of the 2019 polls, INEC instituted several reforms, including simultaneous accreditation² and voting, the posting of results at polling units, improved voter-verification technologies, a more robust review and disciplinary process for INEC staff and enhancement of ballot secrecy and measures to reduce vote buying. INEC tested these innovations in off-cycle gubernatorial elections in Ekiti state in July 2018 and Osun state in September 2018, and lessons learned were applied in the general elections.

Building on its decision to institute a continuous voter registration process in 2017, INEC added 14.5 million voters to the registration roll, bringing the number of registered voters to 84,004,084.³ The collection of permanent voter cards (PVCs)⁴ by eligible voters for the 2019 polls increased from 82 percent in 2015 to 86.6 percent. In January 2018, more than a year before the polls, INEC released the elections timetable, but had trouble following it due to the delayed allocation of electoral funds, failed attempts to reform the electoral legal framework and numerous pre-election disputes over political party primaries that delayed ballot production.

Just hours before Nigerians were expecting polls to open on Feb. 16, INEC announced the postponement of the presidential and National Assembly elections to Feb. 23, citing delays in the distribution of election

² Accreditation is the process by which election officials verify a voter's eligibility.

³ In previous election cycles, citizens were required to register to vote during a designated period of four to six weeks in the year before election day.

⁴ A PVC is an identification card, which voters are required to present to polling officials on election day. A PVC contains the voter's unique biometric data and is verified by the smart card reader in the polling unit.



materials. However, for the rescheduled Feb. 23 polls, essential materials were still not delivered on time and poll workers arrived late, delaying the opening of polling units in many parts of the country. As a result, INEC extended voting hours for affected polling units. In many polling units, voting and counting continued late into the night. The March 9 elections saw improvements in electoral administration, including the timely distribution of materials and opening of polling units, in some parts of the country. Both polls were administered generally in accordance with election procedures.

The last-minute postponement of the presidential and National Assembly elections on Feb. 16 showed that INEC had underestimated challenges associated with the administration of the elections. The commission did not communicate sufficiently with political parties and the public about election preparations. Such a late postponement likely depressed voter turnout and created confusion about the duration of candidate and party campaigning. Most significantly, the delay also undermined public confidence in INEC. After the one-week postponement, INEC increased its public outreach and communications through regular press briefings. Since the polls, however, INEC has been slow to release information, including detailed results.

On Feb. 27, INEC completed the collation process for the presidential results, declaring the APC's Buhari the winner with 56 percent of the vote. Abubakar, the presidential candidate of the PDP, received 41 percent of

the vote. A parallel vote tabulation (PVT)⁵ conducted by YIAGA Africa verified INEC's announced presidential results. The APC also emerged with significant majorities in both chambers of the National Assembly. Following the gubernatorial elections, the APC retained control of 19 states, compared with 16 for the PDP.⁶

Electoral Reform

The Electoral Act of 2010 was an important update to the electoral legal framework. After the 2011 and 2015 polls, however, stakeholders identified areas where additional reforms were needed. In 2018, the National Assembly approved four versions of a bill to amend the Electoral Act. The measure would have codified important improvements, including imposing higher fines on media houses not providing equal air-time to competing political parties, making the voter register and election results electronic and publicly accessible, capping the nomination fees that political parties' charge candidates, and extending the application of the Electoral Act to local government elections. Buhari withheld his assent to each version of the bill, ultimately citing the proximity to the elections and the short time INEC would have to implement reforms. The president's last rejection of the bill in December 2018, just a couple of months before election day, surprised most stakeholders and delayed the release of INEC's election guidelines. Other legal reforms to the electoral process recommended by Nigerian civil society were unrealized before the 2019 elections, including creating appropriate institutions to oversee political parties and prosecute electoral offenses, responsibilities that currently impede INEC's focus on administering elections.

Political Parties' Flawed Candidate Nomination Processes

In October 2018, political parties conducted primaries to select candidates for the 2019 polls. Many of these processes were reportedly plagued by vote buying, rigging, and confusion over the location of the primaries and who could participate in them. In some instances, party leadership submitted candidate lists to INEC with nominees who had not won their primaries. Intra- and interparty disputes after the primaries led to more than 800 court cases, many of which were not settled by election day.

In addition, opaque campaign financing and candidate-selection processes pose significant and disproportionate disadvantages for women and youth candidates for party leadership or elected office. While the 2019 elections saw more women and youth running for office, most were fielded by new or minor parties with long odds of winning. Notably, the APC and PDP fielded only 24 and 31 women candidates, respectively, for the bicameral National Assembly's 469 seats. The two parties also had only 13 and eight legislative candidates, respectively, under the age of 35. As a result, the number of women elected at the national level declined. Women now hold only 3.8 percent of seats in the National Assembly, the lowest level of women's representation in any legislature in Sub-Saharan Africa.⁷ In addition, only five youth candidates were able to take advantage of lower age requirements for most elected offices made possible by passage of the Age Reduction Bill in May 2018.⁸

Insecurity and Election-Related Violence

Ahead of the 2019 polls, the poor security situation in Nigeria, mainly attributed to Boko Haram's resurgence in the North East, intercommunal violence in the Middle Belt and widespread crime and banditry, raised concerns about the safety of voters and candidates. Increased politically motivated violence and conflict in the pre-election period was also a concern, especially around political party primaries in some areas and with some alleged political assassinations in the weeks before the polls. To ease these rising tensions, the

⁵ A PVT involves rapidly collecting information on the quality of the process and vote count data from observers deployed to a random representative sample of polling stations, allowing independent verification of the official election results within a margin of error.

⁶ Anambra state is controlled by the All Progressives Grand Alliance (APGA). In March 2019, a court threw out the election of the APC governor in Osun state, declaring the PDP the rightful winner of the September 2018 off-cycle election; however, the decision was overturned by the Court of Appeal in favor of the APC. The case is under appeal at the Supreme Court. In addition, in May 2019, the Supreme Court ruled that the APC did not conduct party primaries within the time frame stipulated by INEC in Zamfara state. This decision nullified all 36 elected seats won by the APC in Zamfara state and gave them to the runner-up, the PDP.

⁷ In 10 states, not a single woman was elected during the 2019 elections at either the national or state levels (Bauchi, Edo, Jigawa, Katsina, Kebbi, Kwara, Nasarawa, Sokoto, Taraba and Zamfara).

⁸ Candidates under the age of 30 won State House of Assembly seats in Akwa Ibom, Benue, Gombe, Katsina, and Oyo states.

National Peace Committee convened political parties and their presidential candidates to sign two peace accords. The first, signed on Dec. 12, 2018, committed the candidates to run issue-based campaigns. The second, signed on Feb. 13, 2019, committed the candidates to respect the outcome of elections. Despite these accords, politically motivated violence rose and political actors used increasingly inflammatory language as election day approached.

Before the elections, various Nigerian stakeholders expressed concerns about the neutrality of the security services. The Inter-Agency Consultative Committee on Electoral Security, co-chaired by the national security adviser and the chair of INEC, is meant to improve coordination and information sharing on election security, but it was not fully operational at the state and local levels before and on election day.

While voting was generally peaceful during the Feb. 23 and March 9 elections in most of the country, at some polling units party agents and other party supporters disrupted voting, intimidated voters and destroyed voting materials. Party agents also acted with impunity in assisting voters to mark their ballots, intimidating voters and violating the secrecy of the ballot. During the March 9 polls, most police and unarmed security conducted themselves with restraint. However, credible citizen observer groups expressed grave concern over the heavy military presence in some areas and what they termed the “militarization of the electoral process.” The military disrupted the polls in some areas, including in Rivers state, where soldiers deployed heavily around INEC’s offices, leading to the suspension of vote collation. These disruptions contributed to many canceled votes,⁹ inconclusive election results¹⁰ and the need to conduct supplementary elections for some contests.¹¹

Money in Politics

Money has played a corrosive role in Nigeria’s political system. The high cost to obtain political party nominations, including both formal nomination fees and payoffs often required to influence primary outcomes, deters many qualified aspirants from contesting, including many women, youth and people with disabilities. The influence of money in the political process also reduces the incentive for political parties to earn voters’ confidence by creating platforms that are responsive to citizen priorities. As a result, there is little to differentiate the parties ideologically. This money-driven political system also contributes to “cross-carpeting,” with party elites regularly switching parties to secure nominations for elected office.

During off-cycle gubernatorial elections in Osun (July 2018) and Ekiti (September 2018) states, citizen observers raised concerns about the increasing, and increasingly brazen, practice of vote buying.¹² Nigerian election stakeholders informed the mission that poverty, disillusionment with the performance of elected representatives, low civic awareness among voters, and lack of accountability contributed to the expansion of vote buying. In an attempt to curb this practice, INEC instituted new measures to protect the secrecy of the ballot, including prohibiting the use of cell phones in the voting booth and rearranging the layout of polling units. Still, throughout the campaign period, citizen observer groups noted more vote buying, including political parties buying PVCs, presumably to suppress voter turnout in certain areas. During the Feb. 23 and March 9 polls, IRI/NDI observers witnessed vote buying at polling units as well as party agents assisting voters in marking their ballots and violating the secrecy of the vote.

⁹ Voting in polling units could also be canceled when officials refused to use the smart card reader to accredit voters or where the number of votes cast exceeded the number of registered voters. However, INEC has not released detailed explanations for canceling votes.

¹⁰ INEC declared results inconclusive due to the “margin of lead” principle, which calls for a supplementary election in polling units that were cancelled when the number of registered voters exceeded the difference between the number of votes received by the first- and second-place candidates.

¹¹ INEC conducted supplementary elections for nine Senate, 25 House of Representatives and six gubernatorial contests. There were supplementary elections for State House of Assembly contests in 18 states and local area council elections in the FCT.

¹² Vote buying is an electoral offense in Nigeria under the Electoral Act of 2010, Section 124 (1) and (2).



Nigerian-Led Initiatives

In preparation for the 2019 polls, Nigerians sought to increase citizen participation—particularly of marginalized groups including women, youth and people with disabilities—to enhance confidence in the elections and minimize the risk of election-related violence. The Not Too Young to Run campaign, led by a coalition of civil society organizations, resulted in a constitutional amendment that lowered the minimum age for elected officials at the national, state and local levels. The percentage of youth candidates subsequently increased from 21 percent in 2015 to over 34 percent in 2019. The number of women candidates also increased, and six women ran for president. The Access Nigeria campaign, led by civil society organizations seeking to improve the participation of people with disabilities in political and electoral processes, also resulted in the use of the braille ballot guide to allow visually impaired Nigerians to cast their vote on election day. On election day, several citizen organizations and networks, including the Nigerian Civil Society Situation Room, YIAGA Africa, the Center for Democratic Development-West Africa, and the CLEEN Foundation, monitored various aspects of the electoral process, demonstrating innovative practices in data collection, coordination and presentation, and a significant commitment to strengthening democratic institutions and processes in Nigeria.

Election Dispute Resolution Processes

More than 800 disputes were filed in Nigerian courts in the pre-election period. Most of the cases challenged either the outcome of political party primaries or the eligibility of candidates. The high number of petitions threw into question in the days before the elections which parties and candidates would appear on the ballot. Most of these cases were unresolved even after the elections and some have led to the overturning of some election outcomes.¹³

In January 2019, Buhari suspended the chief justice of the Supreme Court, Walter Onnoghen, for failing to disclose his assets as required by law. The Supreme Court plays an important role in the resolution of electoral disputes, including convening election tribunals and serving as the final court of appeal for petitions challenging the presidential elections. The suspension, just three weeks ahead of the election, raised doubts among electoral stakeholders about the independence of the Supreme Court and electoral tribunals.

On March 18, Abubakar and the PDP filed a petition with the Court of Appeal challenging the outcome of the presidential election as declared by INEC. The petition claims the vote tallies announced by INEC were not the actual results, citing images produced by an unnamed whistleblower showing different result totals and pictures of an alleged INEC computer server. The petition also cites INEC's failure to comply with the Electoral Act and the alleged ineligibility of Buhari to contest the election due to the absence of an education certificate that verifies that he attended secondary school, a constitutional requirement.¹⁴ INEC as well as Buhari and the APC filed responses to the petition. The Court of Appeal has 180 days from the filing of the petition, until Sept. 14, 2019, to rule. The decision can be appealed to the Supreme Court, which would have 90 days to render a verdict.

¹³ Most notably, in May 2019 the courts ruled that the APC did not conduct a primary in Zamfara state, invalidating the candidacy of all APC members elected to office.

¹⁴ President Buhari contends that the original certificate was submitted to the Board of the National Army when he enlisted in 1962.



Summary of Recommendations

These elections marked the 20th anniversary of the country's transition to civilian democratic rule. However, the elections highlighted for many Nigerians the need for a national conversation about the progress made since that transition and the vulnerabilities that must be overcome to make electoral processes more credible and the country's democracy more resilient. The IRI/NDI mission urges Nigerian stakeholders to seriously consider these and other recommendations to improve the electoral process, unlike in previous years when suggestions by reputable citizen and international observation missions went unheeded.

Legal Framework and Election Dispute Resolution

- Pursue a comprehensive, inclusive and expeditious electoral reform process.
- Establish time limits for the adjudication of pre-election petitions.

Election Administration

- Complete constituency delimitation exercise and identify necessary polling units at least one year before the next elections.
- Make the continuous voter registration process more accessible to voters.
- Develop and adopt a strong strategic communications plan.
- Reconsider the order and timing of general elections.
- Create a process that facilitates suffrage for those on official duty on election day.
- Adopt more transparent procedures for the tabulation, transmission and announcement of results.



Political Party Conduct

- Urgently commit to and implement measures to strengthen mechanisms for political party internal democracy.
- Develop and campaign on issue-based platforms that reflect citizen priorities.
- Build the capacity of political parties to monitor elections.

Civic Engagement

- Improve coordination among stakeholders to increase and deepen voter and civic education.
- Continue efforts to enhance the participation of marginalized groups, including women, youth, people with disabilities and internally displaced persons (IDPs).

Election Security

- Continue to improve coordination between security agencies and INEC on the provision of electoral security.
- Enforce electoral laws by investigating and prosecuting perpetrators of election-related criminal acts.



AB-AW

INEC



AB-AW

EC 30 A

INDEPENDENT NATIONAL ELECTORAL COMMISSION

POLLING STATION

Mission Overview

IRI and NDI partnered to conduct a joint international election observation mission to Nigeria's 2019 general elections to demonstrate the international community's continued interest in and support for democratic progress in the country. The mission also provided Nigerian citizens, election and government officials, civic organizations and other stakeholders with an objective assessment of the electoral process and practical recommendations for how to best address challenges to inclusive and credible elections in the future.

In the run-up to the 2019 elections, the joint mission conducted three pre-election assessments—in July, September, and December 2018. The first pre-election assessment, from July 12–20, 2018, was conducted by Dr. Pauline Baker, president emeritus of the Fund for Peace; Lauren Blanchard, specialist in African affairs of the U.S. Congressional Research Service; Dr. Christopher Fomunyoh, NDI senior associate and regional director for Central and West Africa; Jan Surotchak, IRI regional director for Europe; and Terry Tselane, vice chairperson of the Independent Electoral Commission of South Africa.

The second pre-election assessment delegation, from Sept. 19–28, 2018, was composed of Robert Benjamin, NDI senior associate and regional director for Central and Eastern Europe; Mvemba Dizolele, professorial lecturer at Johns Hopkins University's School of Advanced International Studies; Sarah Jegede-Toe, co-chair of the Liberia National Elections Commission; Anna Jones, national network coordinator at the West African Network for Peacebuilding–The Gambia; and John Tomaszewski, IRI regional director for Africa.

The third pre-election assessment, from Dec. 14–19, 2018, was comprised of Linda Thomas-Greenfield, former U.S. assistant secretary of state for African affairs; Ambassador Lewis Lucke, former senior official at the U.S. Agency for International Development and Ambassador to the Kingdom of Swaziland; Dickson Omondi, NDI Kenya resident country director; and Tomaszewski. In the end, 13 delegates from seven countries participated in IRI/NDI's pre-election assessments to Nigeria.

Each assessment examined the political environment and election preparations and offered recommendations to boost citizen confidence in the process and mitigate violence. The pre-election delegations met with a wide array of election stakeholders, including INEC, political parties and their candidates (including the presidential candidates of the two leading parties), members of the judiciary, civil society representatives, religious leaders, media practitioners, security officials and senior government officials. The first and second pre-election assessments corresponded with the off-cycle gubernatorial elections in Ekiti and Osun states. The delegations traveled to both states to visit several polling units on election day and meet with election stakeholders. A preliminary statement was issued after each assessment detailing the delegation's findings and recommendations.¹⁵

Additionally, the joint mission deployed four thematic experts to Abuja on Feb. 4, 2019, to provide in-depth analysis of key issues—electoral violence, election administration, inclusivity and the political environment—in advance of the presidential, legislative and state-level elections. An additional thematic expert joined the team on Feb. 20, 2019, to assess the media environment before the rescheduled national elections, in between the national and state-level elections and in the post-election context. The five thematic experts included two women, and represented four countries.

On Feb. 11, 2019, 40 accredited short-term observers (STOs) joined the IRI/NDI mission's core team in Abuja to observe the presidential and legislative elections scheduled for Feb. 16, 2019. Observers represented 19 countries and included 22 women. The leadership was composed of H.E. Festus Mogae, former president of Botswana; H.E. Vaira Vike-Freiberga, former president of Latvia; H.E. Fatoumata Tambajang, former vice

¹⁵ See Appendix A for the first pre-election statement. See Appendix B for the second pre-election statement. See Appendix C for the third pre-election statement.

president of The Gambia; Ambassador Johnnie Carson, former U.S. assistant secretary of state for African affairs; Ambassador Derek Mitchell, NDI president; and Randy Scheunemann, vice chairman of IRI's board of directors. On Feb. 14, observers deployed in two-member teams to the FCT and 16 states across the country spanning all six geopolitical zones. The joint mission selected deployment states based on criteria that included findings from the pre-election assessment missions, security assessments to ensure observer safety and the need to provide coverage across the political party strongholds and competitive states. From Feb. 14-15, 2019, observer teams met with state-level electoral stakeholders, including candidates, INEC officials, political party leaders, security agents and civil society representatives. On Feb. 16, after INEC announced a one-week postponement of the presidential and legislative elections to Feb. 23 and of the gubernatorial and State House of Assembly elections to March 9, the IRI/NDI delegates returned to Abuja.

Upon INEC's postponement announcement, the IRI/NDI mission joined other international election observation missions—including the Economic Community of West Africa States, the African Union, the Commonwealth, the Electoral Institute for Sustainable Democracy in Africa, the European Union, the United Nations, and the Organisation of Islamic Cooperation—in releasing a joint statement calling for Nigerians to remain calm and committed to the electoral process.¹⁶ The IRI/NDI mission also issued a statement expressing “regret that INEC underestimated the challenges associated with the administration of the elections” and to “urge INEC to increase transparency and to better communicate about the electoral process to build trust with the citizens of Nigeria.”¹⁷ The IRI/NDI mission pursued stakeholder meetings before the new election date, demonstrating continued support for the organization of democratic and peaceful elections on Feb. 23.

The IRI/NDI mission deployed another 40-person delegation to observe the Feb. 23 presidential and National Assembly elections. The members of the delegation represented 19 countries and included 16 women. The leadership of the delegation included H.E. Fatoumata Tambajang, Ambassador Derek Mitchell, and Dr. Daniel Twining. On Feb. 21, delegates re-deployed in 20 two-member teams to 16 states covering all six geopolitical zones and the FCT. On election day, STOs submitted periodic reports to the mission's command center in Abuja. On Feb. 25, 2019, the joint mission issued a preliminary statement detailing the delegation's assessment of election preparations and election day processes.

To observe the gubernatorial and State House of Assembly elections, the IRI/NDI mission deployed 20 STOs from March 4-11, 2019. The members of the delegation represented 11 countries and included nine women. The delegation was co-led by Dr. Christopher Fomunyoh and John Tomaszewski. On March 7, delegates deployed in two-person teams to the FCT and 10 states covering all six geopolitical zones and held pre-election meetings with state-level election stakeholders. On election day, STOs submitted periodic reports to the command center in Abuja. On March 11, 2019, the joint mission issued a preliminary statement detailing the delegation's assessment of developments related to election preparations before the March 9 vote and election day processes.¹⁸

On and immediately following both election days, IRI/NDI delegation members observed the vote counting, tabulation and transmission process as well as the announcement of election results. The election mission core team also analyzed the overall results-management process and the post-election environment. Both IRI and NDI have long-established offices in Abuja and will continue supporting the democratization process in Nigeria.

¹⁶ See Appendix E for the joint statement on the election postponement.

¹⁷ See Appendix F for the IRI/NDI mission statement on the election postponement.

¹⁸ See Appendix H.

Background

Nigeria's 2019 elections were an opportunity to consolidate democratic gains made since the end of military rule in 1999. In 2015, Nigeria experienced the first peaceful transfer of power since independence in 1960 from one ruling party, the PDP, to a former opposition party, the APC. The 2015 polls were a marked improvement in election administration and transparency over previous elections. Although there were shortcomings, the overall success of the elections underscored for Nigerians that credible elections matter. This sentiment was captured in an Afrobarometer survey in 2017 that showed that 72 percent of Nigerians agreed that democratic elections are the best means of choosing the country's leaders.

For the 2019 contest, INEC registered an unprecedented 91 political parties of which 73 fielded presidential candidates.¹⁹ Some party coalitions, such as the Coalition of United Political Parties were created in an attempt to change the traditional two-horse race. In the months before the Feb. 23 vote, however, most minor parties and coalitions endorsed one of the leading candidates, the PDP's Abubakar or Buhari of the APC.

Since the 2015 elections, both the PDP and APC have faced internal divisions. The PDP was paralyzed for two years by a struggle between the National Working Committee and the National Caretaker Committee, both simultaneously assuming the role of the party's leadership. The dispute escalated to the Supreme Court, which ruled in favor of the National Caretaker Committee in July 2017.²⁰ In August 2018, the APC suffered high-level defections that threatened its chances of maintaining power in the 2019 elections. The defections resulted in the APC losing control of the National Assembly, as Senate President Bukola Saraki and Speaker of the House Yakubu Dogara joined the PDP.²¹

The success of the Not Too Young to Run campaign prompted a growing interest among youth in the 2019 elections. The campaign resulted in the passage of the Age Reduction Bill, which amended the constitution to lower the age requirement for presidential and gubernatorial candidates to 35 years, and to 25 years for federal and state representative candidates. In the end, overall youth candidacy increased from 21 percent in 2015 to 35.2 percent in the 2019 elections.²²

On Jan. 25, Buhari suspended Supreme Court Chief Justice Walter Onnoghen over his failure to declare assets before taking office in 2017, a legal requirement for public officials. The suspension drew criticism from the international community and local civil society, which questioned the president's constitutional authority to remove a sitting chief justice without approval from the National Assembly. Some saw the move as politically motivated, considering the chief justice plays a vital role in resolving post-election disputes.

The 2019 elections also took place within a context of heightened insecurity. Despite the government's concerted effort to rid the North East of terrorist groups, Boko Haram continued to carry out attacks in the lead-up to the 2019 elections. In 2017, the group carried out 135 attacks, three times as many as in 2016. An increase in attacks by Boko Haram against military targets in December 2018 also heightened fears of the group's resurgence and prompted Buhari to organize an emergency meeting with regional heads of state. Meanwhile, in the South East, the Biafran separatist movement called for a boycott of the elections and a referendum for Biafran separation on the same day as the presidential vote. In addition, remnants of the militant groups that previously disrupted oil operations in the Niger Delta reportedly merged with criminal youth gangs that are commonly associated with election-related disturbances. The Nigerian military also confronted Islamic Movement in Nigeria (IMN) members in October 2018 who were protesting in Abuja

¹⁹ Only 28 political parties were registered at the time of the 2015 elections, of which 14 fielded presidential candidates.

²⁰ The National Caretaker Committee eventually organized a national party convention in December 2017 where the PDP's current national leaders were elected.

²¹ Governors Aminu Tambuwal of Sokoto State, Dr. Samuel Ortom of Benue state and Abdulfatah Ahmed of Kwara state subsequently defected along with 15 senators and 37 members of the House of Representatives.

²² A candidate that is 35 or younger is considered youth.

over the government's refusal to release their leader, Sheikh Ibrahim el-Zakzaky. IMN reported that 40 of its members were killed. Finally, pastoral and farming communities in the Middle Belt continued to clash over land ownership, resulting in more than 2,000 deaths in 2018 alone and a steep rise in the number of IDPs. Armed banditry, kidnappings and day-to-day petty crime also rose, particularly in Zamfara, Kano and Kaduna states, leading to hundreds killed and prompting a military operation by the government to quell the violence ahead of the 2019 general elections.



Electoral System and Legal Framework

Electoral System

Nigeria is a federal system with powers divided among the federal, state and local government levels. The country is divided into 36 states that are further subdivided into 774 local government areas (LGAs). For the 2019 general elections, INEC conducted 1,558 electoral contests: the presidential election, 109 Senate elections, 360 House of Representatives elections, 29 gubernatorial elections, 991 State House of Assembly elections; and six chairman and 62 councilor elections for the six local area councils in the FCT.²³

For the presidential election, the president and vice president are elected on a single ticket to a four-year term. Presidents are limited to two four-year terms. To be elected, a presidential candidate must win a simple majority as well as 25 percent of the votes cast in at least 24 states.

The National Assembly is composed of the Senate and the House of Representatives. The Senate, the upper chamber, has 109 members, three from each of the 36 states and one from the FCT. Each state is divided into three single-member constituencies from which senators are elected. The House of Representatives, the lower chamber, has 360 members elected from single-member constituencies.

Article 72 of the 1999 constitution (as amended) provides that National Assembly constituencies be relatively equal in population size. Article 73 of the constitution requires INEC to review the delineation of National Assembly constituencies at least every 10 years and allows INEC to conduct a review following a national census. While a national census was conducted in 2006, the delineation of constituencies has not been updated since 1996. This creates an imbalance in relative voting power, since constituencies with higher population growth have the same number of elected representatives as those that have not grown as fast.²⁴ Consequently, the international principle of equal suffrage²⁵ is not guaranteed.

Nigeria's governors are elected in single-member constituencies representing each of the 36 states. Similar to the presidency, candidates for governor must receive a simple majority and at least 25 percent of the vote in two-thirds of the state's LGAs. Governors and deputy governor candidates run on a single ticket. During the 2019 elections, INEC conducted gubernatorial elections in 29 of the 36 states. The remaining seven states are conducted off-cycle as a result of court rulings.²⁶

The State House of Assembly in each of the 36 states consists of 24 to 40 members representing single-member constituencies. In conjunction with these state-level polls in 2019, INEC conducted local area council elections in the FCT, which happen every three years.²⁷

Legal Framework

The legal framework for elections in Nigeria is the 1999 constitution (as amended) and the Electoral Act of 2010 (as amended). The constitution mandates that INEC organize, undertake and supervise all national elections. It also gives the commission power to register political parties; regulate parties' conduct, including auditing their accounts; conduct voter registration and maintain a national voter register; establish rules and regulations for the election campaign; conduct voter and civic education; fix dates for elections; and delimit

²³ In the 36 states, local area council elections are conducted by the state independent election commissions, which determine when these elections are held. INEC is responsible for conducting local area council elections only in the FCT. As the FCT council elections happened to coincide with the general elections in 2019, INEC held them at the same time as the state elections.

²⁴ INEC has not released disaggregated voter registration data by constituency, which makes it difficult to assess the degree of this imbalance.

²⁵ International Covenant on Civil and Political Rights, Article 25, General Comment 25, Para 21.

²⁶ The seven states that hold off-cycle gubernatorial elections are: Anambra, Bayelsa, Edo, Ekiti, Kogi, Ondo and Osun states. These elections are held off-cycle as a result of court rulings that overturned the outcome of the election or resulted in new elections being held. The courts ruled that the four-year term would start with the inauguration of the rightful candidate.

²⁷ State election commissions are responsible for conducting local government elections in Nigeria's 36 states.

constituencies. The constitution and the Electoral Act also grant INEC the authority to establish specific regulations and guidelines for the conduct of elections.

The Electoral Act of 2010 was an important update to the electoral legal framework. However, following the 2011 and 2015 polls, stakeholders identified areas for additional electoral reform and in 2016 the National Assembly, in consultation with INEC, drafted a bill to amend the Electoral Act. The proposed amendments would have codified the use of smart card readers and other forms of electronic voting. The bill also sought to increase penalties for vote buying, impose higher fines on media houses not providing candidates equal airtime and make the voter register and results electronic and accessible.

The first version of the amendment bill was introduced in 2016 but was not passed and sent to the president until early 2018. In March 2018, Buhari withheld his assent, citing concerns including a controversial amendment stipulating the sequence of elections.²⁸ Between June and December 2018, the National Assembly sent three revised versions of the bill to the president, who withheld his assent each time. Buhari cited inconsistencies in the bill and conflicts with existing law, and said INEC would not have time to implement the changes before the elections.

Election Dispute Resolution

The election dispute resolution process is established by the constitution and Electoral Act of 2010. The constitution gives the Court of Appeal jurisdiction over disputes related to elections for the president and vice president. It also provides for the Court of Appeal to establish election tribunals to handle disputes relating to the National Assembly, gubernatorial, and State House of Assembly elections. Candidates and political parties must file petitions within 21 days of the election, and the tribunal must issue its ruling within 180 days. Cases regarding the presidential and gubernatorial elections may be appealed to the Supreme Court, whereas cases regarding the national and State Houses of Assembly terminate in the Court of Appeal.



²⁸ The bill stipulated that INEC should conduct three separate elections in a prescribed order: 1) National Assembly elections; 2) State House of Assembly and gubernatorial elections; and 3) the presidential election. However, in rejecting the measure, Buhari noted that the constitution gives INEC the authority to establish election dates.

Pre-Election Period

Below are top-level findings from the IRI/NDI mission's three pre-election assessments. The full statements with detailed findings are included as appendices to this report.

Election Administration

Since the 2007 polls, INEC has taken steps to improve the organization and credibility of elections, including: deploying members of the National Youth Service Corps as poll workers, introducing biometric PVCs, deploying smart card readers to scan voter cards and validate fingerprints, and announcing results on an ongoing basis live on television, radio and social media. Under the leadership of Dr. Mahmood Yakubu, who was appointed in 2015, INEC has continued to initiate reforms, including the adoption of simultaneous voter accreditation and voting,²⁹ the posting of results at the polling units,³⁰ improved voter-verification technologies and a more robust review and disciplinary process for INEC staff.

In 2017, INEC introduced a **continuous voter registration process** whereby eligible citizens could register to vote on an ongoing basis and be added to the existing voter register, rather than creating a new register prior to each election. This change led to the registration of more than 14.5 million new voters between April 2017 and August 2018, a 21 percent increase from the number of registered voters in the 2015 elections. On Jan. 7, INEC announced that 47 percent of registered voters were women and 51 percent of registered voters were youth (35 or younger).

INEC continued its use of **PVCs**, which contributed to increasing the credibility of elections in 2015. However, the process for voters to register and then return later to collect their PVC is onerous, especially for rural and poor voters who cannot afford the cost or time to travel multiple times to distribution centers. In the weeks before the original election day of Feb. 16, citizen observer groups and media outlets reported instances throughout Nigeria of voters repeatedly traveling to PVC distribution centers to find that they were not ready. Voters also reported encountering disorganization and confusion among election officials about the location and status of their PVCs. To their credit, INEC and civil society groups made notable efforts to increase information about the PVC collection process through traditional and online communication platforms, including television ads, SMS and WhatsApp. INEC also targeted youth through its Youth Votes Count campaign involving musicians and comedians to reach voters to encourage PVC collection. INEC also extended the PVC collection deadline by three days from Feb. 8-11 to allow more voters to collect their cards. According to INEC, 86.3 percent of PVCs were collected by voters, an increase from 82 percent in 2015.³¹

The introduction of the biometric **smart card reader** for the 2015 polls also increased the credibility of elections by reducing over-voting³² and other forms of electoral fraud.³³ However, the machines failed to recognize fingerprints in many instances, leading to the manual verification of a significant number of voters. To address this challenge ahead of the 2019 polls, INEC took measures to enhance the smart card reader software to better recognize voters' fingerprints. The IRI/NDI mission also noted innovative steps by INEC in the Ekiti and Osun off-cycle elections to recapture fingerprints on the spot with the smart card reader if a voter's PVC was correctly validated but the reader could not recognize the fingerprints. Citizen observer groups noted that the smart card reader's technological enhancements overall meant that fewer voters were turned away from the polls than in previous general and off-cycle elections.

²⁹ In the past, INEC organized elections using the modified open ballot system, which divided the voting process into discrete periods: in the morning voters were accredited and then they had to wait at a polling place until the afternoon to cast their ballots.

³⁰ While this step had previously been part of the procedures, it was not consistently followed or made a point of emphasis. For the 2019 elections, INEC aimed to ensure results were posted at all polling units.

³¹ <http://saharareporters.com/2019/02/21/breaking-728-million-nigerians-collected-pvcs-says-inec>.

³² Over-voting occurs when the number of votes cast exceeds the number of voters accredited at that polling unit or voting point.

³³ The smart card reader is a machine used by officials in the polling unit on election day to validate a citizen's PVC and verify his or her biometrics.

The level and frequency of **communication and information sharing** by INEC was raised by Nigerian stakeholders as a concern during the pre-election period. While civil society and political parties applauded INEC's efforts to hold regular quarterly meetings to brief stakeholders on election preparations, these meetings should have become more frequent as the election approached and provided greater opportunity to discuss key issues. Moreover, the unexpected election delay indicated that INEC had not communicated openly or honestly about the logistical challenges it faced. In addition, during meetings with the IRI/NDI mission and in statements to the media, political actors conveyed inaccurate information concerning the election, particularly regarding INEC's plans for using smart card readers, incident forms, electronic transmission of results and IDP voting. INEC acknowledged to the IRI/NDI mission that it needed to improve its communication and outreach efforts to electoral stakeholders and the public, and to respond more quickly to inaccurate information.

INEC's election preparations were hampered by the late **distribution of necessary election funds**. In October 2018, the National Assembly approved INEC's 189 billion naira (approximately \$521 million) budget for the 2019 elections. However, INEC did not receive funds for several more weeks due to disagreement between the executive branch and the National Assembly over the sourcing of these funds. During the IRI/NDI mission's September and December assessments, Nigerian interlocutors expressed concerns about delays by the National Assembly in approving the funds and their potential impact on INEC's ability to procure all materials and equipment in time for the 2019 polls and make the necessary logistical and operational preparations, although INEC leadership said it would be prepared for elections despite the budget delays.

In the Ekiti and Osun gubernatorial races, INEC piloted the use of smart card readers to transmit electronically the number of accredited voters and results from each polling unit to the collation centers. But INEC stated that it would not utilize the smart card readers to **electronically transmit the official results** of the 2019 elections, as the practice was not supported under the existing legal framework. Instead, INEC decided it would continue e-transmission as a pilot program and use the results internally to identify discrepancies in the manual collation of results.

INEC made a concerted effort to promote the **participation of marginalized groups** in the electoral process. As an example, INEC has a gender policy to help promote a level playing field for all stakeholders. In implementing this policy, INEC improved efforts to recruit women as polling and security officials at all levels. In collaboration with the civil society-led Access Nigeria campaign, INEC also adopted the Framework on Access and Participation of Persons Living with Disabilities,³⁴ which included use of the braille ballot guide for visually impaired voters and the EC40H form. That form records the number of disabled voters and their type of disability in each polling unit to better accommodate these voters in future elections. Both were successfully piloted during the Osun gubernatorial election.

On Dec. 10, 2018, INEC released its updated Framework for Voting by IDPs to accommodate the more than 2 million displaced people in Nigeria. INEC informed the IRI/NDI mission of its efforts to re-issue lost PVCs and to register first-time voters living in IDP camps in the country. As in 2015, those displaced but residing in camps within their home state would be able to vote. Under the new framework, INEC allows IDPs in camps outside their home state to vote in the presidential election.

Another factor impacting election administration was repeated **delays in revisions to the electoral framework**. International and citizen election observers, including IRI/NDI's July and September pre-election assessments, repeatedly emphasized the importance of pursuing electoral reform early in the process to allow INEC sufficient time to implement changes. Nevertheless, INEC expressed confidence in organizing the 2019 elections under the existing legal framework. INEC announced it would exercise its authority under Section 52 of the 2015 amendment to the Electoral Act of 2010 to issue updated election guidelines.³⁵

³⁴ The framework is a policy document aimed at reducing the barriers that people with disabilities face in all aspects of the election process, as voters, aspirants, candidates, party officials and staff within INEC. It is accompanied by an operational plan.

³⁵ Section 52(2) of the 2015 amendment to the Electoral Act of 2010 states: "Voting at an election under this Act shall be in accordance with the procedure determined by INEC."





Flawed Candidate Nomination Processes

In October 2018, political parties conducted primaries to select their candidates for the 2019 polls. Civil society organizations and aspirants told the IRI/NDI mission that some primaries were undercut by vote buying and poor communication from party leaders about methods for voting,³⁶ the location of the nomination conventions and the composition of party membership lists. Other stakeholders expressed frustration over the political parties' continued practice of substituting names on their candidate lists; several candidates who won their primaries, including numerous women and youth, were removed from the list by party leaders and replaced by preferred candidates. Aggrieved aspirants filed nearly 800 election petitions, many of which were still pending in the courts on election day.

Women, youth and people with disabilities face many barriers to participating in political parties, including running for elected office. Additional challenges for these groups include their lack of access to party decision-making structures and financial obligations that are impossible to meet without the support of political party elites, to whom aspirants can become politically or personally beholden. Prevailing social structures and practices limit the ability of women to enter and advance in politics and often discourage them from

³⁶ In Nigeria, most candidates in political party primaries are selected via indirect or direct voting. In indirect voting, the most commonly used method, delegates vote for party candidates. Delegates are elected by registered party members during party congresses. In direct voting, a method piloted for some of the APC's primary votes in 2018, all registered members of the political party vote for candidates standing in the primary election. Some APC leaders opposed direct primaries before the 2019 elections due to security challenges and the absence of a verifiable membership register to prevent infiltration by members of other parties. In sixteen states, the APC conducted direct primaries and 15 states held indirect primaries.

engaging in political life in the first place. Women politicians spoke of numerous instances of discrimination that dissuaded them from participating in politics. In the end, the two major political parties, the APC and PDP, fielded only 24 and 31 women candidates, respectively, for the bicameral National Assembly's 469 seats and only 13 and eight legislative candidates, respectively, under the age of 35. Neither the APC nor the PDP fielded women candidates for governor. Most women and youth candidates were relegated to running on the tickets of newly-created parties, with unfavorable odds of winning.

Political Violence

Inter- and intraparty disputes also caused insecurity as the campaign period intensified. Inflammatory rhetoric by political parties and their candidates increased the risk of clashes between supporters of opposing candidates and distracted attention from the issues important to Nigerian voters. To ease these rising political tensions, the National Peace Committee³⁷ convinced political parties and their presidential candidates to sign two peace accords. The first, signed on Dec. 12, 2018, committed the candidates to run issue-based campaigns. The second, signed on Feb. 13, 2019, committed the candidates to respect the outcome of the elections. Much like the peace accord signed in 2015, this effort by the National Peace Committee was intended to instill confidence in the public about their safety on election day and increase the possibility of a credible vote by discouraging electoral violence.

Vote Buying

Nigerians expressed concerns to the delegation about increased, and increasingly brazen, vote buying at polling units compared with previous electoral cycles. For the July 2018 Ekiti gubernatorial election, YIAGA Africa's Watching the Vote project recorded that 8 percent of sampled polling units experienced incidents of vote buying or bribery on election day. Citizen observer groups continued to report vote buying in the September 2018 Osun gubernatorial election by political parties as well as in preparation for the 2019 polls. In its fourth pre-election report released in January 2019, YIAGA Africa's observers witnessed the distribution of money or gift items in at least one LGA in each of Nigeria's 36 states and Abuja. As one analyst told the IRI/NDI mission, "Vote buying is a frightening development in our elections."

Stakeholders pursued initiatives to combat vote buying in the pre-election period. Civil society conducted anti-vote buying campaigns to educate citizens on the importance of their vote. The Independent Corrupt Practices and Other Related Offences Commission declared vote buying a form of corruption and launched a campaign to combat the practice. INEC also instituted measures ahead of the Osun gubernatorial election in September 2018 to combat vote buying by safeguarding the secrecy of the ballot. These included increasing training for polling officials on how to instruct voters to roll the ballot to conceal their vote before leaving the voting cubicle. INEC also reconfigured polling units to situate the voting cubicle and ballot box closer together and further away from party agents. In the Osun election, citizen observer groups reported that these measures resulted in fewer instances of vote buying on election day than in the Ekiti vote. However, the IRI/NDI mission noted that overcrowding in polling units in Ekiti and Osun contributed to problems with ballot secrecy.

Fake News and Disinformation

Many stakeholders expressed concern over the levels and role of disinformation in the elections in the pre-election period. This type of false and unverified rhetoric can skew public perceptions, raise tension and fuel the potential for violence. IRI/NDI was informed that the websites and social media profiles of legitimate civil society organizations, observation groups and media outlets were cloned or hacked, and then used to spread disinformation to audiences who believed they were consulting trusted sources. In the lead up to the 2019 elections, media and civil society groups collaborated on ways to fact-check and verify the accuracy of

³⁷ In 2015, the National Peace Committee, led by former head of state Abdulsalami Abubakar, with prominent traditional and religious leaders as members, played a crucial role in encouraging political parties and candidates to commit to peaceful elections, including signing the Abuja Accord. The National Peace Committee played a similar role before the 2019 elections by engaging political parties and their candidates in dialogue and encouraging them to sign peace pledges.

reports and tried to alert social media platforms to take measures to remove posts that violate user policies. Media practitioners also told the IRI/NDI mission that new regulations issued by the National Broadcasting Commission had helped discourage the dissemination of hate speech and disinformation on television.

Nigerian-Led Initiatives

Civil society played a critical role in conflict mitigation, inclusion, voter and civic education, and citizen-based election observation. Youth were galvanized by the Not Too Young to Run campaign, led by a consortium of Nigerian civil society organizations, which resulted in a constitutional amendment that lowered the age requirements for presidential and gubernatorial candidates to 35 years, and to 25 years for federal and state representative candidates. This citizen-led movement demonstrated the power of Nigerian youth to influence the government and likewise demonstrated that the government can be responsive to citizens when they advocate for change.

Various citizen groups also supported women aspiring to elected office. The Nigerian Women's Trust Fund and the Women in Politics Forum trained and raised the profile of women aspirants ahead of the party primaries and 2019 polls. The IRI/NDI mission was also encouraged by the new levels of advocacy and participation from the community of people with disabilities. For example, the Inclusive Friends Association used data-based advocacy to lobby for reforms to make the voting process more accessible and to increase the political participation of those with disabilities.

Nonpartisan citizen observers played an important role in raising public confidence in the election process, deterring electoral malfeasance, exposing irregularities and providing citizens with important information on the integrity of the elections. As an example, YIAGA Africa's #WatchingtheVote project deployed long-term observers to all 774 LGAs during the pre-election period to capture timely and reliable information about electoral preparations and early warning signs of electoral violence. The Policy and Legal Advocacy Center convened more than 60 organizations as part of the Nigeria Civil Society Situation Room to observe the conduct of the 2019 general elections. Other groups, such as the Center for Democratic Development, monitored disinformation in the media and conducted fact-checking during the campaign period.

Nigerian youth organizations, including the Youngstars Development Initiative, and musician 2Baba Idibia conducted the "Vote Not Fight" campaign, which called for the peaceful participation of youth in elections. Through concerts, a peace pledge, social and traditional media campaigns, and community-based peace ambassadors, Vote Not Fight reached out to individuals, particularly youth, who have historically been perpetrators or victims of election-related violence. Civil society, under the auspices of the Peace and Security Network, also closely monitored the pre-election period for early warning signs of election-related violence and worked with stakeholders to identify and implement mitigation strategies. The CLEEN Foundation also conducted threat assessments in high risk states, worked with security agencies to mobilize response strategies and monitored the conduct of security personnel at polling units.

Presidential and Legislative Election Day Observations

Election Delay

The last-minute postponement of the elections on the morning of election day on Feb. 16 demonstrated that INEC underestimated the challenges associated with administering the election. Moreover, the commission was not forthcoming about procurement delays as well as the impact of uncertainty over the candidate lists caused by pre-election disputes. The late postponement depressed voter turnout, sowed confusion about the duration of candidate and party campaign activity and imposed significant additional economic costs for Nigerians. Most significantly, the delay also undermined public confidence in INEC.

Following the delay announcement, the IRI/NDI mission joined other international observer groups in issuing a joint statement calling for calm.³⁸ IRI/NDI also released its own statement urging INEC to be more transparent about electoral preparations and to better communicate with the public and stakeholders.³⁹ For its part, INEC did make efforts to increase its communication and outreach during the week-long delay, including holding regular press briefings by the chairman.

In the days before Feb. 23, observers found that most materials had been received from headquarters at the state level and distributed to registration area centers. However, observers noted the absence of an inventory of materials or systems for tracking missing and misplaced materials. In addition, due to a fire in an INEC office in Anambra state, more than 4,600 smart card readers were destroyed, leaving certain districts in the state without enough backup machines.

Election Day

While millions of Nigerians demonstrated their resilient commitment to democracy by voting on election day, turnout for the national polls on Feb. 23, 2019, was only 35.66 percent, a historic low. Those who voted waited patiently to cast their ballot, often despite long lines and delays. Women and youth served as polling officials, party agents and observers. Observers noted a heavy presence of party agents, including those from the APC and PDP, at nearly every polling unit observed.

A majority of polling units observed by the mission did not have essential materials and polling staff in place by 8 a.m. and, as a result, opened late. YIAGA Africa similarly indicated that only 41 percent of polling units opened by 10 a.m. Some polling units observed by the IRI/NDI mission did not commence voting until 1 p.m., just one hour before polls were intended to close. Nigerians, however, remained calm and exercised patience.

IRI/NDI observers noted that some polling officials did not understand how to orient or use the materials in the polling unit. Notably, in some polling units observed, ballot boxes were found unsealed or missing labels and lids. Observers found many polling units to be overcrowded and located in areas too small for the number of voting points, contributing to an overall environment of disorder and tension. In addition, observers noted that the location of polling units for IDPs was changed at the last minute from camps to traditional ward-level polling units in some locations, which could have made voting more difficult for IDPs. IRI/NDI observers were told that the abrupt change was because the IDP framework adopted by INEC ahead of the elections was not supported by the Electoral Act of 2010, which prohibits a voter from registering in more than one center or from voting “at a polling unit other than the one to which he is allotted.”

³⁸ See Appendix E for the full statement.

³⁹ See Appendix F for the full statement.

During voting, observers noted that the overall environment was peaceful and that polling officials generally adhered to voting procedures; PVCs were verified using the smart card readers and names were checked against the voter register. In most cases when fingerprints were not verified by the smart card readers, voters' details were checked in the voter register, as prescribed by the guidelines. Observers noted few instances of voters being turned away. However, frequent failures of smart card readers to authenticate fingerprints frustrated polling officials and voters and stymied the process.

Observers noted with concern many violations of the secrecy of the ballot. For example, voting cubicles were not provided in all polling units. Even with voting screens, the setup of the polling unit did not always guarantee secrecy of the ballot. In urban and rural areas alike, observers noted that polling units were not always accessible to people with disabilities. Magnifying glasses and ballot guides for the visually impaired were not seen by most IRI/NDI observers. When asked, numerous polling officials were not aware of or not using the EC40H form for documenting the number of disabled voters.

INEC extended voting past 2 p.m. to make up for delayed polling unit openings. However, IRI/NDI observers found that a notification from INEC headquarters to extend polling hours had not reached some polling officials. Overall, polling officials followed the counting procedures in polling units where the mission observed. Observers noted that, generally, party agents signed the EC8A and EC8AVP results forms.⁴⁰ In many polling units, the counting and collation processes continued late into the night. According to YIAGA Africa, 19 percent of polling units did not publicly post results forms at the polling unit.

Observers noted that security officials overall acted professionally and impartially. Police showed restraint, even during contentious counting processes. However, observers reported disruptions and intimidation by party agents and campaigning in some polling units, which contravened regulations. Notably, observers reported many instances of party agents overstepping their responsibilities, often directing operations in the polling unit and, in a few cases, "assisting" voters to fill out and cast their ballots. While observers noted few cases of overt vote buying, they reported that less visible forms of voter coercion, such as the distribution of gift items, may have tainted the process. Though overall election day was peaceful, media and other observer groups reported injuries and loss of life, including that of at least one polling official.

Voting took place on Sunday, Feb. 24, in some localities that experienced challenges with the smart card readers. However, INEC did not provide information about the locations of these polling units.

Collation and Announcement of Results

On Feb. 24, INEC began releasing certified state-level results from its National Collation Center in Abuja. On Feb. 28, INEC declared Buhari of the APC the winner of the presidential contest with 55.6 percent of the vote. Abubakar of the PDP registered 41.2 percent. A PVT conducted by YIAGA Africa verified the results, finding INEC's announced results to be within a credible statistical range.

INEC announced that voter turnout for the presidential election was 35.66 percent.⁴¹ It also announced the number of registered voters as collated as 82,344,107, nearly 1.7 million fewer than the figure announced prior to the elections. INEC has not provided an explanation for this discrepancy. If the actual number of registered voters is 84,004,084, as announced prior to the elections, the voter turnout rate would be even lower, at 35 percent. Moreover, the difference between the number of accredited voters and votes cast indicates that 2.6 percent of voters were accredited but did not cast a ballot in the presidential race. While it is possible that some voters chose not to vote for a presidential candidate, this number is higher than expected by Nigerian civil society and election administration experts. In addition, the rate of rejected (or invalid) ballots, 4.7 percent, is higher than the rate in 2015 of 2.8 percent. However, INEC has not released disaggregated results data that would allow for further examination of these trends.

⁴⁰ The EC8A form is to record the results for each political party at a polling unit. The EC8AVP form is to record the results for each political party at each voting point within the polling unit, which are then aggregated on the EC8A form.

⁴¹ INEC determined voter turnout by comparing the number of accredited voters with the number of registered voters (as collated).



During the announcement of the presidential results, INEC also announced that voting was canceled in many polling units across the country due to disruptions, such as violence, ballot box snatching and polling officials' refusal to use the smart card reader, as well as for over-voting. These polling units represented more than 2.9 million people, or more than 3 percent of registered voters. This is a jump from the 2015 elections, when voting was canceled in 1,045 polling units, representing less than 1 percent of registered voters. INEC has not released a comprehensive list of canceled polling units, nor the reasons for these cancellations. While the number of canceled polling units did not significantly affect the presidential results given the margin separating the top two candidates, it did necessitate supplementary elections for Senate and House of Representative contests.

The results for the Senate and National Assembly elections were announced by the resident electoral commissioners in each state. INEC refused to certify a winning candidate in the Imo West senatorial district and the Oju/Obi constituency in Benue state, claiming that results declared by the returning officer were made under duress. The INEC chairman told the IRI/NDI mission that he would not certify the results from these areas, where INEC staff were threatened to return a certain result unless ordered to do so by the courts. At the time of publication of this report, INEC has yet to release any consolidated vote tallies or results from the National Assembly elections.



Gubernatorial and State House of Assembly Election Day Observations

Election Day

On March 9, INEC conducted gubernatorial elections in 29 states, State House of Assembly elections in all 36 states⁴² and six area council elections in the FCT. INEC also conducted supplementary elections in 14 states for seven Senate and 25 House of Representatives contests whose results were declared inconclusive following the Feb. 23 poll due to violence or other disruptions. INEC did not release the list of supplementary elections until late on March 8 and did not release a list of the polling units where supplementary voting occurred on March 9.

Before election day, the IRI/NDI mission noted lingering tensions from the Feb. 23 national-level polls. Representatives of the two major parties accused each other of planning to disrupt the electoral process in various states, and the mission received reports of a spike in violent confrontations between APC and PDP supporters. In Akwa Ibom, an alleged arson at the INEC office in Ibesikpo Asutan LGA on March 8 destroyed smart card readers, and INEC had to mobilize nearly 200 replacements from other states.

On election day, IRI/NDI observers noted that voter turnout was generally low. Women and youth were well-represented as polling officials, party agents and observers, with a significant number of women serving as presiding officers in polling units. In addition, observers found that voting rights for IDPs were generally respected, with IDPs in Benue and Adamawa states permitted to vote in their camps. However, IRI/NDI observers noted significant impediments to voting for people with disabilities and the elderly, as many polling units were not physically accessible to these voters.

Most polling units that IRI/NDI observed opened on time and received all essential materials prior to opening. However, in parts of Lagos, Nasarawa and Kaduna states, observers noted serious delays in the opening of some polling units. Such delays were generally due to the late arrival of INEC staff or party agents and the late distribution of materials from the registration area centers. In Ikeja LGA in Lagos, some polling units opened as late as 11 a.m. due to a strike by polling officials demanding back pay for their services. These delayed openings created tension and disorder.

IRI/NDI observers noted that voting was generally calm and polling officials performed their duties according to procedure. In general, INEC guidelines for accreditation and voting were followed. Polling officials verified PVCs using the smart card readers; where fingerprints could not be authenticated, procedures for manual accreditation were overall followed and voter details were checked against the register. Where IRI/NDI observed, there was generally gender balance among INEC and ad hoc election officials. IRI/NDI observers reported that smart card readers were functioning in most polling units. In the few instances where they malfunctioned, the problem was immediately reported and voting was suspended until the smart card readers were replaced. In some polling units in Lagos and Nasarawa states, the delay caused by malfunctioning smart card readers raised tension among voters who had been waiting in line for long periods. As was also noted by IRI/NDI observers during the Feb. 23 polls, the secrecy of the ballot was not uniformly protected in polling units observed. Crowding in some polling units meant citizens marked and cast their ballots in very close proximity to party agents, polling and security officials, and the general public. Some polling units in Lagos state did not have voting cubicles and did not provide adequate space to protect voter privacy. Moreover, much like the Feb. 23 elections, instances of assisted voting exceeded the mandate set out in INEC's regulations.

⁴² Gubernatorial elections in the remaining seven states are conducted off-cycle as a result of previous court rulings.

In the majority of polling units where IRI/NDI observed, the atmosphere at closing and counting remained calm and orderly, with polling officials mostly following procedures outlined in INEC guidelines. However, in some locations the atmosphere was tense and procedures were not followed. In particular, observers in Rivers state reported that party agents were not given an opportunity to sign the results form; in Akwa Ibom, party loyalists attempted to disrupt the counting process; in Imo, polling officials were uninformed about the procedures to handle unused ballots; and in Nasarawa, polling officials were not provided the means to transport election materials to the collation center, hindering the security of sensitive materials. Of most concern, IRI/NDI observers witnessed a melee in a Benue polling unit when, during the count, aggrieved voters looking to receive cash for their vote violently confronted party agents. INEC officials in this polling unit were forced to stop counting ballots and relocate to the collation center to complete the process.

Observers reported cases of violence and intimidation in Imo, Adamawa and Akwa Ibom states. In Akwa Ibom, some party agents and voters objected to overt campaigning in the polling unit, which is illegal. IRI/NDI observers also reported in Benue state that voting had to be rescheduled in at least three locations where violence occurred. The civil society coalition Situation Room reported seven deaths by midday, in addition to several kidnappings in Rivers state. These incidents and the fire in Akwa Ibom that destroyed smart card readers and voter registers for one LGA on March 8 reinforce the impression of concerted attempts to disrupt the election process in certain localities. Overt vote buying in the form of distribution of cash and food inside or near polling units was observed in Akwa Ibom, Benue, FCT and Imo. Notably, open voting in polling units in Akwa Ibom allowed party agents to see marked ballots and to direct voters to a location near the polling unit to receive payments. The resident electoral commissioner for Benue state confirmed an incident in which large bags of cash were intercepted by the Economic and Financial Crimes Commission (EFCC). The EFCC officials were subsequently attacked by party representatives.

Police and unarmed security officials for the most part conducted themselves with restraint and professionalism in polling units where IRI/NDI observed. However, observers reported a heavy military presence in some areas, including near polling units, which heightened tensions and raised fears of imminent military intervention in the election process. Media and credible observer groups also reported that the military disrupted the polls in some areas, including in Rivers state where soldiers deployed heavily around INEC's office.

As with the presidential and National Assembly elections, the over-involvement of party agents was widespread in polling units observed, including instances in Nasarawa and Benue states where party agents violated procedure by accompanying voters to the voting cubicles and helped them mark and cast their ballots. Finally, the poor accreditation and training of party agents remains a major hindrance to an orderly and free voting process.

Collation, Announcement of Results and Supplementary Elections

Local and international observer groups noted irregularities and violence during the governorship collation process in several states. In Rivers state, conflict between unidentified security agencies and armed thugs led to delayed commencement of the collation and eventual suspension of the governorship election. In Benue state, IRI/NDI observers and media reported that four polling officials were kidnapped on their way to collation centers. In other states, party agents and observers were chased away or simply barred from the collation centers. IRI/NDI observers similarly noted issues at collation centers in Adamawa, Benue, Lagos, Nasarawa and in Rivers state, where observers saw INEC officials flee a collation center due to a rumored threat of an attack.

The second preliminary report by the EU delegation noted that in most cases, results forms and smart card readers were not properly transmitted to collation centers. This provided room for discrepancies in the results figures received from polling units and those announced at the collation centers. There were reported cases of interference by party agents or the presence of unauthorized people at collation.

Immediately following the March 9 election, INEC declared the results of 22 governorship elections, but it could not declare governorship contest results in six states where the outcome was inconclusive and in Rivers

state, where the collation process was suspended due to violence. INEC also declared results inconclusive for 41 State House of Assembly contests in 23 states.

The PDP questioned INEC's decision to declare the results inconclusive and claimed it was an attempt to sway the election results in favor of the ruling party. The PDP cited the Osun gubernatorial election as an example of how the governorship was awarded to the APC after the PDP candidate finished with the most votes after initial voting.

INEC conducted most of these supplementary elections on March 23.⁴³ Observers worried that the focus on a small number of polling units could lead to increased tensions and violence at the polls. This was the case in Kano state, where the supplementary election was marred by violence committed by armed thugs and increased presence of security. Observer groups reported that political thugs in some LGAs were forcing voters to support one party over the other. In Sokoto state, Governor Aminu Tambuwal of the PDP won reelection in one of the closest elections in Nigerian history with a margin of only 341 votes.

State	Incumbent Party	Results After March 9		Margin of Lead	Cancelled Votes ⁴⁴	Final Results		Winning Party
		APC	PDP			APC	PDP	
Adamawa	APC	334,955	367,471	32,476	40,988	336,386	376,552	PDP
Bauchi	APC	465,453	469,512	4,059	45,312	500,625	515,113	PDP
Benue	PDP	329,022	410,576	81,554	121,019	345,155	434,473	PDP
Kano	APC	987,819	1,014,474	26,655	128,572	1,033,695	1,024,713	APC
Plateau	APC	583,255	538,326	44,929	49,377	595,582	546,813	APC
Sokoto	PDP	486,145	489,558	3,413	75,403	511,611	512,002	PDP

Election Date	Election Type	Location
February 23	Presidential National Assembly	Nationwide
March 9	Gubernatorial State House of Assembly Area Council Supplementary National Assembly	29 states 36 states FCT 14 states
March 23	Supplementary Gubernatorial Supplementary State House of Assembly	5 states 23 states
March 28	Supplementary Gubernatorial	Adamawa state
April 13	Supplementary State House of Assembly	Rivers state (4 constituencies)
April 27	Supplementary House of Representatives	Lagos state (1 constituency)

⁴³ INEC delayed supplementary elections for the governorship contest in Adamawa state after an order from the state's high court at the request of the Movement of Restoration for Defence of Democracy, which sued to cancel the election because its party logo was omitted from the ballot. The court order was overruled on March 26 by the Adamawa State High Court, which allowed INEC to move forward with the supplementary governorship election on March 28.

⁴⁴ INEC has not elaborated the reasons for votes being cancelled, however, according to Section 26 of the Electoral Act of 2010, INEC may postpone an election if "there is reason to believe that a serious breach of the peace is likely to occur if the election is proceeded with on that date or if it is impossible to conduct the elections as a result of natural disasters or other emergencies." Results in a polling unit are considered "null and void" if the number of ballots cast exceeds the number of accredited voters. Polling units where results were considered "null and void" may also be included in this total, although INEC has not provided clarification on this.



Post-Election Period

Following the 2019 elections, more than 750 petitions were filed challenging the election results, including four presidential, 207 Senate, 101 House of Representatives, 54 governorship and 402 State House of Assembly petitions.⁴⁵

On March 18, Abubakar and the PDP filed a petition with the Court of Appeal challenging the outcome of the presidential election as declared by INEC. The petition claimed that the vote amounts announced by INEC were not the actual results, citing images produced by an unnamed whistleblower showing different result totals and pictures of an alleged INEC computer server. The petition also cited INEC's failure to comply with the Electoral Act and the ineligibility of Buhari to contest the election. INEC, as well as Buhari and the APC, filed responses to the petition. The Court of Appeal has until Sept. 14, 2019, 180 days after the filing of the petition, to pass judgment. The decision can then be appealed to the Supreme Court, which would have 90 days to render a verdict. On May 8, the Court of Appeal began hearing the petition. The PDP filed a claim calling for the president of the Court of Appeal, Zainab Bulkachuwa, to withdraw from the tribunal, citing her husband's affiliation with the APC. The party also requested access to the smart card readers and INEC central server.⁴⁶

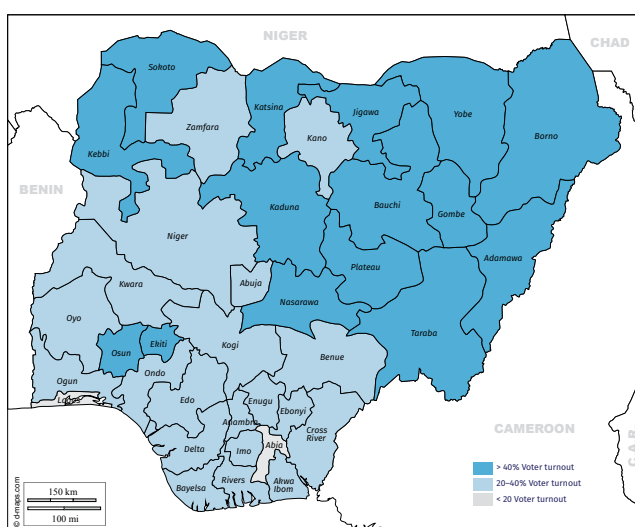
In the weeks before the inauguration, election tribunals forced INEC to rescind the certification of at least 64 candidates. This includes three Senate, seven House of Representative, and 24 State House of Assembly candidates in Zamfara state who were disqualified after the courts ruled that the APC had not conducted a primary contest. Most of these election tribunal rulings related to intraparty disputes in which the court ruled that the candidate nominated by the party did not win the party's primary and should therefore be replaced with the rightful nominee from the same party.

⁴⁵ Number of petitions submitted as of April 24.

⁴⁶ INEC's central server is for electronically receiving and storing election results and other relevant information.

Presidential Results Analysis

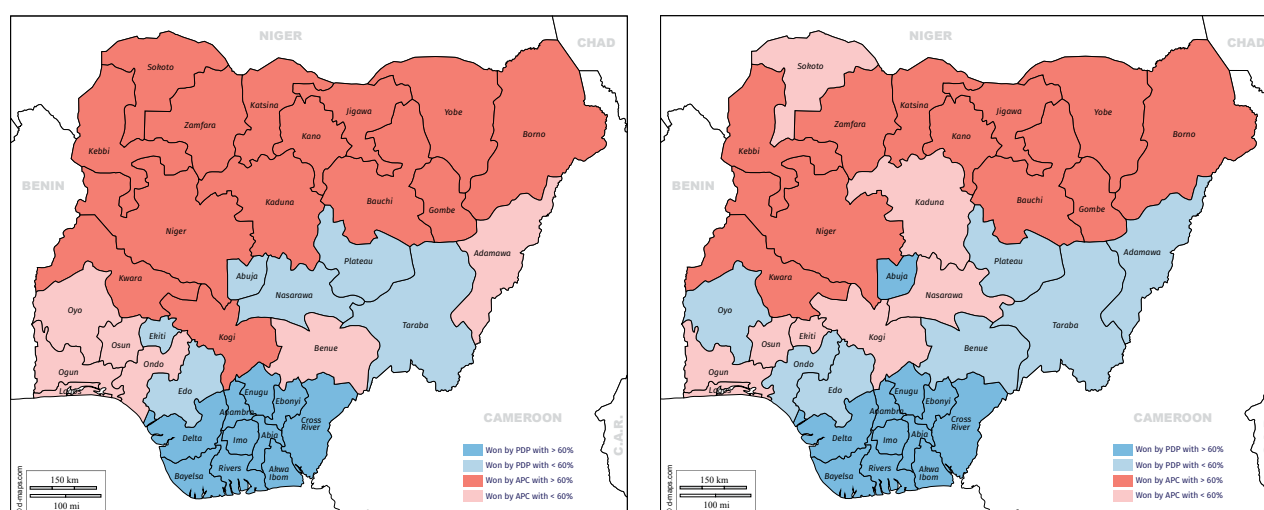
Voter turnout varied widely across the country and INEC put it at 35.66 percent nationwide. More than 50 percent of registered voters cast ballots in Jigawa (54.63 percent) and Katsina (50.44 percent) states, whereas less than 20 percent participated in Abia (19.2 percent) and Lagos (18.32 percent) states.



As in the 2015 elections, in 2019 the APC maintained its strongholds in the North East and North West geopolitical zones. The PDP dominated in the South East and South West geopolitical zones. The PDP gained ground in the toss-up geopolitical zones, the North Central and South West, but these wins were not enough to surmount the higher turnout rates in the north, where the APC remained dominant.

Voter turnout for the presidential election by state

Presidential Vote Totals as Announced by INEC	
Total number of registered voters	84,004,084
Total number of registered voters (as collated)	82,344,107
Total number of accredited voters (as collated)	29,364,209
Total number of valid votes (as collated)	27,324,583
Total number of rejected votes (as collated)	1,289,607
Total number of votes cast (as collated)	28,614,190
Percentage turnout (as collated)	35.66



Presidential results by state in 2015 (left) compared to 2019 (right)

National Assembly Results

As a result of the 2019 elections, the APC achieved majorities in both chambers of the National Assembly. The APC had a similarly strong majority coming out of the 2015 elections, but lost those majorities in 2018 after a wave of defections of senators and representatives to the PDP. In 2019, the PDP saw a reduction in the number of seats it holds in both chambers. These elections witnessed the emergence of new parties with representation in the National Assembly, including the Young Progressives Party (YPP) which won one seat in the Senate. The All Progressives Grand Alliance (APGA) also increased its seats in the House of Representatives from four to nine but lost its only seat in the Senate. As of the publication of this report, INEC had not released consolidated results from the National Assembly elections, including turnout figures and result totals for winning candidates.

The number of women elected declined after the 2019 elections, particularly in the National Assembly. The number elected to the Senate decreased from seven in 2015 to six in 2019. The number of women elected to the House of Representatives similarly declined from 20 in 2015 to just 12 in 2019. **Combined, only 3.8 percent of members of the National Assembly are women, the lowest rate for women's legislative participation in Sub-Saharan Africa and far below the region's average of 24 percent.**⁴⁷

Distribution of Seats in the Senate by Party and Gender as of June 3

Party	Seats	Percentage of Seats	Number of Women Elected	Change from Number of Seats Held by the Party in 2015
APC	62	56.9%	2	+2
PDP	44	40.4%	4	-4
YPP	1	.9%	0	+1
Undeclared	2 ⁴⁸	1.8%		
TOTAL	109	100%	6 (5.5%)	

⁴⁷ World Bank (2018) https://data.worldbank.org/indicator/sg.gen.parl.zs?most_recent_year_desc=false.

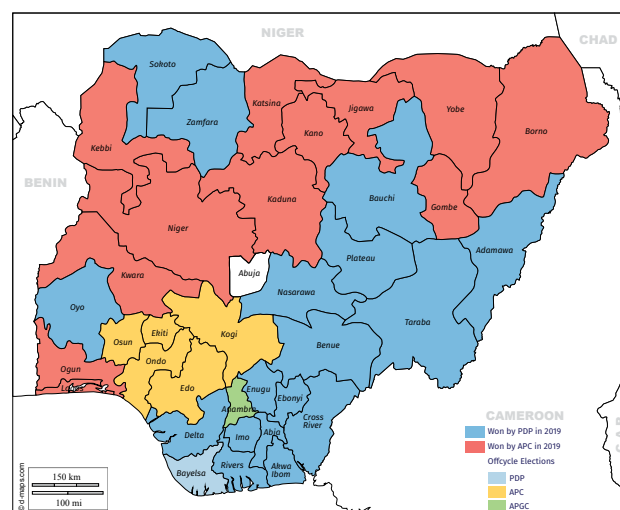
⁴⁸ At the time of the report's publication, INEC had not declared results in Imo North and Imo West constituencies.

Distribution of Seats in the House of Representatives by Party and Gender as of June 3

Party	Seats	Percentage of Seats	Number of Women Elected	Change from Number of Seats Held by the Party in 2015
AA	2	.6%	0	+2
ADC	3	.8%	0	+3
ADP	1	.3%	0	+1
APC	212	58.8%	8	-
APGA	9	2.5%	1	+4
APM	1	.3%	0	+1
LP	1	.3%	0	-
PDP	127	35.3%	3	-13
PRP	2	.5%	0	+2
SDP	1	.3%	0	-
Undeclared	1 ⁴⁹	.3%		
TOTAL	360	100%	12 (3.33%)	

Gubernatorial Results

Of the 29 gubernatorial elections conducted in March 2019, the PDP won in 14 states while the APC won in 15. The APC lost in four states that it previously held—Adamawa, Bauchi, Imo and Oyo states—and won two states previously controlled by the PDP—Gombe and Kwara states. As a result of the gubernatorial vote, the APC controls 19 states, the PDP controls 16 and the APGA controls one. All 29 governors elected in 2019 were men. Only four deputy governors elected in 2019 were women.⁵⁰ Fifteen of the elected governors are incumbents elected to a second term while 14 will hold the position for the first time.



State governors by party following 2019 elections

State House of Assembly Results

The APC won 56.5 percent of State House of Assembly seats nationwide. The APC also won a majority of seats in 22 of the 36 states. The PDP won majorities in 12 states. The APGA won a majority in the Anambra State House of Assembly. In Imo state, the Action Alliance (AA) and the APGA won eight and six seats, respectively, compared with the PDP's 13 seats. The APC controls all State House of Assembly seats in 11 states,⁵¹ and the PDP controls all seats in three states.⁵²

In most cases, the party with the majority of seats in the State House of Assembly also won the governorship, with exceptions of Bauchi, Imo and Sokoto states.

⁴⁹ INEC refused to declare a result for the Oju/Obi constituency in Benue state, as the initial declaration was made under duress. At the time of the report's publication, the matter is with the election tribunal.

⁵⁰ Enugu, Kaduna, Ogun and Rivers states.

⁵¹ Borno, Edo, Ekiti, Jigawa, Katsina, Kebbi, Kogi, Kwara, Lagos, Niger and Zamfara states.

⁵² Cross River, Ebonyi and Enugu states.



Only 44, or 4.4 percent, of State House of Assembly members elected in 2019 were women. Fourteen states have no women elected to serve in the State House of Assembly.⁵³ In 2015, there were 51 female members in the State Houses of Assembly and there were no female members in 14 states.

Distribution of Seats in the State Houses of Assembly		
Party	Seats	Women
AA	8	1
ADC	5	1
ADP	1	0
APC	536	15
APGA	33	1
APM	7	0
NNPP	1	0
PDP	390	26
SDP	3	0
ZLP	2	0
Undeclared	5 ⁵⁴	
TOTAL	991	44 (4.4%)

⁵³ Abia, Bauchi, Borno, Edo, Jigawa, Kano, Katsina, Kebbi, Kwara, Nasarawa, Sokoto, Taraba, Yobe and Zamfara states.

⁵⁴ At the time of the report's publication, INEC had not declared results for one State House of Assembly seat in each of the following states: Akwa Ibom, Bayelsa, Delta, Niger and Plateau. In Plateau, INEC will conduct a by-election as a result of the death of the member-elect, who died on March 9, just hours after winning re-election. The by-election should be conducted within 90 days from the date of his death.



Recommendations

Many Nigerians told members of the IRI/NDI mission that they were disappointed in the lack of progress in election administration since 2015 and in the performance of political parties. These elections marked the 20th anniversary of the country's transition to civilian democratic rule, but for many Nigerians, they also highlighted the need for a national conversation about the progress made since that transition and the vulnerabilities that must be overcome to make electoral processes more credible and to safeguard the country's democracy. In previous years suggestions for improvements by reputable citizen and international observation missions went unheeded. The IRI/NDI mission urges Nigerian stakeholders to seriously consider these and other recommendations to improve the electoral process.

Legal Framework and Election Dispute Resolution

- **Pursue a comprehensive, inclusive and expeditious electoral reform process.** This process should draw upon recommendations from Nigerian-led reform initiatives such as the Uwais commission (2008) and the Nnamani committee (2017). These reforms should also address the challenges and lessons learned from the 2019 electoral cycle and should include the creation of appropriate institutions to oversee political parties and prosecute electoral offenses, responsibilities that impede INEC's focus on election administration. These reforms should be pursued immediately and be completed early enough to allow changes to be fully implemented before the 2023 general elections.
- **Establish time limits for the adjudication of pre-election petitions to ensure that judgments are rendered before election day and early enough not to interfere with INEC's election preparations.** Reduce the length of time allowed for post-election disputes so the majority of petitions can be adjudicated fully before those rightly elected assume office. This might require reexamining the electoral calendar.

Election Administration

- **Complete constituency delimitation exercise and identify necessary polling units at least one year before the next elections.** Although the 1999 constitution (as amended) requires INEC to review constituency delimitation every 10 years, these boundaries have not been updated since 1996. The National Assembly and other political actors should not interfere in this process. INEC should also review the location and number of polling units to ensure voters have sufficient space to queue and cast their ballot in a manner that ensures ballot secrecy and that polling units are physically accessible to all voters, including people with disabilities and the elderly.
- **Make the continuous voter registration process more accessible to voters by pursuing technological advances that would allow for immediate issuance of a PVC upon registration and simplify the process for voters seeking to change their registration location.** Voter registration information should be made available to stakeholders in a format that allows for independent audit and verification.
- **Develop and adopt a strong strategic communications plan that builds on lessons learned from the 2019 elections to promote transparency and public trust.** This includes more frequent and open communication with election stakeholders through the use of frequent press conferences and public statements to debunk false information and disseminate honest information about election day, field visits by headquarters- and state-level staff, appearances on popular radio and television programs, and consistent social media engagement.
- **Reconsider the order and timing of general elections to ensure sufficient time for preparations and to promote voter participation and engagement at both the grassroots and national levels.**
- **Create a process that facilitates suffrage for those on official duty on election day, including polling officials, security agents and citizen observers.** Denying these individuals an opportunity to cast their ballot is a violation of the principle of universal suffrage.



- **Adopt more transparent procedures for the tabulation, transmission and announcement of results.** To enhance confidence in its announced results, INEC should update its data management and communications process to ensure that information about the election process and results are shared with the public promptly and transparently. INEC should establish clear procedures for the transmission of results from the polling unit directly to INEC headquarters in Abuja or the state INEC office. INEC should make public polling-unit-level results for all elections.

Political Party Conduct

- **Urgently commit to and implement measures to strengthen mechanisms for political party internal democracy.** This includes promoting a more inclusive environment in which women, youth and people with disabilities can participate fully and equally in the electoral process without fear of violence, intimidation, sexual harassment, hate speech or forced patron-client relationships between political leaders and aspirants. It also includes adopting more transparent, credible and fair nomination processes. Additionally, political parties should adopt internal mechanisms for effective resolution of intraparty disagreements, which could contribute to reducing the number of pre-election disputes.
- **Develop and campaign on issue-based platforms that reflect citizen priorities.** Abandon electoral practices such as voter intimidation, vote buying and other disruptions in the electoral process that undermine citizen confidence in electoral processes and institutions, and democratic governance.
- **Build the capacity of political parties to monitor elections.** Ensure the effective recruitment and training of party agents with an emphasis on building an understanding of election day procedures and the appropriate role of party agents at the polling unit, and collecting evidence that could support election petitions.

Civic Engagement

- **Improve coordination among stakeholders to increase and deepen voter and civic education.** INEC, the National Orientation Agency, civil society, political parties, and the media all have important roles to play in educating citizens about the election process as well as their rights and responsibilities in a participatory democracy. These stakeholders must redouble and better coordinate their efforts to expand



their reach, develop messages that resonate with voters, and ensure that traditionally marginalized groups—including women, youth, people with disabilities and illiterate and semiliterate voters—are specifically targeted. This includes using technologies, such as social media and radio, and delivering messages in a variety of Nigeria’s local languages.

- **Continue efforts to enhance the participation of marginalized groups, including women, youth, people with disabilities and IDPs.** INEC should continue to implement its own gender policy and disability framework and establish more detailed and timely guidelines and procedures that ensure the enfranchisement of IDPs.

Election Security

- **Continue to improve coordination between security agencies and INEC on the provision of electoral security.** The Inter-Agency Consultative Committee on Electoral Security should be strengthened and better operationalized at the state and local government levels. Security agencies should participate fully in INEC’s electoral security training and be more transparent about election day deployments.
- **Enforce electoral laws by investigating and prosecuting perpetrators of election-related criminal acts.** This includes those arrested during the elections and those found to have supported or instigated criminal acts. Moreover, INEC should thoroughly investigate and prosecute election officials who engaged in or facilitated electoral offenses. Security agencies, including the military, should investigate and sanction security personnel who violated rules of engagement during the 2019 elections.

Acknowledgements

This report is based on information gathered through the joint IRI/NDI Nigeria international election observation mission, which was present in Nigeria from July 2018 to June 2019. While many individuals participated in the mission's activities, IRI/NDI take full responsibility for the content of this report and hope that it contributes to Nigeria's democratic consolidation.

A comprehensive election mission is, by its nature, a complex endeavor. IRI and NDI thank the Nigerian people for the warm welcome that they provided the mission. The IRI/NDI mission has been privileged to witness the enthusiasm for democracy that has been evident throughout this period.

Many Nigerian government officials, political party leaders, civil society activists and representatives of the international community met with our pre-election, election day and post-election delegations, as well as our thematic experts on multiple occasions; they were always ready to share information and concerns. We are grateful for their time and their contribution to our understanding of Nigerian political dynamics.

IRI/NDI also express sincere appreciation for the critical contributions of the more than 60 observers who participated in the pre-election, election day and post-election delegations.⁵⁵ In particular, we would like to recognize Dr. Pauline Baker, Lauren Blanchard, Jan Surotchak and Terry Tselane, who participated in the July pre-election assessment mission; Mvemba Dizolele, Robert Benjamin, Sarah Jegede-Toe and Anna Jones, who participated in the September pre-election assessment mission; Ambassador Linda Thomas-Greenfield, Ambassador Lewis Lucke and Dickson Omondi, who participated in the December pre-election assessment mission; Festus Mogae, former president of Botswana; Vaira Vike-Freiberga, former president of Latvia; Fatoumata Tambajang, former vice president of The Gambia; Ambassador Johnnie Carson, former U.S. assistant secretary of state for African affairs; Ambassador Derek Mitchell, president of NDI; Randy Scheunemann, IRI vice chairman; and Dr. Daniel Twining, president of IRI, who led election day delegations. IRI and NDI rely on the considerable expertise and generosity of individuals such as these to fulfill our responsibilities as international election observers.

⁵⁵ See Appendix I for a complete list of delegates.

IRI and NDI in Nigeria

IRI in Nigeria

IRI began working in Nigeria in 1998, supporting the development of political parties and collaborating with a wide network of Nigerian and international stakeholders to improve the country's political processes and build consensus on democratic reforms. IRI has fielded an international observation mission to Nigeria for every national election since the 1999 transition.

Over the past seven years, IRI has worked with Nigerian political parties to foster greater internal democracy, issue-based politics and greater inclusion of marginalized groups, and IRI helped political parties progress toward these objectives during the 2015 and 2019 electoral cycles. IRI frequently assisted state-level parties to replicate initiatives begun on the national level, including helping them prepare to compete in by-elections. By working with parties to develop and communicate issue-based platforms and manifestoes that specifically outlined party beliefs and commitments, IRI has contributed to a more substantive political discourse and a growing cycle of accountability between elected officials and citizens. IRI's work has also emphasized peaceful conflict prevention and resolution.

Before the 2015 and 2019 general elections, IRI facilitated the signing of peace accords for candidates at the presidential, legislative, gubernatorial and State House of Assembly levels. Before the 2019 elections, IRI also prepared political party agents to fulfill their roles on election day and facilitated gubernatorial debates. Throughout its various projects, IRI has emphasized the importance of the inclusion of marginalized groups, helping members of these groups advocate to political leaders and articulate actionable solutions for increasing the number of opportunities available to them, while also directly providing knowledge and skills to excluded populations. In Nigeria, IRI has developed relationships built on trust with many government, political, and civil society actors at the national and state levels.

NDI in Nigeria

Since Nigeria's 1999 transition from military to civilian rule, NDI has worked closely with civic and political organizations to support the development of the country's democratic institutions. NDI has also fielded an international observation mission to Nigeria during every national election since the 1999 transition. Currently, NDI is implementing the six-year Electoral Empowerment of Civil Society Project (EECSP), funded by the U.S. and U.K. agencies for international development. Under the EECSP, NDI supported domestic election observers to deploy PVTs in order to improve impartial observation and ensure accurate reporting on and recording of election vote totals during the 2015 and 2019 presidential elections and in select, off-cycle gubernatorial polls. The EECSP also supports local civil society efforts to increase participation by marginalized groups, such as women, youth and people with disabilities, in Nigeria's political processes through various advocacy and voter education campaigns. NDI, with British funding, has also implemented the Women in Politics program with the overall goal of electing more women into public office by helping women aspirants navigate formal and informal party nomination processes, helping women candidates run for office or reelection, helping political leaders understand the benefits of women's participation, and taking steps to increase women's leadership in political parties. NDI has provided technical support to the National Assembly to legislate effectively and conduct oversight of the executive branch. Through its previous and existing programs, NDI has maintained long-standing relationships with key political and elections actors, including the INEC, political parties, legislature and civil society organizations.

Appendices

Appendix A	Statement of the First Joint NDI/IRI Pre-Election Assessment Mission to Nigeria
Appendix B	Statement of the Second Joint NDI/IRI Pre-Election Assessment Mission to Nigeria
Appendix C	Statement of the Third Joint NDI/IRI Pre-Election Assessment Mission to Nigeria
Appendix D	IRI/NDI Joint Statement on the Suspension of the Chief Justice of Nigeria
Appendix E	Joint Statement on the Postponement of the 2019 Elections in Nigeria
Appendix F	IRI/NDI Statement on the Postponement of Nigeria's Elections
Appendix G	Preliminary Statement of the Joint NDI/IRI International Observer Mission to Nigeria's February 23 Presidential and Legislative Elections
Appendix H	Preliminary Statement of the Joint NDI/IRI International Observation Mission to Nigeria's March 9 Gubernatorial and State House of Assembly Elections
Appendix I	List of Delegates for the IRI/NDI International Observation Mission to Nigeria's 2019 General Elections

Appendix A: Statement of the First Joint NDI/IRI Pre-Election Assessment Mission to Nigeria



**STATEMENT OF THE JOINT NDI/IRI PRE-ELECTION ASSESSMENT MISSION
TO NIGERIA
July 20, 2018**

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 July 12 - 20, 2018. The delegation's goals were to:

- Assess the current political and electoral environment in the lead-up to the 2019 general elections;
- Assess preparations for the general elections 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: Dr. Pauline Baker, president emeritus of the Fund for Peace; Lauren Blanchard, specialist in African affairs of the U.S. Congressional Research Service; Dr. Christopher Fomunyoh, senior associate and regional director for Central and West Africa at NDI; Jan Surotchak, regional director for Europe at IRI; and Terry Tselane, vice chairperson of the Independent Electoral Commission of South Africa.

The delegation met with senior officials of the Independent National Electoral Commission (INEC), leaders of political parties, civic organizations, representatives of the media, and senior government officials. The delegation also watched the voting process in Ado-Ekiti during the July 14 Ekiti State gubernatorial election. 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 2019 presidential race and other polls in the states will likely be closely contested and take place against the backdrop of shifting political alliances and significant security concerns in many states of the Federation. In meetings with the delegation, many interlocutors reiterated Nigerians' strong commitment to democracy and their desire to ensure that every election is an improvement over the previous one, and that the polls are peaceful, credible, and further deepen the country's democratic practices. The team observed that the election management body – INEC – has undertaken several innovative steps to reinforce the integrity of the electoral system. However, continued efforts must be made by a cross section of Nigerian actors to enhance citizen confidence and participation in the process. Notably, the delegation heard repeated frustrations about the continued role that money plays in Nigerian politics, from how candidates are selected to how parties seek to influence voters. Nigerians with whom the delegation met also voiced concerns about the state of insecurity in parts of the country and how that could impact negatively on the election process.

Both NDI and IRI have deployed international election observation missions to all general elections in Nigeria since the 1999 transition from military to civilian democratic rule. The two Institutes are nonpartisan, nongovernmental organizations that support and strengthen democratic institutions and practices worldwide. They have observed collectively more than 200 elections in more than 50 countries over the last 30 years. NDI and IRI will conduct a second pre-election assessment mission to Nigeria in September and deploy a joint international delegation to observe the 2019 general elections.

II. POLITICAL ENVIRONMENT

Democratic gains over the past two decades. In the past two decades, Nigeria has seen significant gains in consolidating its democracy. Voters' expectations regarding the upcoming elections will likely be driven by their perceptions of progress in election administration since the 2007 polls.

Election administration improved markedly during the 2011 and 2015 general elections, in contrast to the electoral processes in previous years. INEC has taken steps to improve the organization and credibility of elections through innovations such as deploying members of the National Youth Service Corps as poll workers; introducing biometric permanent voter cards; deploying voter card readers (VCRs) to scan voter cards and validate fingerprints; and announcing results on an ongoing basis live on television, radio, and social media. Off-cycle gubernatorial elections have provided opportunities to foster best practices, as members of the delegation saw in Ekiti State where INEC combined accreditation and voting to shorten the time voters spent at the polling unit; applied enhanced software to increase the functionality of VCRs; and posted election results in polling units. An additional innovation in the lead-up to the 2019 polls is the introduction of continuous registration in an effort to increase the enrollment of new voters. The delegation heard that these measures aimed at improving the organization of voting and at raising confidence in the integrity of elections have led to a widespread perception of INEC as a fair and impartial umpire.

In recent years, competitive elections across the country have led to an *alternation in power* between major parties at the state and federal levels. Notably, in 2015, Nigeria experienced the first peaceful transfer of power since independence in 1960 from one ruling party - the People's Democratic Party (PDP) - to a then opposition party - the All People's Congress (APC). The elections were peaceful and their overall success increased confidence among Nigerians that credible elections matter.

Nigerians with whom the delegation met expressed *strong support for democracy*. This sentiment was also captured in the 2017 [Afrobarometer](#) survey, which showed that 72 percent of Nigerians agree that democratic elections are the best means of choosing the country's leaders. There is an expectation that the 2019 polls should see further improvements. Although there is a widespread desire to strengthen democratic culture in the country, many Nigerians are concerned about the over-personalization of politics and of the role of money in elections. Despite remaining challenges with competitive politics in Nigeria, the delegation was told by one interlocutor, "the only alternative to military rule is deepening democracy," a statement that reflects a widespread sentiment among Nigerians.

Significant security concerns. Nigeria faces security challenges from a number of non-state actors that, if unchecked, could disrupt the electoral process. Boko Haram continues to carry out terrorist attacks on communities in the North East. During its visit, the delegation heard

reports of the attack by the extremist group on a military base in Yobe. At the same time, the death toll from clashes between pastoralist and farming communities in the Middle Belt has risen since 2017. The conflicts are further exacerbated by illicit trade in weapons and stolen cattle by criminal gangs. In some circles, the inability of security forces to quell this inter-communitarian violence is given political and religious overtones. If not addressed, these security threats could erode confidence in government. Persistent insecurity and violence have led to very high numbers of internally displaced persons in the North East and Middle Belt that could pose specific challenges for the conduct of elections in the impacted areas.

III. FINDINGS SPECIFIC TO THE 2019 POLLS

Political parties, electoral alliances. The delegation's visit coincided with the emergence of new political parties and negotiations among political elites. Nigeria's political landscape is in a state of flux. There are currently 68 registered parties, and the number is expected to increase in the coming months. Many Nigerians with whom the delegation met, expressed frustration with political parties that for the most part are seen as very personality-driven and lacking internal democracy. For example, squabbles over the selection of convention delegates and leadership in the states has generated tensions within parties. Emerging political alliances are based mostly on personalities and agreements among political leaders, and do not necessarily reflect differences in policy preference or ideology.

Candidate selection process. In August and September 2018, political parties will conduct primaries to select their candidates for the 2019 elections. The delegation heard concerns about past practices that were not transparent and did not respect party constitutions. The delegation learned that, should candidates be imposed by party leaders through undemocratic means, such actions could lead to further fragmentation of political parties or result in intra-party violence, and further alienate voters.

The high cost of politicking and opaque candidate selection processes are particularly challenging for women, youth, and persons with disabilities (PWDs) to overcome. Nigeria has one of the lowest levels of women in elected office within West Africa and in the world (UN Women, 2017). Internal gender quotas included in party constitutions are generally not respected. The recent passage of the *Not Too Young To Run Bill* that reduced the minimum age for elected offices is seen as an opportunity for political parties to nominate young aspirants that reflect Nigeria's youthful population. The inclusion of youth, women, PWDs, and other marginalized groups would facilitate the emergence of a broad range of new leaders to reflect the ingenuity and dynamism of the Nigerian population.

Monetary incentives to voting. Nigerians expressed concerns to the delegation about an increase in the level and visibility of **vote buying**. Vote buying is an electoral offense; it also undermines the legitimacy of elections and weakens representative democracy. During the July 14 gubernatorial elections in Ekiti State, the *Watching the Vote* (WTV) group deployed citizen election observers to a representative sample of polling sites across the state and recorded that 8 percent of sampled polling units experienced incidents of vote buying or bribery on election day. Various individuals commented that poverty, disillusionment with the performance of elected representatives, and low civic awareness of voters contributed to the expansion of vote buying, particularly in off-cycle gubernatorial elections since 2015. The lack of enforcement of punishments for this electoral offense has allowed the practice to persist and grow. As one analyst stated to the assessment mission, "vote buying is a frightening development in our elections."

Election administration. The gubernatorial elections in Ekiti State provided an opportunity for INEC to again test recent changes to electoral administration. Citizen observer groups, including WTV and the Nigeria Civil Society Situation Room, highlighted administrative advances from previous polls, but also areas for further improvement. These include the need to enhance the ability of card readers to reliably verify voter fingerprints. In some cases, the re-registration of voters' fingerprints when they could not be recognized by the card reader led to slow moving queues and voter frustration. Delegation members also noted instances where the placement of the voting booth and the folding of the ballot did not guarantee the secrecy of the ballot. The delegation noted significant disparities in the capacity of polling unit officials to administer the counting of results. However, the consolidation of the accreditation and voting processes was a successful innovation that shortened the amount of time spent by voters at the polling unit.

Citizen engagement in early phases of the election. While INEC indicated that over nine million new voters have been registered since 2017, many voters have not collected their PVCs. For example, approximately 223,000 of Ekiti State's over 900,000 registered voters, had still not picked up their voter cards before election day. According to INEC, about eight million PVCs nationwide have not been collected by voters. While continuous registration has made the registration process more accessible, the time required to return to collect PVCs or to change the location of voters' registration requires a significant commitment from voters and may present a particular barrier for women and PWDs.

Legal framework for elections. As in the lead up to previous elections, the Electoral Act is in the process of being amended in preparations for 2019. INEC believes that the bill to amend the Electoral Act recently passed by the National Assembly would strengthen its ability to ensure greater transparency and accountability in the political party candidate nomination process for all elected offices. Changes to the Electoral Act would also require INEC to make the voter register and election results electronic and accessible; increase the campaign period from 90 to 150 days; and extend the application of the Electoral Act to local government elections. However, Nigerian stakeholders expressed concern that if the election bill is not enacted soon, there will be insufficient time for INEC and other actors to implement the changes to the law and to effectively disseminate information about the changes to election rules and procedures to citizens.

Nigerians expect INEC to continue to enhance transparency and impartiality in the administration of the polls, and communicate openly and frequently with voters, political parties, and other relevant stakeholders. Most Nigerians with whom the delegation met voiced confidence in INEC's ability to deliver credible elections in 2019.

Social media and disinformation. As internet penetration deepens across the country, millions of Nigerians now access and share information via smartphones, social media platforms such as Facebook and Twitter, and messaging platforms such as WhatsApp. The 2017 Afrobarometer poll for Nigeria stated that 39 percent of respondents regularly consume news on social media. These platforms offer new ways for citizens to engage in political and electoral processes, and for political parties, INEC, and government institutions to share information with voters. However, some Nigerians are fearful that, if not used responsibly, these platforms could become vehicles for disinformation and hate speech. Disinformation (sometimes called "fake news") is the deliberate generation and dissemination of false information to manipulate public opinion and perceptions. Nigerians told the delegation that

social media is already rife with politically-related content that, in some cases, uses altered photos and videos. They also regret that the spread of rumors is facilitated by easy access to distorted news. Nigerians also told the delegation that disinformation, hate speech, and the denigration of opponents can heighten tensions and increase the potential for election-related violence.

Insecurity and election-related violence. Nigerians with whom the delegation met voiced concern that persisting insecurity and the threat of violence could dampen citizen participation in the 2019 elections, and prevent some voters from going to the polls. The Middle Belt, often seen as a swing voting geopolitical zone, is particularly affected by the ongoing deadly clashes between farmers and herders. Should the violence persist, INEC may face challenges in safely organizing polls in some parts of the country, and will have to accommodate voters who have been displaced from their homes, including 1.9 million IDPs in the North East. Contentious elections also heighten the threat for election-related violence. Stakeholders noted with concern the tenor of the political rhetoric during the Ekiti gubernatorial election. If political parties and candidates employ inflammatory rhetoric in upcoming elections, it could increase the risk of clashes between supporters of opposing candidates and distract attention from the issues that are important to Nigerian voters. Similarly, the perceived ineffective response by security forces to mounting farmer-herder violence could negatively impact the electoral campaign. Some Nigerians with whom the delegation met expressed concern at the high number of security agents deployed to state elections, and termed it as an excessive “securitization” of elections that could scare voters away from the polls. Nigerians expect their security services to be impartial and the onus is on these services to show a high level of professionalism.

IV. NIGERIAN LED INITIATIVES TO ADDRESS CHALLENGES

Despite the challenges listed above, the 2019 polls provide an opportunity for political parties, INEC, the government, media and civil society to build upon and expand the advances from past elections to ensure inclusive, peaceful and credible elections. Most Nigerians that the delegation met with are full of hope as they prepare for the elections, and take pride in noting that democracy has taken root in their country. 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. As one Nigerian stated, “2019 will be the year of citizens.”

INEC communication and administration. INEC recognizes that expectations for the 2019 elections are very high. The Commission has done extensive planning in preparation for the polls based on their internal reviews of their performance in past elections. INEC has also worked with the National Assembly to improve the electoral framework. The amended Electoral Act is now only awaiting President Buhari’s signature to be enacted into law.

INEC representatives acknowledged the challenge of distributing uncollected PVCs, but have found innovative ways to increase the collection rate. The Commission is implementing its “Youth Votes Count” campaign involving music artists and comedians to reach young voters on university campuses. INEC indicated that the campaign resulted in higher rates of registration and PVC collection, and as a result, the Commission plans to expand the campaign. Also, Resident Election Commissioners (RECs) are going into communities with lists of voters who have not collected their PVCs, and are working with local leaders to encourage these voters to collect their cards. INEC has also adopted a PWD framework to

facilitate the inclusion of PWDs in elections, similar to its already existing gender framework.

INEC is seriously concerned about vote buying practices and is considering ways to address the issue. In the coming days the Commission said it will review the recent Ekiti polls and should any staff be found to have violated the Electoral Act, they would be prosecuted. INEC also acknowledged to the delegation the importance of coordinating and sharing information with relevant government agencies and other stakeholders in the election process. INEC has organized 180 elections since the 2015 polls, and for each of these met regularly with stakeholders. The Commission plans to intensify the frequency of such coordination meetings as the general elections approach.

Citizen engagement. The delegation heard from Nigerian stakeholders who said they anticipate youth participation in the 2019 elections to increase significantly. Young people, they said, have been galvanized by the *Not Too Young To Run* campaign, which resulted in a constitutional amendment that lowered the age requirements for presidential and gubernatorial candidates to 35 years old, and for state and federal representative candidates to 25 years old. This citizen-led movement demonstrated the power of Nigerian youth to influence their government, and has shown that the government can be responsive to citizens when they advocate for change. The onus is now on political parties to encourage and support young Nigerians who seek elected office.

Various citizen groups are also supporting women aspiring to elected office. For example, the *Nigerian Women's Trust Fund* and the *Women in Politics Forum* are training and raising the profile of women aspirants. The delegation was also encouraged by the new levels of advocacy and participation from the PWD community. For example, *Inclusive Friends Association* (IFA) through its *Access Nigeria* campaign have used data-based advocacy to lobby for reforms to increase the political participation of PWDs and the accessibility of the voting process. Some political parties have made considerable efforts to create leadership opportunities for women, youth, and PWDs.

Citizen monitoring of electoral processes. Nonpartisan citizen observers play an important role during elections by raising public confidence in the election process, deterring electoral malfeasance, exposing irregularities and providing citizens with important information concerning the integrity of the elections. For the 2019 elections, *YLAGA Africa* plans to deploy the parallel vote tabulation (PVT) methodology as part of its *#WatchingtheVote* (WTV) project. The PVT methodology provides an accurate qualitative assessment of the conduct of election day processes and near real-time independent verification of official results, which helps enhance confidence in the process. WTV will also deploy long-term observers during the pre-election period in order to capture timely and reliable information about electoral preparations and early warning signs of violence. The *Policy and Legal Advocacy Center* (PLAC) plans to convene more than 60 organizations as part of the *Nigeria Civil Society Situation Room* to observe the conduct of the 2019 general elections. Other groups, such as the *Center for Democratic Development*, plan to monitor disinformation in the media and conduct fact checking during the campaign.

Violence monitoring and non-violence campaigns. Nigerian youth organizations, including *Youngstars Development Initiative* (YDI), and musician 2Baba Idibia, are conducting the *"Vote Not Fight"* (VNF) campaign, which calls for youth's peaceful participation in elections. Through concerts, a peace pledge, social and traditional media campaigns, and

community-based peace ambassadors, VNF reaches out to individuals (particularly youth) who have historically been drawn into election violence either as perpetrators or as victims. Civil society, under the auspices of the *Peace and Security Network (PSN)*, are also closely monitoring for early warning signs of election-related violence, and working with stakeholders to identify and implement mitigation strategies. For example, PSN is preparing a high level event in September to coincide with the UN International Day for Peace, featuring the chairmen of APC and PDP and other keynote speakers, in an effort to have political leaders commit to promoting tolerance and avoiding hate speech in the upcoming electoral campaigns. Also, the *CLEEN Foundation* is conducting threat assessments in high risk states, working with security agencies to mobilize response strategies, and monitoring the conduct of security personnel at polling units.

V. RECOMMENDATIONS

The delegation believes that with political will and through coordinated efforts, many of the above mentioned challenges can be addressed in order to enhance citizen confidence and participation in elections and also mitigate violence during and after the polls. In the spirit of international cooperation, the delegation therefore offers the following recommendations for review and consideration:

The Federal Government of Nigeria should:

- Intensify efforts to address insecurity in many parts of the country.
- Reiterate to all security services their constitutional obligation to be professional and impartial in guaranteeing election security for all citizens and political contestants.
- Enforce the law in regards to illegal activities such as vote buying on election day wherever it occurs.
- Ensure sufficient time for INEC to implement electoral changes by signing into law the Electoral Act (Amendment) Bill before August 16, in accordance with the ECOWAS protocol to which Nigeria is a signatory.
- Approve and obligate INEC's requested budget in a timely manner and ensure other government agencies involved in the election process receive sufficient and timely funding.
- Ensure that agencies such as the National Orientation Agency (NOA) that have responsibilities for civic and voter education receive adequate and timely funding to support peaceful, inclusive and credible elections.
- Establish the Electoral Offenses and Political Parties Registration Commission as soon as possible to enhance the accountability of political parties with regards to the funding of campaigns and other activities.

The Independent National Electoral Commission should:

- Increase efforts to encourage voters to register before the close of continuous voter registration on August 17.
- Undertake an extensive campaign to raise voter awareness on the need to collect PVCs before the next elections.
- Pursue technological advances that could allow for the issuance of PVCs upon registration.
- Continue to improve the card reader technology and inform voters of its efforts.
- Ensure consistent application of voting procedures by polling officials with regards to:
 - Arranging of the polling unit to ensure voters cast their ballot in secret;
 - Folding the ballot paper;

- Allowing voters in the queue when the polling unit closes to vote;
 - Clarifying the criteria for invalidating ballots; and
 - Using consistent counting procedures.
- Fully implement its PWD framework to ensure the voting process is more accessible to PWDs.
- In coordination with security services, enforce the law in regards to illegal activities such as vote buying that occur at polling units on election day.
- Track and publicize political party compliance with commitments on gender representation in leadership positions and on candidate lists within the party.
- Enhance communication strategies to better match how Nigerians consume information, such as through community radio and social media using infographics and short videos.
- Release early sample ballots to facilitate voter education efforts.

Political parties should:

- Conduct transparent and democratic candidate selection processes that adhere to their by-laws and policies.
- Make concerted efforts to encourage and support women, youth, and PWD candidates beyond providing free nomination forms.
- Initiate issue-based campaigns that address national priorities, such as security, the economy, and governance.
- Conduct voter education campaigns and disseminate messages of peace and tolerance among their supporters.
- Respect the rule of law, including INEC guidelines for political parties, especially provisions against the use of violence and of speech that could incite violence.

Civil society should:

- Begin voter education efforts early in the election process. Work closely with government agencies such as INEC and the NOA to inform voters about the election process, including the collection of PVCs, how to vote, and keeping the peace.
- Educate voters on their civic responsibilities and the value of their vote, emphasizing that vote buying can be tantamount to vote rigging.
- Continue to pursue advocacy efforts with INEC, NOA, and political parties to enhance the participation of women, youth, and PWDs.
- Working closely with the media, explore avenues for monitoring, exposing, and countering disinformation and hate speech.
- Draw upon strategies used in recent successful advocacy efforts such as *Not Too Young to Run* to engage political parties on issues important to Nigerian voters.
- Continue monitoring the election process, disseminating impartial findings, and advocating for improvements to election integrity.
- Consider early initiatives to mitigate tensions between contestants, such as the Abuja Accord facilitated by the National Peace Council in 2015.

Media should:

- Report accurately, responsibly and professionally in line with the media code of conduct in order to foster civil discourse.
- Fact-check and verify information before publishing and avoid supporting or republishing outlets that spread disinformation.
- Organize candidate debates in coordination with civil society to enable information sharing with voters and policy discussions.

The international community should:

- Provide timely support to Nigerian civil society to enable groups to begin voter education, citizen engagement, citizen election observer, and violence mitigation campaigns early in the election process.
- Message regularly to the main political actors and parties to uphold the rule of law and commit to the holding of peaceful elections.

NDI and IRI will continue to observe the electoral process and plan to deploy a second pre-election assessment mission in September and will issue additional statements as appropriate. The two Institutes will field joint international election observation missions for the 2019 general elections. NDI and IRI will cooperate with other international observation missions and Nigerian citizen observer efforts in accordance with the Declaration of Principles for International Election Observation and Nigerian law.

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Appendix B: Statement of the Second Joint NDI/IRI Pre-Election Assessment Mission to Nigeria



STATEMENT OF THE SECOND JOINT NDI/IRI PRE-ELECTION ASSESSMENT MISSION TO NIGERIA *September 28, 2018*

I. INTRODUCTION

From September 19-28, 2018, the International Republican Institute (IRI) and the National Democratic Institute (NDI) conducted a second joint pre-election assessment mission to Nigeria. The [first assessment](#) mission visited Nigeria in July 2018 and issued a statement on July 20, 2018, with recommendations on steps that would enhance citizen confidence in the credibility of the elections. This second mission builds on the first and captures progress achieved thus far and remaining challenges that need to be addressed. The purpose of conducting two pre-election assessment missions in Nigeria is to:

- Assess the current political and electoral environment in the lead-up to the 2019 general elections;
- Assess preparations for the general elections and offer recommendations to enhance citizen confidence in the process and mitigate violence; and
- Demonstrate international support for Nigeria's democratization process.

The second assessment delegation was comprised of: Robert Benjamin, Senior Associate & Regional Director for Central and East Europe, NDI (USA); Mvemba Dizolele, Professorial Lecturer at Johns Hopkins University's School of Advanced International Studies (Democratic Republic of the Congo); Sarah Jegede-Toe, Co-Chair, Liberia National Elections Commission (Liberia); Anna Jones, National Network Coordinator, WANEP-The Gambia (The Gambia); and John Tomaszewski, Africa Director, IRI (USA).

The delegation met with a wide array of election stakeholders, including the Independent National Electoral Commission (INEC), political party and religious leaders, civil society representatives, security forces, academics, and representatives of the international community. In addition, the delegation traveled to Osun State to meet with electoral stakeholders ahead of the off-cycle gubernatorial election on September 22, 2018 and visited several polling units in the cities of Osogbo, Ilesa, Ede, and Ofatedo on voting day to witness the conduct of the election within the framework of preparing for the 2019 general elections. The delegation expresses its deep appreciation to everyone with whom it met for sharing insights from which the mission benefitted greatly. The delegation conducted its activities in accordance with the laws of Nigeria and the *Declarations of Principles for International Election Observations*, which was launched in 2005 at the United Nations.

Both IRI and NDI have deployed international election observation missions to all general elections in Nigeria since the 1999 transition from military to civilian democratic rule. IRI and NDI are nonpartisan, nongovernmental organizations that support and strengthen democratic institutions and practices worldwide. The Institutes have observed collectively more than 200 elections in more than 50 countries over the last 30 years. IRI and NDI will deploy a joint international delegation to observe the presidential, National Assembly, gubernatorial and state assembly elections in Nigeria in 2019.

II. SUMMARY

Nigeria's 2019 elections will be an important step for the country's democracy. If successful, the elections would consolidate democratic gains achieved in the last two decades since the transition from military to civilian democratic rule. The elections are also expected to be closely competed among the major political parties. President Muhammadu Buhari is seeking reelection after historic elections in 2015 when the country experienced its first transition of presidential power from the People's Democratic Party (PDP)—which had been in power since the transition from military to civilian democratic rule in 1999—to the All Progressives Congress (APC).

Numerous positive developments have occurred since the 2015 elections that enhance today's electoral environment in Nigeria. Some of these developments were noted in IRI/NDI's [first pre-election statement](#). For example, the Independent National Election Commission (INEC) has improved the voting process, notably through the introduction of continuous voter registration, adoption of simultaneous accreditation and voting, improvements to the secrecy of the ballot, and advancement of the smart card reader technology. Young people are also more motivated to participate in politics and hold their representatives accountable through initiatives as the *Not Too Young To Run* campaign. Citizens are also deeply committed to democracy. [Afrobarometer's 2017 survey](#) found that 72 percent of Nigerians agreed that democratic elections are the best means of choosing their country's leaders.

Despite the above improvements in the administrative and procedural aspects of the voting process, deficits in the political process could undermine the democratic character of the 2019 elections. Numerous interlocutors commented on the lack of equitable competition within political parties regarding candidate selection, and, relatedly, a penchant among parties to induce voter support through means that run contrary to the spirit of democratic franchise. For many Nigerians, the pervasive role of money in the campaign process lies at the heart of these concerns.

III. NOTABLE IMPROVEMENTS

The IRI/NDI delegation recognizes numerous positive developments initiated by electoral stakeholders—some of which followed the IRI/NDI July 2018 pre-election statement—that are contributing to an enhanced electoral environment:

- *Improvements to election administration* – The delegation notes that INEC has initiated several measures to improve the efficiency and effectiveness of voting since the last pre-election assessment mission. Citizen observer group YIAGA Africa stated that the September 22 Osun State poll was an improvement over previous elections in Anambra and Ekiti states in that most

sensitive and non-sensitive election materials arrived on time thus facilitating the punctual opening of polling units, poll workers were deployed early, and results were posted in the polling units. The delegation also notes that INEC has improved efforts to recruit staff, particularly women, and provide better training, which can yield more uniform polling unit operations and clear roles and responsibilities among various polling officials.

- *Enhancement of the ballot secrecy* – During the Ekiti election, citizen observer groups as well as IRI/NDI’s delegation noted deficiencies in ballot secrecy in some polling units during the process and offered recommendations to address these issues. For the Osun election, INEC instituted measures that enhanced ballot secrecy, including providing additional guidance to poll workers on the configuration of the polling unit and banning the use of cellphones while voting. Higher consistency of polling officials in guiding voters to roll their ballots avoided spoiling the ballot while also obscuring the voter’s choice from view. These changes enhanced the voters’ privacy and reduced the possibility of vote buying and voter intimidation on Election Day.
- *Enhancements to the biometric verification system* – Software enhancements to the smart card reader have increased the rate of successful verification of voters’ biometric data and increased the speed of the voting process. This lessens the burden on voters and polling workers. In addition, smart card readers used for voter accreditation are experiencing fewer malfunctions. Reports from citizen observer groups in Osun State indicated that malfunctions were resolved in timely fashion.
- *Strong commitment by civil society to improve the electoral process* – As noted in IRI/NDI’s July 2018 statement, civil society is playing a critical role in the areas of conflict mitigation, inclusion, voter and civic education, and citizen-based voter observation. During this assessment, IRI/NDI heard about additional initiatives underway, including the Access Nigeria Campaign and Center for Citizens with Persons with Disabilities’ advocacy for better inclusion of PWDs on Election Day. As a result of these efforts, INEC adopted the *Framework on Access and Participation of Persons Living with Disabilities*. Some of the measures were implemented during the Osun State election, such as the use of a Braille Ballot Guide and a form that counts voters with disabilities. Efforts by the International Federation of Women Lawyers to mitigate violence against women has the potential to increase women’s participation in the electoral process and deter psychological and physical violence that too often curtails their participation. The Peace and Security Network is coordinating efforts to identify potential risks of electoral violence and mobilize response efforts.

IV. REMAINING CHALLENGES AND CONCERNS

Despite the above improvements, the delegation noted challenges, that if left unaddressed, could limit the ability of Nigerians to experience a fully participatory and credible process. With 140 days left before the elections, there is need to urgently address these issues.

- *Delays in finalizing legal framework for the 2019 elections* – The delegation notes consensus among political, civic and governmental stakeholders on proposed amendments to the *Electoral Act 2010*, which could improve the credibility and transparency of elections in 2019.

After weeks of back and forth between the executive and legislative branches, the bill is currently with the National Assembly, which is slated to reconvene on October 9, 2018. However, delays in the amendment's passage have many Nigerians questioning whether INEC will have enough time to implement these changes for the 2019 elections.

- *Delayed release of funds for the 2019 elections* – Nigerian interlocutors expressed concerns regarding timely and sufficient funding for the 2019 elections. INEC leadership has affirmed that it will be prepared for elections if the full budget is released when the National Assembly returns to session. Several electoral stakeholders in Nigeria underscored the need for timely logistical and operational preparations.
- *Security threats* – Delegates heard continued concerns about persistent insecurity, particularly in the Middle Belt and North East, which may be amplified in the pre-election environment. Insecurity, combined with heightened political tensions, raise the likelihood of political and/or communal violence, which would disproportionately impact vulnerable populations such as internally displaced persons (IDPs). Should existing conflicts remain unresolved and/or the threat of violence intensify, personal insecurity could deter enthusiasm or prevent citizens from participating in the electoral process. In light of these complex and difficult circumstances, it is incumbent on security services in Nigeria to ensure a safe and secure environment for citizens to exercise their right to vote and to contribute to public confidence in the overall electoral process. Some Nigerians are concerned that security efforts could be used for partisan agendas at the expense of their ability to fulfill their mandate as prescribed by law.
- *Vote buying* – The delegation heard complaints about the lack of robust investigation and, where merited, prosecution of alleged vote buying, despite numerous instances reported by civil society groups. Improvements to the electoral administration and procedure and a higher number of political parties vying for elected positions have enhanced political competition and narrowed margins of victory. Tighter political competition heightens the risk of political parties relying more intensively on unethical and illegal means to secure victory, including inappropriate voter inducement schemes and vote buying. Political parties are responsible for their campaigns and are obligated to follow the law. The delegation heard from many stakeholders, including those within political parties, that there is neither sufficient will nor incentive to remedy these issues.
- *Barriers to internal party democracy* – The delegation recognizes that some political parties have experimented with direct primaries that empower members to select a candidate of their choice, while others rely on indirect measures for candidate selection. In reality, candidates contesting in party primaries are often imposed on members by political elites and so-called “godfathers.” Political parties lack comprehensive membership lists, which does not provide a foundation for a successful direct primary process. There is also a lack of open and advance communication from national party leaders about the composition of delegate lists and the mode and date of voting. These circumstances can heighten intra-party tension and focus party attention inward at a time when their ability to communicate effectively with voters is paramount.

- *Women's participation in the electoral process* – The delegation understand that there are barriers for women, youth, and PWDs to be active participants in the electoral process, including but not limited to attempts to run for elected office. These barriers include the lack of access to party decision-making structures and financial obligations that are impossible to meet without the support of political party elites to whom aspirants can become politically and/or personally beholden. Prevailing social structures and practices limit the ability of women to enter and advance in politics, and often discourages them from engaging in political life in the first place. Women politicians with whom the delegation met referenced numerous instances of discrimination, which led to their dissuasion from and, in some cases, loss of will to participate in politics. The failure to pass the Gender and Equal Opportunities bill last year in the National Assembly and of political parties to establish and implement voluntary electoral party gender quotas are missed opportunities for increasing women's political participation and enhancing the electoral environment in Nigeria.
- *Incitement to violence and disinformation* – The IRI/NDI delegation observed with concern the use of inflammatory language by political parties, particularly through social media. Much of this rhetoric, which at times contains false or unverified information or hate speech, can manipulate public perceptions, heightens tensions, and fuels the possibility of election-related violence. Following the Osun election, the delegation observed on social media the circulation of false results, misleading photos and videos, and inciting statements by political parties, which contributed to heightened tension during and following the results announcement process.

V. RECOMMENDATIONS

The delegation believes that with political will and through coordinated efforts by all stakeholders, many of the above-mentioned challenges can be addressed to enhance citizen confidence and participation in elections and mitigate violence during and after the polls. In the spirit of international cooperation, the delegation therefore offers the following recommendations to electoral stakeholders in Nigeria, which build upon and reinforce the recommendations of the first pre-election assessment mission.

Recommendations for the Federal Government of Nigeria:

- Provide sufficient and timely funds so that INEC and other electoral bodies can fulfill their responsibilities as prescribed by law.
- Ensure the timely passage of the amendment to the *Electoral Act 2010*.
- Ensure that security services maintain the highest level of professionalism and impartiality in facilitating the electoral process, refrain from actions that could be seen as motivated by partisan interests, enable accredited observers and journalists to perform their work, and protect the right of citizens to exercise their votes freely.
- Enforce laws against election malfeasance (including vote buying) and ensure equal and robust application through such measures as the establishment of the Electoral Offenses Commission and Tribunal.
- Respect and uphold press freedom and freedom of information laws in letter and in spirit.

Recommendations for the Independent National Electoral Commission:

- Take concrete measures to combat vote buying through voter education campaigns, enforcement of laws against voter inducement, and nationwide ban on cellphones in the voting cubicle.
- Enhance as much as possible the physical space for voting to facilitate the processing of voters on election day. Prioritize training for polling officials on configuring polling units to enhance ballot secrecy while maintaining a transparent voting process.
- Decentralize the Permanent Voter Card (PVC) collection process from the local government level to the ward and community levels and intensify voter sensitization to increase PVC collection rates.
- Implement the PWD framework, including operationalizing the Braille Ballot Guide and Form EC30PWD nationwide for Election Day, conducting voter education to increase the participation of PWDs in the voting process, and improving accessibility of polling units.
- Undertake measures to increase understanding of the vote collation process and ensure access of observers and party agents to collation centers.
- Publish polling unit-level registration and results data on INEC's website in a machine-readable format.
- Release specimen ballots well in advance of Election Day so that civil society and other electoral stakeholders can conduct sufficient voter education to orient voters.

Recommendations for political parties:

- Engage, at the leadership level, in inter-party dialogue, such as the one facilitated by the National Peace Committee in 2015, and adhere to agreed provisions therein.
- Proactively investigate and, where substantiated, take punitive action against party members and supporters who use hate speech and violence (including through gangs) or disseminate false information during the election cycle.
- Demonstrate thorough adherence to campaign finance regulations and commit to the proper use of resources in engaging voters. Provide access to INEC auditors per applicable regulations.
- Adhere to and enforce existing codes of conduct that commit parties to democratic electoral standards regarding campaign use of resources, engagement of voters, peaceful resolution of disputes, and acceptance of verified and credible results.
- Empower the Inter-Party Advisory Committee (IPAC) to perform its coordination and mediation functions effectively with a priority on state level engagement.
- Upon conclusion of party primaries, promote party cohesion through equitable access to dispute resolution and reconciliation mechanisms.
- Participate in public debates and otherwise enable candidates to reach out to citizens so that the latter are duly informed of party and candidate platforms and policy positions. Devote time and attention to women and youth candidates in particular.

Recommendations for civil society:

- Begin voter education as soon as feasible on ballot design, use and secrecy; vote buying and other illegal practices; the role of security forces in the voting process; and vote tabulation and collation procedures.
- Begin to focus voter education in IDP camps or areas where IDPs have recently returned home so that they are afforded the same opportunities to participate in the voting process.

- Promote the peaceful participation of citizens in the electoral process and draw on existing inter-religious and peacebuilding bodies to enhance their efforts.
- Disseminate information about citizen-based observation findings and analysis to increase public knowledge and understanding about the conduct of the elections.

Recommendations for state-owned and private media:

- Provide balanced coverage of political activities and opinions during primetime television and radio shows, and in the print media.
- Without infringing on freedoms of the press and expression, refrain from disseminating proven “fake news” or inciting language by electoral stakeholders that could inflame tensions around the elections.
- Provide political parties with ample opportunities to share information on their policies and manifestos with voters.
- Disseminate messages on the importance of peaceful participation in the electoral process.

Recommendations for the international community:

- Support Nigerian civil society at the state level to implement creative and strategic programs around voter and civic education and conflict mitigation that target groups of voters most in need of information, including women, youth, PWDs rural populations, and IDPs.
- Continue to regularly message to the main political actors and parties on the importance of respecting the rule of law and holding credible, meaningful polls.

IRI and NDI will continue to observe the electoral process and will issue additional statements as appropriate. IRI and NDI will also field joint international election observation missions for the 2019 general elections. IRI and NDI will cooperate with other international observation missions and Nigerian citizen observer efforts in accordance with the Declaration of Principles for International Election Observation and Nigerian law.

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Appendix C: Statement of the Third Joint NDI/IRI Pre-Election Assessment Mission to Nigeria



**STATEMENT OF THE THIRD JOINT NDI/IRI PRE-ELECTION ASSESSMENT
MISSION TO NIGERIA**

December 19, 2018

I. INTRODUCTION

From December 14-19, 2018, the International Republican Institute (IRI) and the National Democratic Institute (NDI) conducted a third pre-election assessment mission as part of their joint observation of Nigeria's 2019 general elections. IRI/NDI conducted an initial [pre-election assessment](#) in July 2018 and a second [pre-election assessment](#) in September 2018. The goals for all three missions were to: assess the current political and electoral environment; review preparations for the general elections; and, as appropriate, offer recommendations to enhance confidence in the process as well as to mitigate potentials for election-related violence.

At the end of both previous assessments, IRI/NDI issued statements that highlighted improvements achieved since the 2015 general elections and provided recommendations on steps to enhance confidence in the credibility of the 2019 elections. This mission examined changes to the electoral environment since the second assessment, the status of recommendations previously offered by IRI/NDI, and issues that could still be addressed between now and election day to ensure more credible and peaceful polls.

This assessment delegation comprised: **Linda Thomas-Greenfield** (lead delegate), former Assistant Secretary for African Affairs; **Lewis Lucke**, former USAID senior official and Ambassador to the Kingdom of Swaziland; **Dickson Omondi**, NDI Kenya Resident Country Director; and **John Tomaszewski**, IRI Africa Regional Director.

The delegation met with a wide array of election stakeholders, including the Independent National Electoral Commission (INEC), political parties and their candidates, members of the judiciary, civil society representatives, media practitioners, security officials, and senior government officials. The delegation expresses its appreciation to everyone with whom it met for sharing insights from which the mission benefited greatly. The delegation conducted its activities in accordance with the Declaration of Principles for International Election Observation, which was launched in 2005 at the United Nations, and the laws of Nigeria. It also considered international and regional electoral standards, including the African Union (AU) Africa Charter on Democracy, Elections and Governance, as well as the Economic Community of West African States

(ECOWAS) Protocol on Democracy and Good Governance. All activities were conducted on a strictly nonpartisan basis and without interfering in the election process.

Both IRI and NDI have deployed international election observation missions to all general elections in Nigeria since the 1999 transition from military to civilian democratic rule. NDI and IRI are nonpartisan, nongovernmental organizations that support and strengthen democratic institutions and practices worldwide. The Institutes have observed collectively more than 200 elections in more than 50 countries over the last 30 years. IRI and NDI will deploy a joint international delegation to observe the presidential, National Assembly, gubernatorial and state assembly elections in Nigeria in 2019.

II. SUMMARY

The 2019 polls will be Nigeria's sixth elections since the transition from military to civilian democratic rule. While past elections have had their challenges, significant improvements in 2011 and 2015 have generated high expectations for the quality of the 2019 electoral process. The presidential and gubernatorial elections, in particular, are expected to be closely contested. More than seventy candidates will be vying for the nation's top office, including incumbent President Muhammadu Buhari of the All Progressives Congress (APC), former Vice-President Atiku Abubakar of the People's Democratic Party (PDP), and a number of new challengers, including women presidential candidates. The elections will also take place against the backdrop of insecurity with violence in the North East and Middle Belt and threats from non-state actors that could impact negatively the electoral process.

All three of NDI/IRI's pre-election delegations have heard Nigerians express a strong commitment to democracy and of continued efforts to improve Nigeria's election practices. If credible and peaceful, the 2019 general elections could further consolidate the country's democratic institutions, and Nigeria would continue to serve as an example for the region and the continent. However, if the polls are not seen as sufficiently transparent, accountable, and inclusive by Nigerians or are marred by violence, it could undermine past democratic gains, erode Nigerians' trust in its democratic system, and threaten democratic progress across the region.

The success of these elections will hinge on whether voters have confidence in the process and ultimately accept the outcome as reflecting their will. The IRI/NDI delegation heard from a number of Nigerian interlocutors about efforts to enhance citizen confidence and participation in the polls. Since the 2015 elections, INEC has implemented a several improvements and innovations to strengthen election integrity, including enhancements to the smart card reader, increased protection of ballot secrecy, and improved operational and logistical plans. Civil society and citizen observer groups are monitoring and reporting on electoral processes, and are engaged in advocating for these processes to be inclusive of all Nigerians, including marginalized populations.

The delegation notes the positive efforts being made to conduct more transparent, accountable, and inclusive elections, but confidence in the process and the outcome of the elections could still be undermined. Irresponsible political rhetoric threatens to weaken public confidence in Nigeria's electoral institutions and potentially incite violence. Widespread concerns about vote buying, illegal voting, and efforts to compromise the secrecy of the vote on election day could lead to the

rejection of election results or post-election violence. Further, given Nigeria's persistent insecurity, perceptions about the lack of neutrality on the part of the security forces could undermine participation in the election and confidence in the outcome despite assurances to the contrary.

With less than two months until the 2019 Nigeria general elections, the delegation notes there are still tangible steps that should be taken to address these concerns. In particular: INEC and all other electoral stakeholders should increase communication with the public to enhance confidence in the electoral process and the commission's independence; political parties and their candidates should adhere to codes of conduct and peace pledges, including the Abuja Accord 2018 and actively discourage voter inducements such as vote buying; security forces should go above and beyond to reassure the public that they are professional and neutral; concerted efforts should be made to include and promote the full participation of marginalized groups, particularly women, in all aspects the electoral process; and INEC, civil society, and political parties should urgently increase voter education efforts.

III. OBSERVATIONS

Election Administration

Legal Framework for Elections

On December 6, 2018, President Buhari for the fourth time withheld his assent to a bill to further amend the *Electoral Act 2010 (as amended)*, citing the proximity to the election. International and domestic election observers, including NDI/IRI's July and September delegations, have repeatedly emphasized the importance of pursuing electoral reforms early in the election process to allow INEC sufficient time to implement electoral changes. The delegation heard that most of proposed changes would have codified important improvements in the electoral process since the 2011 elections. INEC expressed its confidence in organizing the 2019 elections under the existing legal framework. INEC will exercise its authority specified under Section 52 of the 2015 amendment to the *Electoral Act 2010* to issue election guidelines. INEC assured the delegation that the voting guidelines and procedures for the 2019 elections will include the use of the smart card reader for accreditation, which is seen as an important safeguard against illegal voting.

Permanent Voters Cards and Smart Card Readers

The introduction of Permanent Voters Cards (PVCs) and smart card readers in the 2015 elections contributed significantly to the credibility of that process. INEC will again utilize these features in the 2019 polls. In 2017, INEC launched the Continuous Voter Registration process and printed PVCs for new registrants. IRI/NDI's July and September delegations made the recommendation that INEC intensify and decentralize the PVC collection process. INEC informed this delegation of its efforts to develop localized strategies to increase collection rates including potentially extending the collection deadline until the week before the election; expanding daily operating hours; and sending SMS's to remind voters to collect their PVCs. INEC stressed that voters must have a valid PVC to vote. Presiding officers will determine the validity of the PVCs and the identity of the voter by using the smart card readers. Unlike in 2015, INEC stated that it does not intend to use incident forms for voters with valid PVCs whose fingerprints cannot be authenticated. Instead,

in such cases the incident will be recorded on the manual voter register. However, the delegation found confusion amongst stakeholders concerning this process.

Polling Units and Voting Points

There has been a significant increase in the number and changes in the distribution of registered voters without an increase in the number of polling units to accommodate these population changes. As a result, many polling units include more registered voters than could be processed on a single day. Therefore, INEC has established subsidiary voting points at many polling units to enable all registered voters to cast ballots on election day. In response, political parties have expressed the desire to deploy party agents to every voting point to ensure that voting and counting are witnessed at all locations. However, Section 45 of the *Electoral Act of 2010 (as amended)* stipulates that each political party can appoint a person to each polling unit. While INEC expressed concern about too many party agents present at a polling unit, this provision unduly limits the ability of political parties (and citizen observers) from witnessing the entire voting and counting process at every polling location.

Results Collation and Transmission

IRI/NDI's July and September delegations noted in the Ekiti and Osun gubernatorial elections INEC's pilot exercise to use smart card readers to transmit electronically the number of accredited observers present and results from each polling unit. INEC stated that will not utilize e-transmission of official results of the 2019 elections as it is not supported under the existing legal framework. Instead, INEC informed the delegation it will continue e-transmission as a pilot program and use the e-transmitted results internally to identify discrepancies in the manually collated results. Citizen observer groups and political parties noted confusion in past elections about which observers and party agents have access to the collation process, and registered concern that the procedures had not been well explained or made available. These actors also expressed a desire for INEC to grant access to observe the commission's data center in Abuja.

Voting for Marginalized Groups including Women and Persons with Disabilities (PWDs) as well as Internally Displaced Persons (IDPs)

In the July and September joint assessments, IRI/NDI noted numerous efforts by INEC and civil society to promote the participation of marginalized groups in the electoral process. INEC has a Gender Policy to help promote a level playing field for all stakeholders in the delivery of credible elections. In implementing this policy, INEC should strive to ensure that women comprise half of all election officials at all levels. Election day procedures should be reviewed to ensure that they do not contain barriers to women voting.

INEC has adopted *Framework on Access and Participation of Persons Living with Disabilities* and use of the Braille Ballot Guide during the Osun gubernatorial election. INEC assured the delegation that it plans to extend these efforts nationwide for the 2019 elections.

More than two million people have been internally displaced in Nigeria. On December 10, 2018, INEC released its updated *Framework for Voting by Internally Displaced Persons (IDPs)*. INEC

informed the delegation of its efforts to re-issue lost PVCs and to register first-time voters resident in IDP camps in Nigeria. As in 2015, those displaced but residing in camps within their home state will be able to vote. Under the new framework, INEC is allowing IDPs in camps outside their home state to vote in the presidential elections. The delegation heard concerns about the implementation of the IDP and PWD frameworks, and the extent to which marginalized groups are aware of frameworks enabling them to vote on election day.

Communication and Information Sharing

In meetings with the delegation and in statements to the media, political actors conveyed inaccurate information concerning the election, particularly regarding INEC's plans for using smart card readers, incident forms, electronic transmission of results, and IDP voting. The delegation found that stakeholders often lacked information directly from INEC on these issues. Such misinformation has added to general confusion and uncertainty about election procedures, and have the potential to undermine confidence in the elections. INEC acknowledged that it needs to increase its communication and outreach efforts to electoral stakeholders and the public, and more quickly respond to inaccurate information.

Insecurity and Election Violence

The 2019 elections will be conducted in an environment of insecurity in some parts of the country. Recent attacks in the North East have raised concerns about Boko Haram's resurgence. In the Middle Belt, intercommunal violence continues, while criminality and gang violence across the country, particularly in the South South, is on the rise. As NDI/IRI's previous delegations noted, if insecurity persists or increases, this could deter citizens from participating in the electoral process, including voting on election day.

Nigerian interlocutors also expressed concern about the rise of political violence during the political party primary process and following the start of the campaign period. Election observation and violence monitoring groups noted a number of violent incidents during the primary process. YIAGA Africa's second pre-election statement noted instances of verbal attacks in 23 percent of local government areas (LGAs), and vandalism or the destruction of political party or candidate property in 16 percent of LGAs. Nigerian interlocutors informed this delegation about troubling levels of hate speech made by candidates, political party leaders, and their supporters on the campaign trail, in the media, and on social media that has the potential to stoke fears about election-related violence. They expressed particular concern over hate speech targeting women. Special consideration should also be given to preventing and denouncing violence against women in the electoral process (VAW-E) to ensure the full participation of women. Civil society organizations are monitoring violence across the country, but given the many potential flashpoints even more vigilance is required.

Role of Security Forces

As in July and September, Nigerian stakeholders across sectors expressed a lack of confidence in the neutrality of security services. They cautioned that interference in the election process by security forces, perceived or otherwise, could undermine confidence in the electoral process.

President Buhari told the delegation that he has warned security forces against partisanship. Under Section 29 of the *2010 Electoral Act (as amended)*, INEC has the authority to request for the deployment and assignment of security personnel for elections. The Inter-agency Consultative Committee on Electoral Security (ICCES) is co-chaired by the National Security Advisor (NSA) and the INEC Chairman and is meant to improve coordination and information sharing. However, the delegation was informed that in practice, security agencies do not always share necessary information, and at times circumvent INEC's legal authority. In addition, some Nigerians with whom the delegation met indicated that ICCES has not been sufficiently operationalized at the state and local government levels. While efforts such as creating emergency and information hotlines are being made by police at the state level, civil society groups monitoring violence told the delegation that incident reports are not adequately responded to or investigated.

Political Parties

Candidate Nominations

Party primaries to select candidates were concluded in October. Ninety-one political parties will be competing for public office, more than 70 of which have selected candidates for the presidency. IRI/NDI's first pre-election delegation called upon political parties to conduct transparent and democratic candidate selection processes that adhere to their own bylaws and policies. However, civil society organizations informed the delegation that some primaries were undercut by vote buying as well as by confusion over methods for voting, the location of the nomination conventions, and composition of membership lists. Other stakeholders expressed frustration over the continued practice by political parties of substituting names on their candidate lists. Several candidates who won their primaries, including numerous women and youth, were removed from the list by party leaders and replaced by preferred candidates. Aggrieved aspirants filed nearly 400 election petitions, many of which are still pending in the courts. There is a prescribed timeline for the adjudication of all pre-election disputes. All outstanding cases, including any appeals, should be expeditiously resolved prior to the election.

Political Party Agents

Political party leaders indicated to the delegation their plans to deploy party agents to monitor the conduct of voting and counting processes. INEC indicated its intention to allow political parties to deploy only one agent to each polling unit. However as noted, as many polling units will be divided into multiple voting points, this could inhibit political parties from fully monitoring the electoral process. Despite this being the sixth election since the return to multi-party politics, political parties still lack sufficient capacity to effectively deploy well trained agents and to establish systems for collecting data from polling units nationwide.

Commitments to Peaceful Campaigns

In early December, political parties and presidential candidates signed the Abuja Accord 2018 under the auspices of the National Peace Committee (NPC), a body composed of eminent Nigerians under the leadership of former head of state, General Abdulsalami Abubakar. By signing the accord, candidates committed to refrain from declarations or speeches that have the potential

to incite violence and to speak out against such statements made by their supporters. The NPC is planning a second accord that will ask political parties and their candidates to commit to respecting the outcome of elections and taking disputes to the courts. The NPC hopes to also convene political leaders in states with a high potential for political violence. However, some Nigerians indicated that even more should be done to step down the peace accord at the state and local levels. All political parties, as members of the Inter-party Advisory Committee (IPAC), have agreed to a code of conduct.

Voter Education

With less than two months until the elections, the delegation noted low levels of voter education. In its second pre-election report, YIAGA Africa's observers witnessed voter education activities by INEC in only 61 percent of LGAs, by civil society groups in only 52 percent of LGAs, and by the National Orientation Agency in only 21 percent of LGAs. Civil society representatives told the delegation that there is a lack of coordination among civil society groups and with INEC to establish targeted messaging, identify gaps, and develop strategies to ensure all voters, and particularly marginalized communities, are sufficiently informed about and engaged in the election process. Political parties also have an incentive to ensure their voters are knowledgeable about the election process; however, the delegation did not hear of efforts by political parties to conduct their own voter education campaigns.

Vote Buying

In its July and September statements, the joint mission highlighted the detrimental effect of vote buying on the integrity of the election process. As noted in its second pre-election report, YIAGA Africa's observers witnessed the distribution of money or gift items in 15 percent of LGAs. The delegation heard of efforts by civil society and government institution to educate voters on the importance of their vote. For example, the Independent Corrupt Practices and Other Related Offences Commission (ICPC) declared vote buying a form of corruption and launched a campaign to combat the practice. INEC also affirmed that measures taken in the Osun election to ensure secrecy of the vote, including changes to the layout of and the banning of cell phones in polling units, will be applied nationwide for the 2019 general elections. Stakeholders, however, noted that any efforts to curb vote buying will be insufficient unless political parties adamantly discourage the practice and hold their members accountable.

Citizen Observation

Several citizen observation efforts are planned for the 2019 polls. Networks of credible civil society organizations, including Election Monitor and the Nigeria Civil Society Situation Room, will deploy observers to monitor events on and around election day. YIAGA Africa, as part of the *Watching the Vote* project, has deployed long-term observers to assess the pre-election environment in all 774 LGAs. It has and will continue to monitor and report on election preparations and the political environment, including PVC collection, voter education, the conduct of campaign events, and early warning signs of election violence. For the presidential election, YIAGA Africa plans to deploy nearly 4,000 observers, including 3,034 stationary observers to a statistically valid sample of 1,517 polling unit in order to provide independent verification of the

presidential election results. Citizen observers noted to the delegation that INEC had not yet released information about the accreditation process for observers, which could hinder observer groups' recruitment and deployment efforts. INEC informed the delegation that the initial call for observers should be released shortly and that it would introduce online accreditation to facilitate the process.

Media

Media practitioners acknowledged to the delegation that Nigerian media outlets face competing interests to both earn marketing dollars and conduct objective issue-based reporting. However, they recognized the positive influence of new regulations issued by the National Broadcasting Commission (NBC) to discourage the dissemination of hate speech and disinformation on television. The delegation also attended the vice-presidential debate hosted by the Nigerian Elections Debate Group and Broadcasting Organizations of Nigeria. These groups plan to hold a presidential debate on January 16, 2019. This type of collaboration between civil society and the media helps to promote issue-based discourse between candidates.

Disinformation

Many stakeholders expressed concern over the levels and role of disinformation in the elections. As NDI/IRI's previous delegation noted, this type of false and unverified rhetoric manipulates public perceptions, heightens tension, and fuels the potential for violence. The delegation was informed that the websites and social media profiles of legitimate civil society organizations, observation groups, and media outlets have been recently cloned or hacked, and then used to spread disinformation to audiences who believe they are consulting trusted sources. Both media and civil society groups are collaborating on ways to fact check and verify the accuracy of reports, and are trying to alert social media platforms to take measures to remove posts that violate user policies.

IV. TANGIBLE STEPS NEEDED TO PROMOTE CREDIBLE AND PEACEFUL ELECTIONS

With less than two months until election day, there are still a number of steps that should be taken to promote credible and peaceful elections in Nigeria. Furthering Nigeria's democratic progress will require pro-active and concerted efforts to instill public confidence. In the spirit of international cooperation, this NDI/IRI delegation offers, respectfully, the following recommendations:

- ***INEC and all other electoral stakeholders should increase communication with the public to enhance confidence in the election process and the commission's independence.*** Elections not only need to be credible but must be seen to be credible. INEC should place public outreach and communications among its top priorities, and continue to engage in forums with interested civil society organizations and the media. The commission should proactively message and issue quick responses to correct inaccurate or misrepresented information through traditional and non-traditional forms of communication, including social media and community radios. This outreach should include strategies to disseminate this information at the state and local levels and in

Nigeria's many languages. Specifically, INEC should urgently provide clarity on the voting, counting, and collation processes.

- ***INEC should ensure its guidelines for the 2019 elections are consistent with the existing legal framework and share these widely with political parties and observers in a timely manner.*** It is critical that INEC urgently release guidelines for the 2019 elections so that all stakeholders are fully aware of election day procedures. These should include clear provisions on access for party agents and observers all polling units and subsidiary voting points and to all stages of the collation process (including the pilot e-transmission of results data center) as well as for the posting of polling unit level results on the INEC website immediately after the announcement of the aggregated results in accordance with best practices for open election data (www.openelectiondata.net).
- ***Political parties and their candidates should adhere to codes of conduct and peace pledges, including the Abuja Accord 2018.*** Negotiating and signing agreements are just the first step; political parties and their candidates must also hold party members and supporters accountable for violations. Political parties and candidates should also: run issue-based campaigns; abstain from using and openly condemn tactics that incite violence, such as hate speech and disinformation; and actively discourage voter inducement, such a vote buying and other coercive tactics. All candidates should publicly commit to respecting the outcome of elections and to settle electoral disputes in the courts. This commitment will reduce tensions in the lead up to elections and deter violence when election results are counted and released to the public.
- ***Security forces should go above and beyond to assure the public that they are professional and neutral.*** Security forces' prime role is to ensure voters can cast their ballot in a secure environment on election day. The president told the delegation that he has warned security forces against partisanship. He should hold to account those that seek to influence the outcome of any election in favor of a particular candidate or party. As prescribed by law, security forces should defer to INEC concerning their deployment for the 2019 elections, and provide the names of officers deployed at each polling unit. Security forces should participate fully in all ICCES meetings at the national and state levels as well as engage in other coordination efforts convened by civil society. All security forces involved in facilitating the electoral process should also participate fully in INEC electoral security trainings.
- ***Voter education efforts should urgently be increased.*** INEC, civil society, and the National Orientation Agency should increase coordination to establish key messages, identify gaps, and conduct campaigns to inform voters about electoral process, engage citizens and political actors on issues, and encourage peaceful participation in the polls. Political parties, too, should invest in educating their members and supporters about the election process to ensure their full participation on election day.
- ***Efforts to counter vote buying should be enhanced.*** In addition to its efforts to enhance the secrecy of the vote on election day, INEC should work with civil society to disseminate messages about the importance of their vote and how vote buying compromises the

integrity of elections. In accordance with the political party code of conduct, political party leaders should prohibit the practice among their members and candidates and hold them accountable for violations. Authorities, including INEC, security forces, the Independent Corrupt Practices and Other Related Offences Commission and the Economic, Financial Crimes Commission should also investigate and where warranted prosecute the improper use of campaign funds, including voter inducement.

- ***Include and promote the participation of marginalized groups, particularly women, in the electoral process.*** Women make up over half of the electorate but remain underrepresented in all aspects of the electoral process. Concerted efforts should be made by INEC, political parties, security forces, and civil society to ensure the equal participation of women. Special attention should be paid to preventing and denouncing violence against women in the electoral process (VAW-E). INEC should fully implement the *Framework for Voting by Internally Displaced Persons (IDPs)* and *Framework on Access and Participation of Persons Living with Disabilities*. Civil society, INEC, and political parties should conduct voter education to sensitize voters about these frameworks. All political actors should also discourage discrimination and hate speech, particularly against women, youth, and PWDs.
- ***The media should engage in responsible coverage of the elections.*** Media practitioners should promote issue-based coverage of the election campaign. Working with civil society, journalists should actively seek to fact check and verify stories and sources to discourage and counteract disinformation. Media outlets should also provide equal opportunities and access to all political parties and candidates.
- ***The international community should coordinate its messaging and activities to promote democratic and peaceful elections in Nigeria.*** Civil society and INEC strongly encouraged coordination to prevent the duplication of efforts and to ensure that clear and consistent messages are conveyed.

Appendix D: IRI/NDI Joint Statement on the Suspension of the Chief Justice of Nigeria



JANUARY 28, 2019

Washington, DC—The National Democratic Institute (NDI) and International Republican Institute (IRI) are concerned by the suspension of the Chief Justice of Nigeria on January 25. The suspension comes just three weeks before the February 16 presidential and National Assembly polls and has raised doubts among electoral stakeholders about the independence of the Supreme Court and Electoral Tribunals in the upcoming general election. Consistent with the Economic Community of West African States (ECOWAS) Protocol on Democracy and Good Governance, actions such as these taken so close to Election Day should be done through consensus and in consultation with all political actors so as not to be perceived as unfairly impacting the electoral process.

“The judicial branch plays a critical role in the electoral process. It is imperative that these courts are objective and that they are perceived as such by all election stakeholders,” said NDI President Ambassador Derek Mitchell. “The suspension of Nigeria’s highest judicial officer so close to the vote could undermine citizens’ confidence in the judiciary’s independence.”

“IRI and NDI call on all stakeholders to adhere to the rule of law and peaceful resolution of disputes,” said IRI President Daniel Twining. “We encourage all political actors to engage in an inclusive dialogue and implement initiatives to assure the public and political contestants that, should disputes arise from the upcoming general elections, they will be resolved fairly.”

NDI and IRI have observed all national elections in Nigeria since the country’s return to civilian democratic rule in 1999. The two organizations have together deployed more than 200 international observer missions to various countries around the world. The Institutes plan to jointly observe the February 16 presidential and National Assembly elections and the March 2 gubernatorial and state houses of assembly elections. IRI and NDI conducted pre-election assessment missions in July, September, and December 2018 and issued statements of our findings with recommendations to further strengthen Nigeria’s electoral process.

NDI and IRI are nonprofit, nonpartisan organizations that support and strengthen democratic institutions and practices worldwide. IRI and NDI conduct our activities in accordance with Nigerian law and the Declaration of Principles for International Election Observation, which is also endorsed by the African Union, ECOWAS, the Commonwealth Secretariat, the European Union, and 47 other organizations.

Appendix E: Joint Statement on the Postponement of the 2019 Elections in Nigeria



Abuja, 16 February 2019

JOINT STATEMENT ON THE POSTPONEMENT OF THE 2019 ELECTIONS IN NIGERIA

We, the Heads of the international election observation missions and the United Nations present in Nigeria, have taken note of the decision of the Independent National Electoral Commission (INEC) to postpone the 2019 general elections due to logistical and operational challenges.

While we note that this decision has caused disappointment for many, we call on all Nigerians to continue to remain calm and supportive of the electoral process as INEC works to implement its new timeline.

We urge INEC to use this time to finalise all preparations and ensure that the new election dates are strictly adhered to. We encourage INEC to provide regular updates and information to the public on its preparations in the coming days and weeks to enhance confidence and trust in the process.

As we continue to closely observe preparations across the country, we stand in solidarity with the people of Nigeria in their desire for credible and peaceful elections.

1. Economic Community of West African States Election Observation Mission - Her Excellency Ellen Johnson Sirleaf, Former President of Liberia
2. African Union Election Observation Mission - His Excellency Hailemariam Desalegn, Former Prime Minister of Ethiopia
3. Commonwealth Observer Group - His Excellency Dr Jakaya Kikwete, Former President of the United Republic of Tanzania
4. Electoral Institute for Sustainable Democracy in Africa Election Observation Mission - His Excellency Rupiah Banda, Former President of Zambia
5. European Union Election Observation Mission - Maria Arena, Belgian Member of the European Parliament
6. National Democratic Institute/International Republican Institute Election Observation Mission - His Excellency Festus Mogae, Former President of Botswana and Her Excellency Vaira Vīķe-Freiberga, Former President of Latvia
7. Organisation of Islamic Cooperation, Ambassador Boubakar Adamou, Director of African Political Affairs
8. United Nations Special Representative of the Secretary-General for West Africa and the Sahel, Dr Mohamed Ibn Chambas

Appendix F: IRI and NDI Statement on the Postponement of Nigeria's Elections



FEBRUARY 16, 2019

The International Republican Institute (IRI) and the National Democratic Institute's (NDI) joint international election observation mission for Nigeria's 2019 elections released the following statement:

"NDI/IRI fully endorse the Joint Statement on the Postponement of the 2019 Elections in Nigeria of election observation mission heads and continue to support Nigeria's democratic development.

"The IRI/NDI Mission appreciates INEC's commitment to holding credible democratic elections. While we understand it is better to delay the elections than to disenfranchise voters due to logistical obstacles, NDI/IRI regret that INEC underestimated the challenges associated with the administration of the elections, leading to the decision to postpone them. Despite repeated assurances that logistical arrangements were in order, the Commission waited until the morning of the election to announce the delay.

"As we have done in three pre-election statements issued between July and December 2018, we urge INEC to increase transparency and to better communicate about the electoral process to build trust with the citizens of Nigeria in the coming days and weeks. Moreover, we encourage the Commission to take sufficient steps to secure sensitive materials and apply lessons learned for these and future elections.

"The IRI/NDI Mission urges the Nigerian people to continue to remain calm and patient as the electoral process unfolds. There are both challenges and opportunities in this difficult situation. As the continent's largest economy and most populous nation, what happens in Nigeria has an impact across Africa and the world at large.

"This is a period when Nigerians across the political spectrum can unite for peaceful and successful presidential and National Assembly elections on February 23 and the gubernatorial and state House of Assembly elections on March 9. The NDI/IRI election observation mission delegation will remain in country for the remainder of the electoral process."

Appendix G: Preliminary Statement of the Joint NDI/IRI International Observer Mission to Nigeria's February 23 Presidential and Legislative Elections



PRELIMINARY STATEMENT OF THE JOINT NDI/IRI INTERNATIONAL OBSERVER MISSION TO NIGERIA'S FEBRUARY 23 PRESIDENTIAL AND LEGISLATIVE ELECTIONS

**February 25, 2019
Abuja, Nigeria**

I. OVERVIEW

This preliminary statement is offered by the international observation mission of the International Republican Institute (IRI) and the National Democratic Institute (NDI) to Nigeria's February 23, 2019 presidential and National Assembly elections. The 40-person mission, with members from 19 countries, was co-led by: former Vice President of The Gambia, H.E. Fatoumata Tambajang; NDI President, Ambassador Derek Mitchell; and IRI President, Dr. Daniel Twining. The mission visited Nigeria from February 11 to 25, 2019, with some turn-over in leadership and members mid-way due to the one-week delay of the polls from February 16 to February 23. The original mission included among its leadership former President of Botswana, H.E. Festus Mogae; former President of Latvia, H.E. Vaira Vīķe-Freiberga; former U.S. Assistant Secretary of State for African Affairs, Ambassador Johnnie Carson; and IRI Vice Chairman Randy Scheunemann. The mission deployed 20 observer teams to 16 states covering all six geo-political zones and the Federal Capital Territory (FCT).

Through this statement, NDI and IRI seek to: reflect the international community's interest in and support for democratic electoral processes in Nigeria; provide an accurate and impartial report on the election process to date; and offer recommendations to improve future elections. The mission expresses its condolences for the loss of life in election related violence and salutes the Nigerian people for their resilience. The mission builds on the findings of joint IRI/NDI pre-election assessments conducted in July, September and December 2018; reports submitted by NDI/IRI observers who were deployed in each of the country's six geopolitical zones and the FCT in the pre-election period and those deployed for the February 23 polls; and additional reports submitted by thematic technical experts and in-country staff.

The mission conducted its activities in accordance with Nigerian law and the *Declaration of Principles for International Election Observation*. The mission collaborated closely with other international observer missions that endorse the Declaration, and with YIAGA Africa, one of Nigeria's leading civil society organizations, which deployed more than 3,900 citizen observers on election day and conducted a parallel vote tabulation (PVT or Quick Count). The mission is grateful for the hospitality and cooperation it received from all Nigerians with

whom it met, especially voters, government officials, officers of the Independent National Election Commission (INEC) and polling officials, party members and candidates, citizen election observers, civic activists and members of the National Peace Committee.

The mission notes that Nigeria has achieved significant democratic gains over the past two decades since the return to civilian rule, including in managing elections. High levels of citizen engagement in supporting inclusive and credible polls through voter education and election monitoring, demonstrate the strong commitment of Nigerians to their democracy. On February 23, millions of Nigerians turned out, waited patiently throughout the process and cast their ballot peacefully. However, the last minute postponement of the election by INEC and significant delays in the opening of polling units risk undermining citizen confidence in elections and disenfranchising voters. As stated by YIAGA Africa, “Nigeria missed an opportunity to improve the quality of its elections as compared to 2015.” Last minute election postponements should not become the norm in Nigeria. Also, the mission notes that political parties are the weakest link in the chain of efforts to deepen Nigeria’s democracy through more inclusive and peaceful polls. Party leaders and candidates carry significant responsibility to promote peaceful conduct by their supporters and foster inclusive politics. The mission highly appreciated that, despite the many challenges, Nigerians exhibited their strong dedication to electoral and democratic processes.

The IRI/NDI mission stresses that this statement is preliminary in nature. With elections postponed in parts of three states, the tabulation and announcement of final results have not been completed. As this process continues, the mission calls on Nigerian political parties and candidates to cooperate in good faith with INEC; political leaders to adhere fully to the 2019 Abuja Accord and respect the will of the Nigerian people as expressed through the ballot box; and for INEC to release official results in a timely manner. The mission recognizes that, ultimately, it is the people of Nigeria who will determine the credibility of these elections. NDI and IRI will continue to watch the remaining phases of the electoral process, including the announcement of official results and swearing in of newly elected officials.

II. THE NIGERIAN ELECTION CONTEXT

Many Nigerians believe that the peaceful transfer of power between parties after the 2015 elections, the first time in Nigerian history, increased citizen and political engagement in the lead up to the 2019 elections. The 2015 experience underscored for Nigerians that credible elections matter. Nigerians undertook many initiatives to enhance citizen participation and create an enabling environment for credible polls. However, the failure to enact the amended Electoral Act was a missed opportunity for codifying recent improvements in election processes. Moreover, the absence of internal democracy within political parties continues to hinder women and youth from rising within their ranks and running as candidates for elected office. The last-minute delay of the presidential and legislative elections in the early hours of election day on February 16 also contributed to voter apathy and the lowering of confidence in the election commission.

A. Electoral improvements since 2015

Advances for youth, women and persons with disabilities. Between the 2015 and 2019 elections, more than 14 million Nigerians registered as new voters, bringing the total number of registered voters to over 84 million. Approximately 51 percent of those voters are aged 18 to 35. In 2018, the constitutional amendment emanating from the “Not Too Young to Run” campaign lowered the minimum age for elected offices at national, state and local levels. It also led to an increase in youth candidates at all levels. For example, the percentage of youth candidates increased from 21 percent in 2015 to over 34 percent in 2019. The number of women candidates also increased, and six women ran for president. Advocacy groups worked with INEC to adopt measures to facilitate accessible voting for persons with disabilities, notably through a national campaign on the use of the Braille Ballot Guide, which was piloted in the Ekiti and Osun gubernatorial elections, and the distribution of information posters targeting the hearing impaired.

Consolidation of electoral advances. INEC updated the 2019 elections guidelines to require that voters possess a valid permanent voter’s card (PVC) to be allowed to vote. The guidelines also included provisions for the use of smart card readers to accredit voters, and instituted measures to protect the integrity of the vote such as mandating that voters not use cell phones while in the voting booth, and ensuring that ballot boxes are no more than two meters away from the voting cubicle and at a distance from party agents. For the 2019 polls, 86.6 percent of PVCs were collected, up from 82 percent in 2015.

Nigerian-led initiatives to support inclusive, credible and peaceful elections. In preparation for the 2019 polls, Nigerians actively sought to increase citizen participation, enhance confidence in the elections, and mitigate the risk of election-related violence. Various citizen organizations conducted initiatives such as:

- voter education by the Inclusive Friends Association (IFA) and the Access Nigeria campaign, as well as Enough is Enough (EiE) and its RSVP campaign;
- get-out-the-vote campaigns targeting women and youth by the Stop Violence against Women in Politics campaign and Connected Development (CODE);
- peace messaging by the Peace and Security Network (PSN) and during Media Peace Day, and the nationwide campaign targeting youth, “Vote Not Fight,” led by celebrity ambassador 2Baba Idibia and Youngstars Development Initiative (YDI);
- efforts at combating disinformation by the Centre for Democracy and Development (CDD) and fact checking initiatives such as CrossCheck Nigeria;
- election monitoring by the Nigeria Civil Society Situation Room and Gender Election Watch; and
- YIAGA Africa’s nationwide PVT, a methodology that provides an accurate qualitative assessment of the conduct of election day processes and near real-time independent verification of official results, which helps enhance confidence in the process.

Conflict mitigation initiatives at the grassroots reduced tensions and community-based conflict in the months leading up to the elections. At the national level, the National Peace Committee (NPC) facilitated the signing of the 2019 Abuja Accord by all presidential candidates at a public ceremony on February 13. During the ceremony, also attended by the Commonwealth Secretary-General, representatives of the United Nations (UN), African Union (AU), Economic Community of West African States (ECOWAS), United States (US) and European Union (EU), presidential candidates pledged to avoid behavior that would endanger the country's stability and to accept the outcome of the election. Similar accords were also signed at the state level, in the eight most volatile states.

B. Persisting challenges

Weak internal democracy within political parties. Political parties remain the weakest link among Nigeria's nascent democratic institutions. Opaque campaign financing and candidate selection processes, and weak internal party democracy, are significant disadvantages for women and youth trying to break into male-dominated party leadership ranks. The two major political parties, the All Progressives Congress (APC) and the People's Democratic Party (PDP), fielded only 24 and 31 women candidates, respectively, for the bicameral National Assembly's 469 seats, and only 13 and 8 legislative candidates under the age of 35. Most women and youth candidates thus ran on the tickets of newly created parties, with unfavorable odds of winning. The lack of ideological differentiation between political parties favors "cross-carpeting," with party elites regularly switching parties to secure nomination for elected office. Contentious and, at times, violent party primaries contributed to party factionalism and resulted in pending litigation in more than 600 instances. In a context of deep mistrust among parties, the suspension of Chief Justice Walter Onnoghen six weeks ahead of the election fed into suspicions of manipulation of the electoral process.

Unfulfilled promises of electoral reform. In December, with just two months to election day, the president rejected a pending bill to amend the Electoral Act 2010, citing the proximity to the election. The failure to enact an amended electoral code early in the process was a missed opportunity to codify important improvements since the 2011 elections. The Bill, if enacted, would have also introduced increased penalties for vote-buying; imposed higher fines on media houses not providing candidates equal airtime; made the voter register and election results electronic and accessible; and extended the application of the Electoral Act to local government elections.

Slow resolution of election disputes. Long delays in resolving disputes stemming from party primaries left INEC with barely a month to print ballots and result sheets. Most judgments remained pending by election day; moreover, cases from the 2015 elections remain in court, underscoring the need for amending the legal framework to ensure fair and expeditious resolution of election related disputes.

Multiple sources of insecurity. Despite repeated appeals, instances of violent clashes between party supporters and the use of inflammatory language by political actors increased

as election day approached. Kidnappings and general criminality were on the rise across the country, increasing electoral insecurity. Community-based conflict in the Middle Belt states and terrorist attacks by Boko Haram in the North-East have displaced more than two million Nigerians internally. Women, in particular, have faced sexual violence and additional physical, psychological and economic barriers to participation as aspirants, candidates, and voters.

Hate speech and disinformation. The Internet now reaches half of Nigeria's population and platforms such as Facebook, Twitter, YouTube and WhatsApp are increasingly superseding traditional media as a source of news. Content spreads rapidly on large WhatsApp groups, largely unchecked and unverified on closed, encrypted platforms. Efforts at disinformation do not appear to be state driven or to come from external actors, but to serve the interests of politicians with their own agendas. Overall, the mission heard reports that it was challenging for voters to obtain verifiable information in deciding for whom to vote. The spread of hate speech via social media and in public settings is also worrisome, including hateful language targeting women candidates or fueling regional, ethnic, and religious differences. Specifically, the mission heard credible concerns that the spread of fake news following the election delay heightened tensions and threatened to undermine confidence in the overall process and in the electoral outcome.

Last minute postponement of elections. INEC underestimated the challenges associated with the administration of the elections as originally scheduled. The Commission did not communicate sufficiently with political parties and the public about election preparations and waited until the morning of the February 16 elections to announce the delay. It is highly probable that such a late postponement had negative effects on voter turnout, created controversy about the duration of candidate and party campaign activity, and imposed significant additional economic costs for Nigerians, many of whom traveled to their constituencies to vote on February 16. Most significantly, the delay also undermined public confidence in INEC.

III. ELECTION DAY OBSERVATIONS

Participation. The mission noted that despite many challenges tens of millions of Nigerians demonstrated their resilient commitment to democracy by voting on election day. Those who voted waited patiently to cast their ballot, often despite long lines and delays. Women and youth served as polling officials, party agents and observers. However, IRI/NDI observers noted significant impediments to voting for persons with disabilities and the elderly. In addition, observers found that the location of polling units for internally displaced persons (IDPs) was changed at the last minute from camps to wards in some locations, which could have impacted IDP enfranchisement.

Material deployment. NDI/IRI observers who were deployed initially for the February 16 election noted the absence or misplacement of essential materials at the Central Bank of Nigeria (CBN) and INEC offices, including result sheets and ballots. In the days prior to

February 23, observers found that most materials had been received from headquarters and distributed to Registration Area Centers (RACs). Observers noted the absence of an inventory of materials across CBNs and RACs, hindering tracking and leaving officials to rely on notification from their counterparts about missing and misplaced materials. In addition, due to a fire in an INEC office in Anambra, over 4,600 smart card readers were destroyed, leaving certain districts without adequate backup machines.

Set-up and opening. A majority of polling units observed by the mission did not have essential materials and polling staff in place by 8am and, as a result, opened late. Media and other observer reports similarly indicated that more than half of the polling units were not open as of 10am. Some polling units observed by the mission did not commence voting until 1pm, just one hour before polls were intended to close. Nigerians, however, continued to remain calm and exercised patience. In some cases, IRI/NDI observers noted that polling officials lacked understanding about how to orient or use the materials in the polling unit. Notably, in some polling units observed, ballot boxes were found unsealed or missing labels and lids. Observers found many polling units to be overcrowded and located in areas lacking sufficient space for the number of voting points, contributing to an overall environment of disorder and tension.

Voting. Observers noted that the overall environment was peaceful and that polling officials generally adhered to voting procedures; PVCs were verified using the smart card reader and names were checked against the voter register. In most cases, when fingerprints were not verified by the smart card reader, voters' details were checked in the voter register as prescribed by the guidelines. Observers noted few instances of voters being turned away. However, frequent failures of smart card readers to authenticate fingerprints contributed to frustrations among polling officials and stymied the process.

Observers noted with concern numerous instances in which the secrecy of the ballot was not protected. For example, voting cubicles were not provided in all polling units. Even with voting screens, the setup of the polling unit did not always guarantee secrecy of the ballot. Moreover, party agents in many polling units observed provided assistance to voters in violation of procedures.

In urban and rural areas alike, observers noted that polling units were not always accessible to persons with disabilities. Magnifying glasses and ballots for the visually impaired were not seen by most of NDI/IRI observers. When asked, numerous polling officials were not aware of or not using the EC 40H form for documenting the number of disabled voters.

Closing. INEC extended voting past 2pm to make up for delayed polling unit openings. However, IRI/NDI observers found that the notification to extend polling hours had not reached some polling officials. Overall, polling officials followed the counting procedures in polling units where the mission observed. Observers noted that generally party agents signed the EC.8A and EC.8A VP results forms. In many polling units the counting and collation processes continued late into the night. According to YIAGA Africa, 19 percent of polling

units did not publicly post the results forms at the polling unit. The mission commends the dedication of polling officials, many of whom were members of the National Youth Service Corps, who remained resilient in working long hours.

Security forces did a commendable job exercising restraint in most areas. Observers noted that security officials overall acted professionally and impartially. Police showed restraint, even during contentious counting processes.

Electoral offences and violence. Observers reported disruptions and intimidation by party agents and campaigning in some polling units, which contravened regulations. Notably, observers reported many instances of party agents overstepping their responsibilities, often directing operations in the polling unit and, in a few cases, “assisting” voters to fill and cast their ballots. While observers noted few cases of overt vote buying, they reported that less visible forms of voter coercion may have influenced the integrity of the process. Though overall election day was peaceful, media and other observer groups have reported injuries and loss of life, including that of at least one polling official. The mission expresses its condolences to the victims and their families.

IV. RECOMMENDATIONS

In the spirit of international cooperation, the NDI/IRI mission urges Nigerians to address immediate and longer-term challenges to inclusive and credible elections.

Ahead of the March 9 state level elections, the IRI/NDI mission offers the following short-term recommendations to further strengthen the credibility of the process:

Short-term recommendations (in the lead-up to March 9 state elections)

To the Government:

- Ensure adequate security to support and protect INEC deployment and voter engagement.

To INEC:

- Intensify communication and outreach to the Nigerian public and relevant stakeholders in the electoral process.
- Improve plans for distribution of sensitive election materials such as ballot papers and result sheets.
- Ensure ad hoc polling staff are adequately trained on polling procedures, including the use of smart card readers, guidelines for assisted voting, and organizing polling units to ensure ballot secrecy.
- Fully implement the Disability Framework by ensuring that all polling units are accessible to persons with disabilities and that the Braille Ballot Guides are widely available for the State Assembly and gubernatorial elections.

- Fully implement the IDP Framework by making provisions for intra-state IDPs to vote, including the establishment of polling units in IDP camps where there are registered voters.
- Improve communication with polling staff throughout election day, including to convey important changes or updates to the voting process.
- Make polling unit level results publicly available in a machine-readable format and in a timely manner, in line with best practices for open election data.

To political parties and candidates:

- Respect the rule of law and call on supporters to remain peaceful before, during, and after the announcement of results.
- Reconfirm commitment to the NPC peace accords and existing codes of conduct, including by conducting peaceful campaigns and denouncing members or supporters who use hate speech, incite violence, or participate in vote buying.
- Instruct party agents to refrain from interfering in election day processes, including by attempting to coerce voters through vote buying and threats of violence or other punitive actions.
- Refrain from disseminating false or misleading information to citizens.
- Channel electoral complaints and disputes, should they arise, through established legal processes.

To civil society:

- Redouble efforts to promote peaceful elections and educate voters on voting procedures and the importance of their vote.
- Continue to observe and report on the electoral process to ensure accountability.
- In coordination with the media, enhance efforts to counter false narratives, disinformation, and fake news.

To security agencies:

- Maintain the highest level of professionalism, understand their role on election day, and continue to take steps to assure the public of their neutrality.
- Support INEC to ensure the integrity of balloting and collation processes are protected.
- Work with INEC to investigate electoral offenses and take appropriate measures to sanction offenders.

In the spirit of international cooperation, the NDI/IRI mission also offers recommendations to strengthen the electoral process in the medium- to long-term:

Medium- to long-term recommendations

To the Government of Nigeria:

- Immediately after the 2019 elections, pursue a comprehensive and inclusive electoral reform process that draws upon the recommendations made by the Uwais

Commission and Nnamani Committee, among others, and codifies recent improvements in election procedures.

- Establish the National Electoral Offenses Commission and the Political Parties Registration and Regulatory Commission.
- Review the timeline for the resolution of electoral disputes.
- Ensure the timely approval and release of the election budget.

To political parties:

- Strengthen mechanisms for internal democracy and promote an inclusive environment in which women, youth and persons with disabilities can participate fully and equally in the electoral process without fear of violence, intimidation, sexual harassment, hate speech or forced patron-client relationships between political leaders and aspirants.
- Engage in transparent, inclusive, and credible candidate nomination processes.
- Develop party platforms that enhance confidence in electoral and democratic processes and institutions.

To INEC:

- Conduct a comprehensive and thorough audit of preparations for the 2019 polls to identify the shortcomings that contributed to the election delay and election day challenges. Make findings public and engage in a consultative process to address deficiencies and rebuild public confidence.
- Develop and adopt a strong strategic communication plan that builds on lessons learned from the 2019 elections in order to promote transparency and public trust.
- Revise election guidelines to accommodate voters on official duty on election day including polling officials, security agents, and citizen observers.
- Make the continuous voter registration process more accessible to voters through technological advances that would allow for immediate issuance of a PVC upon registration.
- Create more polling units and reassess polling locations to ensure sufficient space and accessibility for persons with disabilities and the elderly.
- Enhance training for ad hoc polling officials to ensure sound knowledge of procedures, to include opportunities for hands-on practice in using smart card readers.
- Fully implement its own Gender Policy and Disability Framework.
- Establish more detailed and timely guidelines and procedures that ensure the enfranchisement of IDPs.

To civil society:

- Coordinate efforts to advocate for the adoption and implementation of electoral reforms.
- Work with INEC and the National Orientation Agency to better coordinate voter education messaging and campaigns.

- Conduct civic education between elections to enhance citizen understanding of and engagement in democratic processes.
- In coordination with the media, educate citizens on the dangers of disinformation and misinformation in the public sphere and promote credible narratives in the media and online.
- Share best practices and lessons learned nationally and regionally to strengthen synergies and peer-to-peer support among civil society actors.

To security agencies:

- Continue to improve coordination with INEC on the provision of electoral security, including participating fully in INEC's electoral security training and enhancing transparency around election day deployments.

To the judiciary:

- Ensure the timely and fair resolution of electoral disputes.

Unlike in previous years when suggestions by reputable domestic and international observation missions went unheeded, the IRI/NDI mission urges Nigerian stakeholders to consider seriously these and other recommendations to improve the electoral process.

V. ABOUT THE MISSION

Both NDI and IRI have deployed international election observation missions to all general elections in Nigeria since the 1999 transition from military to civilian democratic rule. IRI and NDI are nonpartisan, nongovernmental organizations that support and strengthen democratic institutions and practices worldwide. The Institutes have observed collectively more than 200 elections in more than 50 countries over the last 30 years.

The joint NDI/IRI observation mission for the February 23 elections built upon three IRI/NDI pre-election assessment missions conducted in July, September and December 2018, and a deployment of observers for the originally scheduled election date on February 16. The NDI/IRI mission conducted its activities in accordance with the *Declaration of Principles for International Election Observation*, which was launched in 2005 at the United Nations, and the laws of Nigeria. It also considered international and regional electoral standards, including the AU African Charter on Democracy, Elections and Governance, as well as the ECOWAS Protocol on Democracy and Good Governance.

The delegation's work was funded by the United States Agency for International Development (USAID).

Appendix H: Preliminary Statement of the Joint NDI/IRI International Observation Mission to Nigeria's March 9 Gubernatorial and State House of Assembly Elections



PRELIMINARY STATEMENT OF THE JOINT NDI/IRI INTERNATIONAL OBSERVATION MISSION TO NIGERIA'S MARCH 9 GUBERNATORIAL AND STATE HOUSE OF ASSEMBLY ELECTIONS

**March 11, 2019
Abuja, Nigeria**

I. OVERVIEW

This preliminary statement is offered by the international observation mission of the International Republican Institute (IRI) and the National Democratic Institute (NDI) to Nigeria's March 9, 2019 gubernatorial and state House of Assembly elections. The 20-person mission, with members from 11 countries, was co-led by Dr. Christopher Fomunyoh, Senior Associate and Regional Director for Central and West Africa (NDI); and John Tomaszewski, Regional Director for Africa (IRI). The mission visited Nigeria from March 4 - 11, 2019, and deployed 10 observer teams to 10 states covering all six geo-political zones and the Federal Capital Territory (FCT). The IRI/NDI deployment for the March 9 elections underscores the significance of the state level polls for the consolidation of democracy in Nigeria.

Through this statement, NDI and IRI seek to: reflect the international community's interest in and support for democratic electoral processes in Nigeria; provide an accurate and impartial report on the electoral process to date; and offer recommendations to consolidate democratic gains and improve future elections. The mission builds on the findings of three joint IRI/NDI pre-election assessments conducted in [July](#), [September](#) and [December](#) 2018; an observation mission deployed for the [February 23 national elections](#); reports submitted by members of the NDI/IRI mission observing the March 9 state-level polls; and additional reports prepared by thematic technical experts and in-country staff.

The mission conducted its activities in accordance with Nigerian law and the *Declaration of Principles for International Election Observation*. The mission collaborated closely with the European Union (EU) observation mission and with Nigerian citizen observer groups. The IRI/NDI mission is grateful for the hospitality and cooperation it received from all Nigerians with whom it met, especially voters, government officials, the Chairman and members of the Independent National Election Commission (INEC) and polling officials, party members and candidates, citizen election observers, civic activists and members of the National Peace Committee (NPC).

Summary of findings

Many Nigerians continue to underscore the particular significance of the March 9 state level elections. Under Nigeria's federal system, the 36 states and FCT are the pillars of the country's democratic architecture where the decisions that impact citizens' everyday lives are made. Moreover, it is easier for citizens to hold to account elected leaders at the state level than those at the federal level, because their actions affect local services more directly. While a marked improvement was seen in the administration of the March 9 state-level elections compared to February 23, and the electoral environment was generally calm in most parts of the country, the elections our delegation observed were marred by irregularities, instances of intimidation, vote-buying and violent acts during the voting, counting, and collation processes in some places. Incidents of violence and disruption to the balloting process were observed in Lagos, Benue, Rivers, and Nasarawa states. The delegation was informed of the loss of life as a result of election-day violence. The mission deplores these losses and expresses its deepest condolences to the bereaved and to the Nigerian people. These actions and the impunity with which some electoral actors conducted themselves, including some polling agents and members of the military, undermine citizen confidence in elections and threaten the legitimacy of Nigeria's democracy.

In the days leading up to the March 9 elections, many states still grappled with inconclusive candidate selection processes, uncertainty about the parties to appear on the ballot and pending litigation on these matters. The confusion generated by this uncertainty hampered effective campaigning, and hence hindered voters' ability to make informed choices on election day. For the most part, political parties were unable to resolve disputes emanating from party primaries and candidate selection processes through internal mechanisms. As a result, many aggrieved individuals petitioned courts of law for redress, overtaxing INEC and the country's legal system.

Moreover, the intense focus on federal campaigns for the presidency and National Assembly so close to the state-level polls overshadowed local campaigns and may have also undermined the mobilization of voters for the March 9 elections. There were very few women in winning positions on the tickets fielded by major political parties for the gubernatorial and state House of Assembly polls. Despite being Africa's largest democracy, Nigeria has the lowest representation of women in national legislative office of any country on the continent, and this representation will likely fall below five percent following the February 23 National Assembly vote. This is not a record to be proud of. Finally, many Nigerians expressed deep concerns about the militarization of the election process.

The NDI/IRI mission stresses that this statement is preliminary in nature; the collation and announcement of final results has not concluded, and IRI and NDI will continue to watch the remaining phases of the electoral process. The mission recognizes that, ultimately, it is the people of Nigeria who will determine the credibility of these elections. As the 2019 electoral cycle comes to a close, NDI and IRI call on all electoral stakeholders in the immediate post-election period to take stock of and build consensus on priority electoral reforms in order to rebuild popular confidence in advance of future elections.

II. THE CONTEXT LEADING UP TO STATE-LEVEL ELECTIONS

On March 9, gubernatorial races were held in 29 states¹, and state House of Assembly elections were held in all 36 states. Area council elections occurred in FCT. In 19 states, incumbent governors sought reelection. Heading in to the March 9 polls, the All Progressives Congress (APC) controlled the governorship and state House of Assembly in 22 states, while the People's Democratic Party (PDP) controlled 13 states, and the All Progressives Grand Alliance (APGA) one. Supplementary elections were also organized on March 9 for seven Senate and 25 House of Representatives seats in 14 states where polls were suspended on February 23 due to violence or other disruptions.

The gubernatorial, state House of Assembly, and supplementary elections were conducted in a context of lingering tensions in the immediate aftermath of the February 23 national-level polls. Moreover, numerous electoral disputes from last year's party primaries are still being litigated in the courts, creating uncertainty about the status of individual candidates in certain gubernatorial and state House of Assembly races.

Significance of state-level elections. Gubernatorial elections are a better indicator of the strength of respective political parties within each locality as opposed to elections for offices at the federal level. Governors manage state budgets and play an important role in mobilizing grassroots support. Similarly, state Houses of Assembly exercise crucial oversight authority over state executives and legislate on local concerns.

State level elections are fiercely contested, as various groups compete for access to public office and resources, and engage patronage networks at the local level. Intra-state politics can exacerbate pre-existing ethnic and religious tensions. The delegation heard concerns that, in states such as Lagos and Kaduna, ethnic or religious divisions create fault lines that could become drivers of election-related violence.

Inconclusive candidate selection processes. The absence of internal party democracy and the lack of effective mechanisms for resolving intra-party disputes contributed to highly contentious party primaries in 2018 which resulted in more than 600 pending court cases, some of them to resolve candidacies for state-level offices. As one respected Nigerian commented, “parties and candidates are relying on the court system to resolve problems caused by their own opaque candidate selection processes.” In the lead-up to the gubernatorial elections, court rulings on the eligibility of parties and candidates in several states were issued within days of the polls. Last-minute legal proceedings and uncertainty about which parties would be on the ballot created confusion among voters and may have hindered effective campaigning by parties and candidates. These legal wranglings also posed significant challenges in election planning for INEC and overburdened the legal system.

¹ Seven states hold their gubernatorial polls off-cycle.

INEC communication. After the one-week postponement of the presidential and National Assembly polls on February 16, INEC increased public outreach and communications, including through regular press briefings. However, while some information sharing continued at the state-level through Resident Election Commissioners (RECs), the frequency of communication from INEC headquarters declined following the national elections. Only on March 9 – the day of the elections – did INEC publicize the names of the winners of the Senate and House of Representative elections and the list of constituencies and polling units where supplementary elections were to hold. Additionally, INEC has yet to release detailed results from the national polls, has not responded publicly to questions about the discrepancy in the number of registered voters announced during the collation process, nor explained the high number of cancelled votes in the February 23 polls.

Lack of women's representation. The percentage of women candidates running for governor and deputy governor increased slightly this year from 6 and 17 percent respectively in 2015 to 8 and 26 percent. However, the two major parties did not field any women candidates for governor. Additionally, of the 276 women running for deputy governor, only five were candidates from APC or PDP. Similarly, of the nearly 1,900 women running for state House of Assembly seats, only 75 are from APC or PDP. As was the case for the February 23 national elections, the vast majority of women candidates for state-level elections ran on the tickets of newly created parties, with little prospect of winning elected office.

Thus far, the Nigerian government has not applied the 35 percent affirmative action principle included in the 2006 National Gender Policy, and the National Assembly has repeatedly missed opportunities to adopt legislation that would support greater participation of women in politics. A Gender and Equal Opportunities Bill has been before the National Assembly since 2010.

Election-related insecurity. In the lead-up to the March 9 polls, representatives of the two major parties accused each other of planning to disrupt the electoral process in various states, and the mission received reports of a spike in violent confrontations between APC and PDP supporters. In Akwa Ibom, an alleged arson at the INEC office in Ibesikpo Asutan LGA on March 8 destroyed smart card readers, and INEC had to mobilize nearly 200 replacements from other states within 24 hours. In this context, the INEC chairman felt compelled to state publicly that the commission would not declare any winners in cases of electoral malpractice, including cases in which INEC officials may be forced under duress to declare a winner, as happened in Benue and Imo states during the February 23 national polls. The killing of some INEC staff and citizens as a result of the Feb. 23 and Mar. 9 elections, as well as incidents of rape and other acts of sexual violence against women, are abhorrent acts that merit serious investigation with the aim of ensuring that perpetrators are brought to justice. The mission extends its deepest condolences to the victims and families.

Positive initiatives in the lead up to the March 9 elections. The mission noted several efforts by political leaders to decrease tensions and foster the conduct of credible polls. Three days before election day, President Buhari issued a statement stressing the importance of peaceful state-level elections, and his main challenger in the presidential race, former Vice President

Atiku Abubakar, used social media to call on PDP supporters to come out in large numbers and vote peacefully on March 9. In a positive step that defused tensions during a public demonstration staged by PDP at INEC headquarters to voice concerns over the role played by some security agencies during the national elections, INEC commissioners invited PDP leaders into the building and immediately engaged in discussions to address their concerns.

Gubernatorial candidates or their parties in 25 states signed peace accords, committing candidates and their supporters to avoid behavior that would endanger the peaceful conduct of the elections. This innovation was an effort to replicate, at the state level, the 2019 Abuja Accord facilitated by the NPC and signed by all presidential candidates at a public ceremony on February 13. Some of the state level agreements were facilitated by the NPC, and others by INEC and the Inter-Agency Consultative Committee on Elections (ICCES).

Well-respected Nigerian civil society organizations such as CLEEN Foundation, Situation Room, and YIAGA Africa, maintained efforts at monitoring the elections to support a credible electoral process. The Centre for Democracy and Development (CDD) supported balanced and professional media reporting on the electoral process, in an effort to curb disinformation and hate speech. Other groups, such as the Youngstars Development Initiative (YDI), intensified calls for peaceful citizen engagement in the elections. There were also instances of grassroots groups, such as Imo Youth, calling for violence-free polls and good governance.

III. ELECTION DAY OBSERVATIONS

Participation. Overall, voter participation in the polling units observed by the NDI/IRI mission was low. Women and youth were well-represented as polling officials, party agents and observers, with a significant number of women serving as presiding officers in polling units. In addition, observers found that voting rights for internally displaced persons (IDPs) were generally respected, with IDPs in Benue and Adamawa permitted to vote in their camps. However, IRI/NDI observers noted significant impediments to voting for persons with disabilities and the elderly, as many polling units were not physically accessible to these voters.

Set-up and opening. Most polling units that NDI/IRI observed opened on time and received all essential materials prior to opening. However, in parts of Lagos, Nasarawa and Kaduna states, observers noted serious delays in the opening of some polling units. Such delays were generally due to the late arrival of INEC staff or party agents and the late distribution of materials from the Registration Area Centers (RACs). In Ikeja LGA in Lagos, many polling units opened late, some as late as 11:00 am, due to a strike by polling officials demanding back-pay for their services on February 23. These delayed openings created tension and disorder.

Voting. For the most part, voting was calm and polling officials performed their duties according to procedure. Overall, observers reported few instances of overcrowding; however, this may be due to low voter turnout in many states. In general, accreditation and voting procedures were followed according to INEC guidelines. Polling officials verified permanent voter cards (PVCs) using the smart card readers; where fingerprints could not be authenticated,

procedures for manual accreditation were generally followed and voter details were checked against the register. Where IRI/NDI observed, there was generally gender balance among INEC and ad hoc election officials.

NDI/IRI observers reported that smart card readers were functioning in most polling units. In the few instances where they malfunctioned, the problem was immediately reported, and voting was suspended until the smart card reader was replaced. In some polling units in Lagos and Nasarawa states, the delay caused by malfunctioning smart card readers raised tension among voters who had been waiting in line for long periods.

As was also noted by IRI/NDI observers during the February 23 polls, the secrecy of the ballot was not uniformly protected in polling units observed. Insufficient physical space within some polling units meant citizens marked and cast their ballots in very close proximity to party agents, polling and security officials, and the general public. Some polling units in Lagos state did not have voting cubicles and did not provide adequate space to protect voter privacy. Moreover, much like the February 23 elections, instances of assisted voting exceeded the mandate set out in INEC's regulations.

Closing. In the majority of polling units where NDI/IRI observed, the atmosphere at closing and counting remained calm and orderly with polling officials mostly following procedures outlined in INEC guidelines. However, in some locations the atmosphere was tense and procedures were not followed. In particular, observers in Rivers reported party agents were not given an opportunity to sign the results form; in Akwa Ibom, party loyalists attempted to disrupt the counting process; in Imo, polling officials were uninformed about the procedures to handle unused ballots; and in Nasarawa, polling officials were not provided the means to transport election materials to the collation center, hindering the security of sensitive materials. Of most concern, IRI/NDI observers witnessed a melee in a Benue polling unit when, during the count, aggrieved voters looking to receive cash for their vote violently confronted party agents. INEC officials in this polling unit were forced to stop counting ballots and relocate to the collation center to complete the process.

Collation. The delegation heard concerns expressed by reputable citizen observer groups about serious irregularities and violence at collation centers in many parts of the country. These groups also reported that observers and party agents were chased away or barred from the collation centers. IRI/NDI observers similarly noted issues at collation centers in Adamawa, Benue, Lagos, Nasarawa, and in Rivers state where observers saw INEC officials flee a collation center due to a rumored threat of an attack.

Electoral offences and violence. Observers reported cases of violence and intimidation in Imo, Adamawa, and Akwa Ibom states. In this last state, frustrations rose between party agents and among voters over overt campaigning in the polling unit. NDI/IRI observers also reported in Benue that four polling officials were kidnapped as they travelled to the collation center and that voting had to be rescheduled in at least three locations where violence occurred. The civil society coalition Situation Room reported a total of seven deaths by midday, in addition to

several kidnappings in Rivers state. These incidents and the fire in Akwa Ibom that destroyed smart card readers and voter registers for one LGA on March 8 reinforce the impression of concerted attempts to disrupt the election process in certain localities.

Overt vote buying in the form of distribution of cash and food inside or near polling units was observed in Akwa Ibom, Benue, FCT, and Imo. Notably, open voting in polling units in Akwa Ibom allowed party agents to see marked ballots and to direct voters to a location near the polling unit to receive payments. The REC for Benue confirmed an incident whereby large bags of cash were intercepted by the Economic and Financial Crimes Commission (EFCC). The EFCC officials were subsequently attacked by party representatives.

Security services and the military. Police and unarmed security officials, for the most part, conducted themselves with restraint and professionalism in polling units where NDI/IRI observed. However, our observers reported a heavy military presence in some areas, including near polling units, which heightened tensions and raised fears of imminent military intervention in the election process. Media and credible observer groups also reported that the military disrupted the polls in some areas, including in Rivers state where soldiers deployed heavily around INEC's office.

Political party agents. As with the presidential and National Assembly elections, the overinvolvement of party agents was widespread in polling units observed, including instances in Nasarawa and Benue states where party agents accompanied voters to the voting cubicles and helped them mark and cast their ballots, in violation of procedure. Finally, the poor accreditation and training of party agents remains a major hindrance to an orderly and free voting process.

IV. RECOMMENDATIONS

The delegation heard from many Nigerians that, in comparing the conduct of the 2019 polls to those of 2015, they are disappointed with the lack of progress in election administration and with the performance of political parties in elections. Nigerian democrats recognize that this election cycle coincides with the 20th anniversary of the country's transition to civilian democratic rule. We therefore urge a national conversation on progress made and vulnerabilities that must be overcome to further strengthen the credibility of electoral processes and safeguard the country's democracy. In the spirit of international cooperation, the IRI/NDI mission offers the following recommendations:

To the Executive Branch of Government:

- Expedite the adoption of comprehensive electoral reforms in order to lay the groundwork for an improved electoral framework.
- Implement fully and expeditiously the recommendations of Nigerian-led reform initiatives such as the reports from the Uwais Commission (2008) and the Nnamani Committee (2017), and create appropriate institutions to oversee political parties and

prosecute electoral offences, responsibilities that currently impede INEC's focus on election administration.

- Adopt and apply measures to achieve the 35 percent affirmative action for women in both elective and appointive posts as envisioned in the 2006 National Gender Policy.
- Investigate the actions of the military and hold accountable those who violated the electoral and other laws.

To the National Assembly:

- Undertake and pass amendments to the election law that address the challenges and lessons learned from the 2019 electoral cycle, and do so early enough to allow these changes to be implemented before the next round of state or national elections.
- Prioritize legislation that would promote women's leadership and political participation, notably by the adoption of the Gender and Equal Opportunities Bill.

To INEC:

- Publish complete and detailed state level results as well as national results in a timely manner.
- Conduct a comprehensive review of the conduct of the 2019 polls that involves a full spectrum of election stakeholders.
- Review the recommendations from credible domestic and international observer groups to improve the electoral framework and conduct of elections.
- Enhance communications and data management between the state and national levels to ensure that information about election processes and results are shared with the public in a timely and transparent manner.
- Reconsider the order and timing of general elections in Nigeria to ensure sufficient time for election preparations and to promote voter participation and engagement at both the grassroots and national levels.
- Fully empower presiding officers to exercise their authority to act on election offenses when they occur.

To political parties and candidates:

- As stated in NDI/IRI's February 25 statement, there is an urgent need to strengthen mechanisms for internal democracy, especially to encourage leadership of women and youth.
- Develop internal mechanisms for effective resolution of intra-party disputes.
- Work across party lines to identify common priorities and support electoral reform.
- Abandon electoral practices such as voter intimidation, vote buying, and other disruptions of the election process that undermine citizen confidence in elections and democratic governance.
- Develop state-level platforms and policy positions that take into consideration localized priority issues upon which voters can base their choices.
- Strengthen relationships between party structures and elected representatives in the National Assembly and at the state level to support parties' reform agendas and ensure campaign promises are met in ways that improve the well-being of citizens.

To civil society:

- Convene national and state-level multi-stakeholder dialogues to draw lessons from the 2019 election process and galvanize broad-based public support for electoral reform.
- Drawing upon lessons learned from the #NotTooYoungToRun campaign and the passage of the Discrimination Against Persons with Disabilities (Prohibition) Act, create a broad-based coalition and aggressively champion coordinated advocacy efforts to increase the political participation of women.
- Enhance efforts to channel citizen priorities at the state and local level to elected representatives and state-level party structures in an effort to promote more responsive and accountable governance.

To security agencies:

- Work with INEC to enforce the electoral law by investigating and prosecuting perpetrators of election-related criminal acts.
- Investigate and sanction security personnel who violate the rules of engagement on election day.

Most importantly, we call on the Nigerian people to claim, protect, and defend their democracy and respect the rights of fellow citizens to participate peacefully in the political process. Meaningful democratic progress can only be achieved if Nigerians continue to champion their civic duties and responsibilities.

V. ABOUT THE MISSION

Both IRI and NDI have deployed international election observation missions to all general elections in Nigeria since the 1999 transition from military to civilian democratic rule. NDI and IRI are nonpartisan, nongovernmental organizations that support and strengthen democratic institutions and practices worldwide. The Institutes have observed collectively more than 200 elections in more than 50 countries over the last 30 years.

The joint IRI/NDI observation mission for the March 9 elections built upon three NDI/IRI pre-election assessment missions conducted in July, September and December 2018, and an election day observation mission deployed for the February 23 national polls. The IRI/NDI mission conducted its activities in accordance with the *Declaration of Principles for International Election Observation*, which was launched in 2005 at the United Nations, and the laws of Nigeria. It also considered international and regional electoral standards, including the African Union (AU) African Charter on Democracy, Elections and Governance, as well as the Economic Community of West African States (ECOWAS) Protocol on Democracy and Good Governance.

The delegation's work was funded by the United States Agency for International Development (USAID).

Appendix I: List of Delegates for the IRI/NDI International Observation Mission to Nigeria's 2019 General Elections

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Her Excellency Vaira Vike-Freiberga
Former President
Latvia

Her Excellency Fatoumata Tambajang
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John Tomaszewski

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Victoria Wollie

National Coordinator, West Africa Network for
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**International Election Observation
Mission for the March 9, 2019
Gubernatorial and State House of
Assembly Elections**

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IRI/NDI Nigeria International Election Observation Mission Final Report

June 2019



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Letter from the Presidents



The International Republican Institute (IRI) and the National Democratic Institute (NDI) hereby present our final report on the 2019 elections in Nigeria. We would like to express our deepest gratitude to all Nigerians with whom our delegates met during this long-term observation process including government officials, the Chairman and members of the Independent National Electoral Commission (INEC), polling officials, party members, candidates, citizen election observers, civic activists and members of the National Peace Committee for their hospitality and cooperation.

Four years ago, Nigeria held elections that were recognized internationally as free, fair and credible. The 2019 general elections fell significantly short of standards set in 2015. Citizens' confidence in elections was shaken. Nigeria holds great promise with a dynamic youth population, substantial human and material resources and a vibrant civil society. Election stakeholders, especially the federal government, National Assembly, political parties and INEC should take concrete steps to address the concerns of citizens with regards to the polls in order to rekindle their faith in the power and possibility of credible elections. That is the only way to safeguard and strengthen the country's democracy.

Preparations need to begin now for the 2023 general elections, and the Nigerian government should urgently pursue a comprehensive and inclusive electoral reform process. Such a process should include lessons learned from the 2019 electoral cycle as well as past recommendations from credible Nigerian initiatives. The 2019 elections highlighted for many Nigerians the need for a national conversation about the country's democratization since the 1999 transition to civilian rule. We hope this report may both spur and contribute to enriching that national conversation.

In partnership with Nigerians across the political spectrum, NDI and IRI have long supported efforts to strengthen the country's democracy and recent successes. We look forward to continuing those partnerships in the years ahead.

Respectfully,

Ambassador Derek Mitchell
President
National Democratic Institute

Dr. Daniel Twining
President
International Republican Institute

IRI/NDI Nigeria International Election Observation Mission Final Report

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Acronyms and Abbreviations

AA	Action Alliance
ADC	African Democratic Congress
ADP	Action Democratic Party
APC	All Progressives Congress
APGA	All Progressives Grand Alliance
APM	Allied People's Movement
EECSP	Electoral Empowerment of Civil Society Project
EFCC	Economic and Financial Crimes Commission
FCT	Federal Capital Territory
IDP	Internally Displaced Persons
IMN	Islamic Movement in Nigeria
INEC	Independent National Electoral Commission
IRI	International Republican Institute
LGA	Local Government Area
LP	Labour Party
NNPP	New Nigeria Peoples Party
NDI	National Democratic Institute
PVT	Parallel Vote Tabulation
PDP	People's Democratic Party
PRP	People's Redemption Party
PVC	Permanent Voter Card
SDP	Social Democratic Party
STO	Short-Term Observer
YPP	Young Progressives Party
ZLP	Zenith Labour Party



Executive Summary

The International Republican Institute (IRI) and the National Democratic Institute (NDI) organized a joint international election observation mission for the 2019 national and state-level elections in Nigeria. This report reviews the joint mission's findings and offers recommendations to various stakeholders in the spirit of international cooperation. The IRI/NDI mission conducted its activities in accordance with Nigerian law and the Declaration of Principles for International Election Observation.¹

Mission Overview

During the mission, IRI/NDI deployed:

- Three high-profile pre-election assessment missions:
 - » July 2018 (to coincide with the Ekiti gubernatorial election of July 14, 2018).
 - » September 2018 (to coincide with the Osun gubernatorial election of Sept. 22, 2018).
 - » December 2018.
- Forty international observers for the Feb. 23, 2019, postponed presidential and National Assembly election, dispatched to the Federal Capital Territory (FCT) and 16 states covering all six of the country's geopolitical zones.
- Twenty international observers for the March 9, 2019, gubernatorial and State Houses of Assembly elections dispatched to 10 states covering all six geopolitical zones.

In the lead-up to the anticipated elections on Feb. 16, the leadership of the IRI/NDI mission met with various political and senior leaders to assess the final stages of election preparations. The leadership team included His Excellency Festus Mogae, former president of Botswana; Her Excellency Vaira Vike-Freiberga, former president of Latvia; Her Excellency Fatoumata Tambajang, former vice president of The Gambia; Ambassador Johnnie Carson, former U.S. assistant secretary of state for African affairs; Ambassador Derek Mitchell, NDI president; and Randy Scheunemann, vice chairman of IRI's board of directors. IRI/NDI also dispatched 40 observers to 16 states and the FCT, and had to recall them when the Independent National Electoral Commission (INEC) announced the postponement of the Feb. 16 elections a few hours before the polls opened. The IRI/NDI delegation for the presidential and National Assembly elections, rescheduled to Feb. 23, was co-led by Tambajang; Mitchell; and Dr. Daniel Twining, IRI president. For the March 9 elections, the IRI/NDI observation mission was co-led by Dr. Christopher Fomunyoh, NDI senior associate and regional director for Central and West Africa; and John Tomaszewski, IRI regional director for Africa.

Background

To many Nigerians, the 2019 elections—the sixth since the country's 1999 transition back to civilian democratic rule—were an opportunity to consolidate democratic gains and build on sound electoral practices. Significant improvements in the administration of the 2011 and 2015 elections boosted expectations for the 2019 electoral process. Moreover, Nigeria's first peaceful transfer of power between political parties following the 2015 elections underscored for Nigerians that credible elections matter.

¹ The declaration is available at www.ndi.org/DoP.

Although many new political parties nominated candidates for the 2019 elections, the polls were largely a contest between the incumbent All Progressives Congress (APC) and the People's Democratic Party (PDP). The APC hoped to renew the mandate of President Muhammadu Buhari and consolidate its majority in the National Assembly and of governorships. However, the party faced internal wrangling and defections of some key figures in the months before the polls. The PDP fielded former Vice President Atiku Abubakar as its standard-bearer and, entering the election process for the first time as an opposition party, challenged the APC's record, claiming the ruling party had not kept its campaign promises to fight corruption, improve security and boost the economy.

The IRI/NDI observation mission concluded that the 2019 elections did not meet the expectations of many Nigerians. The last-minute postponement of the presidential and National Assembly elections on the morning of Feb. 16, and delays in opening some polling units and other administrative challenges on Feb. 23 undermined public confidence in INEC. While INEC distributed materials and opened polls in a more timely fashion for the March 9 gubernatorial and State Assembly elections, many serious irregularities occurred, including vote buying, intimidation of voters and election officials, and election-related violence.

Political parties remain the weakest link among Nigeria's nascent democratic institutions. Opaque candidate nomination processes led to violence in some states and many pre-election lawsuits. The paucity of women and youth nominated to run on the tickets of the two major parties, the APC and PDP, demonstrated Nigerian political elites' lack of commitment to opening space for new faces and new voices. Moreover, political parties and their leaders did not uphold their commitment to peaceful and credible elections, failing to restrain and hold accountable members and supporters who committed electoral offenses.

Only 35.66 percent of registered voters cast a ballot for president, the lowest turnout rate since Nigeria's democratic transition in 1998/'99. There is a pressing desire among Nigerians for a national conversation about the future of their democracy, which must begin with addressing the clear and urgent need to resume the electoral-reform process that stalled prior to the 2019 election cycle.

Key Issues in the 2019 Elections

Election Administration

Ahead of the 2019 polls, INEC instituted several reforms, including simultaneous accreditation² and voting, the posting of results at polling units, improved voter-verification technologies, a more robust review and disciplinary process for INEC staff and enhancement of ballot secrecy and measures to reduce vote buying. INEC tested these innovations in off-cycle gubernatorial elections in Ekiti state in July 2018 and Osun state in September 2018, and lessons learned were applied in the general elections.

Building on its decision to institute a continuous voter registration process in 2017, INEC added 14.5 million voters to the registration roll, bringing the number of registered voters to 84,004,084.³ The collection of permanent voter cards (PVCs)⁴ by eligible voters for the 2019 polls increased from 82 percent in 2015 to 86.6 percent. In January 2018, more than a year before the polls, INEC released the elections timetable, but had trouble following it due to the delayed allocation of electoral funds, failed attempts to reform the electoral legal framework and numerous pre-election disputes over political party primaries that delayed ballot production.

² Accreditation is the process by which election officials verify a voter's eligibility.

³ In previous election cycles, citizens were required to register to vote during a designated period of four to six weeks in the year before election day.

⁴ A PVC is an identification card, which voters are required to present to polling officials on election day. A PVC contains the voter's unique biometric data and is verified by the smart card reader in the polling unit.



Just hours before Nigerians were expecting polls to open on Feb. 16, INEC announced the postponement of the presidential and National Assembly elections to Feb. 23, citing delays in the distribution of election materials. However, for the rescheduled Feb. 23 polls, essential materials were still not delivered on time and poll workers arrived late, delaying the opening of polling units in many parts of the country. As a result, INEC extended voting hours for affected polling units. In many polling units, voting and counting continued late into the night. The March 9 elections saw improvements in electoral administration, including the timely distribution of materials and opening of polling units, in some parts of the country. Both polls were administered generally in accordance with election procedures.

The last-minute postponement of the presidential and National Assembly elections on Feb. 16 showed that INEC had underestimated challenges associated with the administration of the elections. The commission did not communicate sufficiently with political parties and the public about election preparations. Such a late postponement likely depressed voter turnout and created confusion about the duration of candidate and party campaigning. Most significantly, the delay also undermined public confidence in INEC. After the one-week postponement, INEC increased its public outreach and communications through regular press briefings. Since the polls, however, INEC has been slow to release information, including detailed results.

On Feb. 27, INEC completed the collation process for the presidential results, declaring the APC's Buhari the winner with 56 percent of the vote. Abubakar, the presidential candidate of the PDP, received 41 percent of the vote. A

parallel vote tabulation (PVT)⁵ conducted by YIAGA Africa verified INEC's announced presidential results. The APC also emerged with significant majorities in both chambers of the National Assembly. Following the gubernatorial elections, the APC retained control of 19 states, compared with 16 for the PDP.⁶

Electoral Reform

The Electoral Act of 2010 was an important update to the electoral legal framework. After the 2011 and 2015 polls, however, stakeholders identified areas where additional reforms were needed. In 2018, the National Assembly approved four versions of a bill to amend the Electoral Act. The measure would have codified important improvements, including imposing higher fines on media houses not providing equal air-time to competing political parties, making the voter register and election results electronic and publicly accessible, capping the nomination fees that political parties' charge candidates, and extending the application of the Electoral Act to local government elections. Buhari withheld his assent to each version of the bill, ultimately citing the proximity to the elections and the short time INEC would have to implement reforms. The president's last rejection of the bill in December 2018, just a couple of months before election day, surprised most stakeholders and delayed the release of INEC's election guidelines. Other legal reforms to the electoral process recommended by Nigerian civil society were unrealized before the 2019 elections, including creating appropriate institutions to oversee political parties and prosecute electoral offenses, responsibilities that currently impede INEC's focus on administering elections.

Political Parties' Flawed Candidate Nomination Processes

In October 2018, political parties conducted primaries to select candidates for the 2019 polls. Many of these processes were reportedly plagued by vote buying, rigging, and confusion over the location of the primaries and who could participate in them. In some instances, party leadership submitted candidate lists to INEC with nominees who had not won their primaries. Intra- and interparty disputes after the primaries led to more than 800 court cases, many of which were not settled by election day.

In addition, opaque campaign financing and candidate-selection processes pose significant and disproportionate disadvantages for women and youth candidates for party leadership or elected office. While the 2019 elections saw more women and youth running for office, most were fielded by new or minor parties with long odds of winning. Notably, the APC and PDP fielded only 24 and 31 women candidates, respectively, for the bicameral National Assembly's 469 seats. The two parties also had only 13 and eight legislative candidates, respectively, under the age of 35. As a result, the number of women elected at the national level declined. Women now hold only 3.8 percent of seats in the National Assembly, the lowest level of women's representation in any legislature in Sub-Saharan Africa.⁷ In addition, only five youth candidates were able to take advantage of lower age requirements for most elected offices made possible by passage of the Age Reduction Bill in May 2018.⁸

Insecurity and Election-Related Violence

Ahead of the 2019 polls, the poor security situation in Nigeria, mainly attributed to Boko Haram's resurgence in the North East, intercommunal violence in the Middle Belt and widespread crime and banditry, raised concerns about the safety of voters and candidates. Increased politically motivated violence and conflict in the pre-election period was also a concern, especially around political party primaries in some areas and with some alleged political

⁵ A PVT involves rapidly collecting information on the quality of the process and vote count data from observers deployed to a random representative sample of polling stations, allowing independent verification of the official election results within a margin of error.

⁶ Anambra state is controlled by the All Progressives Grand Alliance (APGA). In March 2019, a court threw out the election of the APC governor in Osun state, declaring the PDP the rightful winner of the September 2018 off-cycle election; however, the decision was overturned by the Court of Appeal in favor of the APC. The case is under appeal at the Supreme Court. In addition, in May 2019, the Supreme Court ruled that the APC did not conduct party primaries within the time frame stipulated by INEC in Zamfara state. This decision nullified all 36 elected seats won by the APC in Zamfara state and gave them to the runner-up, the PDP.

⁷ In 10 states, not a single woman was elected during the 2019 elections at either the national or state levels (Bauchi, Edo, Jigawa, Katsina, Kebbi, Kwara, Nasarawa, Sokoto, Taraba and Zamfara).

⁸ Candidates under the age of 30 won State House of Assembly seats in Akwa Ibom, Benue, Gombe, Katsina, and Oyo states.

assassinations in the weeks before the polls. To ease these rising tensions, the National Peace Committee convened political parties and their presidential candidates to sign two peace accords. The first, signed on Dec. 12, 2018, committed the candidates to run issue-based campaigns. The second, signed on Feb. 13, 2019, committed the candidates to respect the outcome of elections. Despite these accords, politically motivated violence rose and political actors used increasingly inflammatory language as election day approached.

Before the elections, various Nigerian stakeholders expressed concerns about the neutrality of the security services. The Inter-Agency Consultative Committee on Electoral Security, co-chaired by the national security adviser and the chair of INEC, is meant to improve coordination and information sharing on election security, but it was not fully operational at the state and local levels before and on election day.

While voting was generally peaceful during the Feb. 23 and March 9 elections in most of the country, at some polling units party agents and other party supporters disrupted voting, intimidated voters and destroyed voting materials. Party agents also acted with impunity in assisting voters to mark their ballots, intimidating voters and violating the secrecy of the ballot. During the March 9 polls, most police and unarmed security conducted themselves with restraint. However, credible citizen observer groups expressed grave concern over the heavy military presence in some areas and what they termed the “militarization of the electoral process.” The military disrupted the polls in some areas, including in Rivers state, where soldiers deployed heavily around INEC’s offices, leading to the suspension of vote collation. These disruptions contributed to many canceled votes,⁹ inconclusive election results¹⁰ and the need to conduct supplementary elections for some contests.¹¹

Money in Politics

Money has played a corrosive role in Nigeria’s political system. The high cost to obtain political party nominations, including both formal nomination fees and payoffs often required to influence primary outcomes, deters many qualified aspirants from contesting, including many women, youth and people with disabilities. The influence of money in the political process also reduces the incentive for political parties to earn voters’ confidence by creating platforms that are responsive to citizen priorities. As a result, there is little to differentiate the parties ideologically. This money-driven political system also contributes to “cross-carpeting,” with party elites regularly switching parties to secure nominations for elected office.

During off-cycle gubernatorial elections in Osun (July 2018) and Ekiti (September 2018) states, citizen observers raised concerns about the increasing, and increasingly brazen, practice of vote buying.¹² Nigerian election stakeholders informed the mission that poverty, disillusionment with the performance of elected representatives, low civic awareness among voters, and lack of accountability contributed to the expansion of vote buying. In an attempt to curb this practice, INEC instituted new measures to protect the secrecy of the ballot, including prohibiting the use of cell phones in the voting booth and rearranging the layout of polling units. Still, throughout the campaign period, citizen observer groups noted more vote buying, including political parties buying PVCs, presumably to suppress voter turnout in certain areas. During the Feb. 23 and March 9 polls, IRI/NDI observers witnessed vote buying at polling units as well as party agents assisting voters in marking their ballots and violating the secrecy of the vote.

⁹ Voting in polling units could also be canceled when officials refused to use the smart card reader to accredit voters or where the number of votes cast exceeded the number of registered voters. However, INEC has not released detailed explanations for canceling votes.

¹⁰ INEC declared results inconclusive due to the “margin of lead” principle, which calls for a supplementary election in polling units that were cancelled when the number of registered voters exceeded the difference between the number of votes received by the first- and second-place candidates.

¹¹ INEC conducted supplementary elections for nine Senate, 25 House of Representatives and six gubernatorial contests. There were supplementary elections for State House of Assembly contests in 18 states and local area council elections in the FCT.

¹² Vote buying is an electoral offense in Nigeria under the Electoral Act of 2010, Section 124 (1) and (2).



Nigerian-Led Initiatives

In preparation for the 2019 polls, Nigerians sought to increase citizen participation—particularly of marginalized groups including women, youth and people with disabilities—to enhance confidence in the elections and minimize the risk of election-related violence. The Not Too Young to Run campaign, led by a coalition of civil society organizations, resulted in a constitutional amendment that lowered the minimum age for elected officials at the national, state and local levels. The percentage of youth candidates subsequently increased from 21 percent in 2015 to over 34 percent in 2019. The number of women candidates also increased, and six women ran for president. The Access Nigeria campaign, led by civil society organizations seeking to improve the participation of people with disabilities in political and electoral processes, also resulted in the use of the braille ballot guide to allow visually impaired Nigerians to cast their vote on election day. On election day, several citizen organizations and networks, including the Nigerian Civil Society Situation Room, YIAGA Africa, the Center for Democratic Development-West Africa, and the CLEEN Foundation, monitored various aspects of the electoral process, demonstrating innovative practices in data collection, coordination and presentation, and a significant commitment to strengthening democratic institutions and processes in Nigeria.

Election Dispute Resolution Processes

More than 800 disputes were filed in Nigerian courts in the pre-election period. Most of the cases challenged either the outcome of political party primaries or the eligibility of candidates. The high number of petitions threw into question in the days before the elections which parties and candidates would appear on the ballot. Most of these cases were unresolved even after the elections and some have led to the overturning of some election outcomes.¹³

In January 2019, Buhari suspended the chief justice of the Supreme Court, Walter Onnoghen, for failing to disclose his assets as required by law. The Supreme Court plays an important role in the resolution of electoral disputes, including convening election tribunals and serving as the final court of appeal for petitions challenging the presidential elections. The suspension, just three weeks ahead of the election, raised doubts among electoral stakeholders about the independence of the Supreme Court and electoral tribunals.

On March 18, Abubakar and the PDP filed a petition with the Court of Appeal challenging the outcome of the presidential election as declared by INEC. The petition claims the vote tallies announced by INEC were not the actual results, citing images produced by an unnamed whistleblower showing different result totals and pictures of an alleged INEC computer server. The petition also cites INEC's failure to comply with the Electoral Act and the alleged ineligibility of Buhari to contest the election due to the absence of an education certificate that verifies that he attended secondary school, a constitutional requirement.¹⁴ INEC as well as Buhari and the APC filed responses to the petition. The Court of Appeal has 180 days from the filing of the petition, until Sept. 14, 2019, to rule. The decision can be appealed to the Supreme Court, which would have 90 days to render a verdict.

¹³ Most notably, in May 2019 the courts ruled that the APC did not conduct a primary in Zamfara state, invalidating the candidacy of all APC members elected to office.

¹⁴ President Buhari contends that the original certificate was submitted to the Board of the National Army when he enlisted in 1962.



Summary of Recommendations

These elections marked the 20th anniversary of the country's transition to civilian democratic rule. However, the elections highlighted for many Nigerians the need for a national conversation about the progress made since that transition and the vulnerabilities that must be overcome to make electoral processes more credible and the country's democracy more resilient. The IRI/NDI mission urges Nigerian stakeholders to seriously consider these and other recommendations to improve the electoral process, unlike in previous years when suggestions by reputable citizen and international observation missions went unheeded.

Legal Framework and Election Dispute Resolution

- Pursue a comprehensive, inclusive and expeditious electoral reform process.
- Establish time limits for the adjudication of pre-election petitions.

Election Administration

- Complete constituency delimitation exercise and identify necessary polling units at least one year before the next elections.
- Make the continuous voter registration process more accessible to voters.
- Develop and adopt a strong strategic communications plan.
- Reconsider the order and timing of general elections.



- Create a process that facilitates suffrage for those on official duty on election day.
- Adopt more transparent procedures for the tabulation, transmission and announcement of results.

Political Party Conduct

- Urgently commit to and implement measures to strengthen mechanisms for political party internal democracy.
- Develop and campaign on issue-based platforms that reflect citizen priorities.
- Build the capacity of political parties to monitor elections.

Civic Engagement

- Improve coordination among stakeholders to increase and deepen voter and civic education.
- Continue efforts to enhance the participation of marginalized groups, including women, youth, people with disabilities and internally displaced persons (IDPs).

Election Security

- Continue to improve coordination between security agencies and INEC on the provision of electoral security.
- Enforce electoral laws by investigating and prosecuting perpetrators of election-related criminal acts.



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INDEPENDENT NATIONAL ELECTORAL COMMISSION

**POLLING
STATION**

Mission Overview

IRI and NDI partnered to conduct a joint international election observation mission to Nigeria's 2019 general elections to demonstrate the international community's continued interest in and support for democratic progress in the country. The mission also provided Nigerian citizens, election and government officials, civic organizations and other stakeholders with an objective assessment of the electoral process and practical recommendations for how to best address challenges to inclusive and credible elections in the future.

In the run-up to the 2019 elections, the joint mission conducted three pre-election assessments—in July, September, and December 2018. The first pre-election assessment, from July 12–20, 2018, was conducted by Dr. Pauline Baker, president emeritus of the Fund for Peace; Lauren Blanchard, specialist in African affairs of the U.S. Congressional Research Service; Dr. Christopher Fomunyoh, NDI senior associate and regional director for Central and West Africa; Jan Surotchak, IRI regional director for Europe; and Terry Tselane, vice chairperson of the Independent Electoral Commission of South Africa.

The second pre-election assessment delegation, from Sept. 19–28, 2018, was composed of Robert Benjamin, NDI senior associate and regional director for Central and Eastern Europe; Mvemba Dizolele, professorial lecturer at Johns Hopkins University's School of Advanced International Studies; Sarah Jegede-Toe, co-chair of the Liberia National Elections Commission; Anna Jones, national network coordinator at the West African Network for Peacebuilding–The Gambia; and John Tomaszewski, IRI regional director for Africa.

The third pre-election assessment, from Dec. 14–19, 2018, was comprised of Linda Thomas-Greenfield, former U.S. assistant secretary of state for African affairs; Ambassador Lewis Lucke, former senior official at the U.S. Agency for International Development and Ambassador to the Kingdom of Swaziland; Dickson Omondi, NDI Kenya resident country director; and Tomaszewski. In the end, 13 delegates from seven countries participated in IRI/NDI's pre-election assessments to Nigeria.

Each assessment examined the political environment and election preparations and offered recommendations to boost citizen confidence in the process and mitigate violence. The pre-election delegations met with a wide array of election stakeholders, including INEC, political parties and their candidates (including the presidential candidates of the two leading parties), members of the judiciary, civil society representatives, religious leaders, media practitioners, security officials and senior government officials. The first and second pre-election assessments corresponded with the off-cycle gubernatorial elections in Ekiti and Osun states. The delegations traveled to both states to visit several polling units on election day and meet with election stakeholders. A preliminary statement was issued after each assessment detailing the delegation's findings and recommendations.¹⁵

Additionally, the joint mission deployed four thematic experts to Abuja on Feb. 4, 2019, to provide in-depth analysis of key issues—electoral violence, election administration, inclusivity and the political environment—in advance of the presidential, legislative and state-level elections. An additional thematic expert joined the team on Feb. 20, 2019, to assess the media environment before the rescheduled national elections, in between the national and state-level elections and in the post-election context. The five thematic experts included two women, and represented four countries.

On Feb. 11, 2019, 40 accredited short-term observers (STOs) joined the IRI/NDI mission's core team in Abuja to observe the presidential and legislative elections scheduled for Feb. 16, 2019. Observers represented 19 countries and included 22 women. The leadership was composed of H.E. Festus Mogae, former president of Botswana;

¹⁵ See Appendix A for the first pre-election statement. See Appendix B for the second pre-election statement. See Appendix C for the third pre-election statement.

H.E. Vaira Vike-Freiberga, former president of Latvia; H.E. Fatoumata Tambajang, former vice president of The Gambia; Ambassador Johnnie Carson, former U.S. assistant secretary of state for African affairs; Ambassador Derek Mitchell, NDI president; and Randy Scheunemann, vice chairman of IRI's board of directors. On Feb. 14, observers deployed in two-member teams to the FCT and 16 states across the country spanning all six geopolitical zones. The joint mission selected deployment states based on criteria that included findings from the pre-election assessment missions, security assessments to ensure observer safety and the need to provide coverage across the political party strongholds and competitive states. From Feb. 14-15, 2019, observer teams met with state-level electoral stakeholders, including candidates, INEC officials, political party leaders, security agents and civil society representatives. On Feb. 16, after INEC announced a one-week postponement of the presidential and legislative elections to Feb. 23 and of the gubernatorial and State House of Assembly elections to March 9, the IRI/NDI delegates returned to Abuja.

Upon INEC's postponement announcement, the IRI/NDI mission joined other international election observation missions—including the Economic Community of West Africa States, the African Union, the Commonwealth, the Electoral Institute for Sustainable Democracy in Africa, the European Union, the United Nations, and the Organisation of Islamic Cooperation—in releasing a joint statement calling for Nigerians to remain calm and committed to the electoral process.¹⁶ The IRI/NDI mission also issued a statement expressing “regret that INEC underestimated the challenges associated with the administration of the elections” and to “urge INEC to increase transparency and to better communicate about the electoral process to build trust with the citizens of Nigeria.”¹⁷ The IRI/NDI mission pursued stakeholder meetings before the new election date, demonstrating continued support for the organization of democratic and peaceful elections on Feb. 23.

The IRI/NDI mission deployed another 40-person delegation to observe the Feb. 23 presidential and National Assembly elections. The members of the delegation represented 19 countries and included 16 women. The leadership of the delegation included H.E. Fatoumata Tambajang, Ambassador Derek Mitchell, and Dr. Daniel Twining. On Feb. 21, delegates re-deployed in 20 two-member teams to 16 states covering all six geopolitical zones and the FCT. On election day, STOs submitted periodic reports to the mission's command center in Abuja. On Feb. 25, 2019, the joint mission issued a preliminary statement detailing the delegation's assessment of election preparations and election day processes.

To observe the gubernatorial and State House of Assembly elections, the IRI/NDI mission deployed 20 STOs from March 4-11, 2019. The members of the delegation represented 11 countries and included nine women. The delegation was co-led by Dr. Christopher Fomunyoh and John Tomaszewski. On March 7, delegates deployed in two-person teams to the FCT and 10 states covering all six geopolitical zones and held pre-election meetings with state-level election stakeholders. On election day, STOs submitted periodic reports to the command center in Abuja. On March 11, 2019, the joint mission issued a preliminary statement detailing the delegation's assessment of developments related to election preparations before the March 9 vote and election day processes.¹⁸

On and immediately following both election days, IRI/NDI delegation members observed the vote counting, tabulation and transmission process as well as the announcement of election results. The election mission core team also analyzed the overall results-management process and the post-election environment. Both IRI and NDI have long-established offices in Abuja and will continue supporting the democratization process in Nigeria.

¹⁶ See Appendix E for the joint statement on the election postponement.

¹⁷ See Appendix F for the IRI/NDI mission statement on the election postponement.

¹⁸ See Appendix H.

Background

Nigeria's 2019 elections were an opportunity to consolidate democratic gains made since the end of military rule in 1999. In 2015, Nigeria experienced the first peaceful transfer of power since independence in 1960 from one ruling party, the PDP, to a former opposition party, the APC. The 2015 polls were a marked improvement in election administration and transparency over previous elections. Although there were shortcomings, the overall success of the elections underscored for Nigerians that credible elections matter. This sentiment was captured in an Afrobarometer survey in 2017 that showed that 72 percent of Nigerians agreed that democratic elections are the best means of choosing the country's leaders.

For the 2019 contest, INEC registered an unprecedented 91 political parties of which 73 fielded presidential candidates.¹⁹ Some party coalitions, such as the Coalition of United Political Parties were created in an attempt to change the traditional two-horse race. In the months before the Feb. 23 vote, however, most minor parties and coalitions endorsed one of the leading candidates, the PDP's Abubakar or Buhari of the APC.

Since the 2015 elections, both the PDP and APC have faced internal divisions. The PDP was paralyzed for two years by a struggle between the National Working Committee and the National Caretaker Committee, both simultaneously assuming the role of the party's leadership. The dispute escalated to the Supreme Court, which ruled in favor of the National Caretaker Committee in July 2017.²⁰ In August 2018, the APC suffered high-level defections that threatened its chances of maintaining power in the 2019 elections. The defections resulted in the APC losing control of the National Assembly, as Senate President Bukola Saraki and Speaker of the House Yakubu Dogara joined the PDP.²¹

The success of the Not Too Young to Run campaign prompted a growing interest among youth in the 2019 elections. The campaign resulted in the passage of the Age Reduction Bill, which amended the constitution to lower the age requirement for presidential and gubernatorial candidates to 35 years, and to 25 years for federal and state representative candidates. In the end, overall youth candidacy increased from 21 percent in 2015 to 35.2 percent in the 2019 elections.²²

On Jan. 25, Buhari suspended Supreme Court Chief Justice Walter Onnoghen over his failure to declare assets before taking office in 2017, a legal requirement for public officials. The suspension drew criticism from the international community and local civil society, which questioned the president's constitutional authority to remove a sitting chief justice without approval from the National Assembly. Some saw the move as politically motivated, considering the chief justice plays a vital role in resolving post-election disputes.

The 2019 elections also took place within a context of heightened insecurity. Despite the government's concerted effort to rid the North East of terrorist groups, Boko Haram continued to carry out attacks in the lead-up to the 2019 elections. In 2017, the group carried out 135 attacks, three times as many as in 2016. An increase in attacks by Boko Haram against military targets in December 2018 also heightened fears of the group's resurgence and prompted Buhari to organize an emergency meeting with regional heads of state. Meanwhile, in the South East, the Biafran separatist movement called for a boycott of the elections and a referendum for Biafran separation on the same day as the presidential vote. In addition, remnants of the militant groups that previously disrupted oil operations in the Niger Delta reportedly merged with criminal youth gangs that are commonly associated with election-related

¹⁹ Only 28 political parties were registered at the time of the 2015 elections, of which 14 fielded presidential candidates.

²⁰ The National Caretaker Committee eventually organized a national party convention in December 2017 where the PDP's current national leaders were elected.

²¹ Governors Aminu Tambuwal of Sokoto State, Dr. Samuel Ortom of Benue state and Abdulfatah Ahmed of Kwara state subsequently defected along with 15 senators and 37 members of the House of Representatives.

²² A candidate that is 35 or younger is considered youth.

disturbances. The Nigerian military also confronted Islamic Movement in Nigeria (IMN) members in October 2018 who were protesting in Abuja over the government's refusal to release their leader, Sheikh Ibrahim el-Zakzaky. IMN reported that 40 of its members were killed. Finally, pastoral and farming communities in the Middle Belt continued to clash over land ownership, resulting in more than 2,000 deaths in 2018 alone and a steep rise in the number of IDPs. Armed banditry, kidnappings and day-to-day petty crime also rose, particularly in Zamfara, Kano and Kaduna states, leading to hundreds killed and prompting a military operation by the government to quell the violence ahead of the 2019 general elections.



Electoral System and Legal Framework

Electoral System

Nigeria is a federal system with powers divided among the federal, state and local government levels. The country is divided into 36 states that are further subdivided into 774 local government areas (LGAs). For the 2019 general elections, INEC conducted 1,558 electoral contests: the presidential election, 109 Senate elections, 360 House of Representatives elections, 29 gubernatorial elections, 991 State House of Assembly elections; and six chairman and 62 councilor elections for the six local area councils in the FCT.²³

For the presidential election, the president and vice president are elected on a single ticket to a four-year term. Presidents are limited to two four-year terms. To be elected, a presidential candidate must win a simple majority as well as 25 percent of the votes cast in at least 24 states.

The National Assembly is composed of the Senate and the House of Representatives. The Senate, the upper chamber, has 109 members, three from each of the 36 states and one from the FCT. Each state is divided into three single-member constituencies from which senators are elected. The House of Representatives, the lower chamber, has 360 members elected from single-member constituencies.

Article 72 of the 1999 constitution (as amended) provides that National Assembly constituencies be relatively equal in population size. Article 73 of the constitution requires INEC to review the delineation of National Assembly constituencies at least every 10 years and allows INEC to conduct a review following a national census. While a national census was conducted in 2006, the delineation of constituencies has not been updated since 1996. This creates an imbalance in relative voting power, since constituencies with higher population growth have the same number of elected representatives as those that have not grown as fast.²⁴ Consequently, the international principle of equal suffrage²⁵ is not guaranteed.

Nigeria's governors are elected in single-member constituencies representing each of the 36 states. Similar to the presidency, candidates for governor must receive a simple majority and at least 25 percent of the vote in two-thirds of the state's LGAs. Governors and deputy governor candidates run on a single ticket. During the 2019 elections, INEC conducted gubernatorial elections in 29 of the 36 states. The remaining seven states are conducted off-cycle as a result of court rulings.²⁶

The State House of Assembly in each of the 36 states consists of 24 to 40 members representing single-member constituencies. In conjunction with these state-level polls in 2019, INEC conducted local area council elections in the FCT, which happen every three years.²⁷

Legal Framework

The legal framework for elections in Nigeria is the 1999 constitution (as amended) and the Electoral Act of 2010 (as amended). The constitution mandates that INEC organize, undertake and supervise all national elections. It

²³ In the 36 states, local area council elections are conducted by the state independent election commissions, which determine when these elections are held. INEC is responsible for conducting local area council elections only in the FCT. As the FCT council elections happened to coincide with the general elections in 2019, INEC held them at the same time as the state elections.

²⁴ INEC has not released disaggregated voter registration data by constituency, which makes it difficult to assess the degree of this imbalance.

²⁵ International Covenant on Civil and Political Rights, Article 25, General Comment 25, Para 21.

²⁶ The seven states that hold off-cycle gubernatorial elections are: Anambra, Bayelsa, Edo, Ekiti, Kogi, Ondo and Osun states. These elections are held off-cycle as a result of court rulings that overturned the outcome of the election or resulted in new elections being held. The courts ruled that the four-year term would start with the inauguration of the rightful candidate.

²⁷ State election commissions are responsible for conducting local government elections in Nigeria's 36 states.



also gives the commission power to register political parties; regulate parties' conduct, including auditing their accounts; conduct voter registration and maintain a national voter register; establish rules and regulations for the election campaign; conduct voter and civic education; fix dates for elections; and delimit constituencies. The constitution and the Electoral Act also grant INEC the authority to establish specific regulations and guidelines for the conduct of elections.

The Electoral Act of 2010 was an important update to the electoral legal framework. However, following the 2011 and 2015 polls, stakeholders identified areas for additional electoral reform and in 2016 the National Assembly, in consultation with INEC, drafted a bill to amend the Electoral Act. The proposed amendments would have codified the use of smart card readers and other forms of electronic voting. The bill also sought to increase penalties for vote buying, impose higher fines on media houses not providing candidates equal airtime and make the voter register and results electronic and accessible.

The first version of the amendment bill was introduced in 2016 but was not passed and sent to the president until early 2018. In March 2018, Buhari withheld his assent, citing concerns including a controversial amendment stipulating the sequence of elections.²⁸ Between June and December 2018, the National Assembly sent three revised versions of the bill to the president, who withheld his assent each time. Buhari cited inconsistencies in the bill and conflicts with existing law, and said INEC would not have time to implement the changes before the elections.

Election Dispute Resolution

The election dispute resolution process is established by the constitution and Electoral Act of 2010. The constitution gives the Court of Appeal jurisdiction over disputes related to elections for the president and vice president. It also provides for the Court of Appeal to establish election tribunals to handle disputes relating to the National Assembly, gubernatorial, and State House of Assembly elections. Candidates and political parties must file petitions within 21 days of the election, and the tribunal must issue its ruling within 180 days. Cases regarding the presidential and gubernatorial elections may be appealed to the Supreme Court, whereas cases regarding the national and State Houses of Assembly terminate in the Court of Appeal.

²⁸ The bill stipulated that INEC should conduct three separate elections in a prescribed order: 1) National Assembly elections; 2) State House of Assembly and gubernatorial elections; and 3) the presidential election. However, in rejecting the measure, Buhari noted that the constitution gives INEC the authority to establish election dates.

Pre-Election Period

Below are top-level findings from the IRI/NDI mission's three pre-election assessments. The full statements with detailed findings are included as appendices to this report.

Election Administration

Since the 2007 polls, INEC has taken steps to improve the organization and credibility of elections, including: deploying members of the National Youth Service Corps as poll workers, introducing biometric PVCs, deploying smart card readers to scan voter cards and validate fingerprints, and announcing results on an ongoing basis live on television, radio and social media. Under the leadership of Dr. Mahmood Yakubu, who was appointed in 2015, INEC has continued to initiate reforms, including the adoption of simultaneous voter accreditation and voting,²⁹ the posting of results at the polling units,³⁰ improved voter-verification technologies and a more robust review and disciplinary process for INEC staff.

In 2017, INEC introduced a **continuous voter registration process** whereby eligible citizens could register to vote on an ongoing basis and be added to the existing voter register, rather than creating a new register prior to each election. This change led to the registration of more than 14.5 million new voters between April 2017 and August 2018, a 21 percent increase from the number of registered voters in the 2015 elections. On Jan. 7, INEC announced that 47 percent of registered voters were women and 51 percent of registered voters were youth (35 or younger).

INEC continued its use of **PVCs**, which contributed to increasing the credibility of elections in 2015. However, the process for voters to register and then return later to collect their PVC is onerous, especially for rural and poor voters who cannot afford the cost or time to travel multiple times to distribution centers. In the weeks before the original election day of Feb. 16, citizen observer groups and media outlets reported instances throughout Nigeria of voters repeatedly traveling to PVC distribution centers to find that they were not ready. Voters also reported encountering disorganization and confusion among election officials about the location and status of their PVCs. To their credit, INEC and civil society groups made notable efforts to increase information about the PVC collection process through traditional and online communication platforms, including television ads, SMS and WhatsApp. INEC also targeted youth through its Youth Votes Count campaign involving musicians and comedians to reach voters to encourage PVC collection. INEC also extended the PVC collection deadline by three days from Feb. 8-11 to allow more voters to collect their cards. According to INEC, 86.3 percent of PVCs were collected by voters, an increase from 82 percent in 2015.³¹

The introduction of the biometric **smart card reader** for the 2015 polls also increased the credibility of elections by reducing over-voting³² and other forms of electoral fraud.³³ However, the machines failed to recognize fingerprints in many instances, leading to the manual verification of a significant number of voters. To address this challenge ahead of the 2019 polls, INEC took measures to enhance the smart card reader software to better recognize voters' fingerprints. The IRI/NDI mission also noted innovative steps by INEC in the Ekiti and Osun off-cycle elections to recapture fingerprints on the spot with the smart card reader if a voter's PVC was correctly validated but the reader could not recognize the fingerprints. Citizen observer groups noted that the smart card reader's technological

²⁹ In the past, INEC organized elections using the modified open ballot system, which divided the voting process into discrete periods: in the morning voters were accredited and then they had to wait at a polling place until the afternoon to cast their ballots.

³⁰ While this step had previously been part of the procedures, it was not consistently followed or made a point of emphasis. For the 2019 elections, INEC aimed to ensure results were posted at all polling units.

³¹ <http://saharareporters.com/2019/02/21/breaking-728-million-nigerians-collected-pvcs-says-inec>.

³² Over-voting occurs when the number of votes cast exceeds the number of voters accredited at that polling unit or voting point.

³³ The smart card reader is a machine used by officials in the polling unit on election day to validate a citizen's PVC and verify his or her biometrics.

enhancements overall meant that fewer voters were turned away from the polls than in previous general and off-cycle elections.

The level and frequency of **communication and information sharing** by INEC was raised by Nigerian stakeholders as a concern during the pre-election period. While civil society and political parties applauded INEC's efforts to hold regular quarterly meetings to brief stakeholders on election preparations, these meetings should have become more frequent as the election approached and provided greater opportunity to discuss key issues. Moreover, the unexpected election delay indicated that INEC had not communicated openly or honestly about the logistical challenges it faced. In addition, during meetings with the IRI/NDI mission and in statements to the media, political actors conveyed inaccurate information concerning the election, particularly regarding INEC's plans for using smart card readers, incident forms, electronic transmission of results and IDP voting. INEC acknowledged to the IRI/NDI mission that it needed to improve its communication and outreach efforts to electoral stakeholders and the public, and to respond more quickly to inaccurate information.

INEC's election preparations were hampered by the late **distribution of necessary election funds**. In October 2018, the National Assembly approved INEC's 189 billion naira (approximately \$521 million) budget for the 2019 elections. However, INEC did not receive funds for several more weeks due to disagreement between the executive branch and the National Assembly over the sourcing of these funds. During the IRI/NDI mission's September and December assessments, Nigerian interlocutors expressed concerns about delays by the National Assembly in approving the funds and their potential impact on INEC's ability to procure all materials and equipment in time for the 2019 polls and make the necessary logistical and operational preparations, although INEC leadership said it would be prepared for elections despite the budget delays.

In the Ekiti and Osun gubernatorial races, INEC piloted the use of smart card readers to transmit electronically the number of accredited voters and results from each polling unit to the collation centers. But INEC stated that it would not utilize the smart card readers to **electronically transmit the official results** of the 2019 elections, as the practice was not supported under the existing legal framework. Instead, INEC decided it would continue e-transmission as a pilot program and use the results internally to identify discrepancies in the manual collation of results.

INEC made a concerted effort to promote the **participation of marginalized groups** in the electoral process. As an example, INEC has a gender policy to help promote a level playing field for all stakeholders. In implementing this policy, INEC improved efforts to recruit women as polling and security officials at all levels. In collaboration with the civil society-led Access Nigeria campaign, INEC also adopted the Framework on Access and Participation of Persons Living with Disabilities,³⁴ which included use of the braille ballot guide for visually impaired voters and the EC40H form. That form records the number of disabled voters and their type of disability in each polling unit to better accommodate these voters in future elections. Both were successfully piloted during the Osun gubernatorial election.

On Dec. 10, 2018, INEC released its updated Framework for Voting by IDPs to accommodate the more than 2 million displaced people in Nigeria. INEC informed the IRI/NDI mission of its efforts to re-issue lost PVCs and to register first-time voters living in IDP camps in the country. As in 2015, those displaced but residing in camps within their home state would be able to vote. Under the new framework, INEC allows IDPs in camps outside their home state to vote in the presidential election.

Another factor impacting election administration was repeated **delays in revisions to the electoral framework**. International and citizen election observers, including IRI/NDI's July and September pre-election assessments,

³⁴ The framework is a policy document aimed at reducing the barriers that people with disabilities face in all aspects of the election process, as voters, aspirants, candidates, party officials and staff within INEC. It is accompanied by an operational plan.





repeatedly emphasized the importance of pursuing electoral reform early in the process to allow INEC sufficient time to implement changes. Nevertheless, INEC expressed confidence in organizing the 2019 elections under the existing legal framework. INEC announced it would exercise its authority under Section 52 of the 2015 amendment to the Electoral Act of 2010 to issue updated election guidelines.³⁵

Flawed Candidate Nomination Processes

In October 2018, political parties conducted primaries to select their candidates for the 2019 polls. Civil society organizations and aspirants told the IRI/NDI mission that some primaries were undercut by vote buying and poor communication from party leaders about methods for voting,³⁶ the location of the nomination conventions and the composition of party membership lists. Other stakeholders expressed frustration over the political parties' continued practice of substituting names on their candidate lists; several candidates who won their primaries, including numerous women and youth, were removed from the list by party leaders and replaced by preferred candidates. Aggrieved aspirants filed nearly 800 election petitions, many of which were still pending in the courts on election day.

Women, youth and people with disabilities face many barriers to participating in political parties, including running for elected office. Additional challenges for these groups include their lack of access to party decision-

³⁵ Section 52(2) of the 2015 amendment to the Electoral Act of 2010 states: "Voting at an election under this Act shall be in accordance with the procedure determined by INEC."

³⁶ In Nigeria, most candidates in political party primaries are selected via indirect or direct voting. In indirect voting, the most commonly used method, delegates vote for party candidates. Delegates are elected by registered party members during party congresses. In direct voting, a method piloted for some of the APC's primary votes in 2018, all registered members of the political party vote for candidates standing in the primary election. Some APC leaders opposed direct primaries before the 2019 elections due to security challenges and the absence of a verifiable membership register to prevent infiltration by members of other parties. In sixteen states, the APC conducted direct primaries and 15 states held indirect primaries.

making structures and financial obligations that are impossible to meet without the support of political party elites, to whom aspirants can become politically or personally beholden. Prevailing social structures and practices limit the ability of women to enter and advance in politics and often discourage them from engaging in political life in the first place. Women politicians spoke of numerous instances of discrimination that dissuaded them from participating in politics. In the end, the two major political parties, the APC and PDP, fielded only 24 and 31 women candidates, respectively, for the bicameral National Assembly's 469 seats and only 13 and eight legislative candidates, respectively, under the age of 35. Neither the APC nor the PDP fielded women candidates for governor. Most women and youth candidates were relegated to running on the tickets of newly-created parties, with unfavorable odds of winning.

Political Violence

Inter- and intraparty disputes also caused insecurity as the campaign period intensified. Inflammatory rhetoric by political parties and their candidates increased the risk of clashes between supporters of opposing candidates and distracted attention from the issues important to Nigerian voters. To ease these rising political tensions, the National Peace Committee³⁷ convinced political parties and their presidential candidates to sign two peace accords. The first, signed on Dec. 12, 2018, committed the candidates to run issue-based campaigns. The second, signed on Feb. 13, 2019, committed the candidates to respect the outcome of the elections. Much like the peace accord signed in 2015, this effort by the National Peace Committee was intended to instill confidence in the public about their safety on election day and increase the possibility of a credible vote by discouraging electoral violence.

Vote Buying

Nigerians expressed concerns to the delegation about increased, and increasingly brazen, vote buying at polling units compared with previous electoral cycles. For the July 2018 Ekiti gubernatorial election, YIAGA Africa's Watching the Vote project recorded that 8 percent of sampled polling units experienced incidents of vote buying or bribery on election day. Citizen observer groups continued to report vote buying in the September 2018 Osun gubernatorial election by political parties as well as in preparation for the 2019 polls. In its fourth pre-election report released in January 2019, YIAGA Africa's observers witnessed the distribution of money or gift items in at least one LGA in each of Nigeria's 36 states and Abuja. As one analyst told the IRI/NDI mission, "Vote buying is a frightening development in our elections."

Stakeholders pursued initiatives to combat vote buying in the pre-election period. Civil society conducted anti-vote buying campaigns to educate citizens on the importance of their vote. The Independent Corrupt Practices and Other Related Offences Commission declared vote buying a form of corruption and launched a campaign to combat the practice. INEC also instituted measures ahead of the Osun gubernatorial election in September 2018 to combat vote buying by safeguarding the secrecy of the ballot. These included increasing training for polling officials on how to instruct voters to roll the ballot to conceal their vote before leaving the voting cubicle. INEC also reconfigured polling units to situate the voting cubicle and ballot box closer together and further away from party agents. In the Osun election, citizen observer groups reported that these measures resulted in fewer instances of vote buying on election day than in the Ekiti vote. However, the IRI/NDI mission noted that overcrowding in polling units in Ekiti and Osun contributed to problems with ballot secrecy.

Fake News and Disinformation

Many stakeholders expressed concern over the levels and role of disinformation in the elections in the pre-election period. This type of false and unverified rhetoric can skew public perceptions, raise tension and fuel the potential for violence. IRI/NDI was informed that the websites and social media profiles of legitimate civil society

³⁷ In 2015, the National Peace Committee, led by former head of state Abdulsalami Abubakar, with prominent traditional and religious leaders as members, played a crucial role in encouraging political parties and candidates to commit to peaceful elections, including signing the Abuja Accord. The National Peace Committee played a similar role before the 2019 elections by engaging political parties and their candidates in dialogue and encouraging them to sign peace pledges.

organizations, observation groups and media outlets were cloned or hacked, and then used to spread disinformation to audiences who believed they were consulting trusted sources. In the lead up to the 2019 elections, media and civil society groups collaborated on ways to fact-check and verify the accuracy of reports and tried to alert social media platforms to take measures to remove posts that violate user policies. Media practitioners also told the IRI/NDI mission that new regulations issued by the National Broadcasting Commission had helped discourage the dissemination of hate speech and disinformation on television.

Nigerian-Led Initiatives

Civil society played a critical role in conflict mitigation, inclusion, voter and civic education, and citizen-based election observation. Youth were galvanized by the Not Too Young to Run campaign, led by a consortium of Nigerian civil society organizations, which resulted in a constitutional amendment that lowered the age requirements for presidential and gubernatorial candidates to 35 years, and to 25 years for federal and state representative candidates. This citizen-led movement demonstrated the power of Nigerian youth to influence the government and likewise demonstrated that the government can be responsive to citizens when they advocate for change.

Various citizen groups also supported women aspiring to elected office. The Nigerian Women's Trust Fund and the Women in Politics Forum trained and raised the profile of women aspirants ahead of the party primaries and 2019 polls. The IRI/NDI mission was also encouraged by the new levels of advocacy and participation from the community of people with disabilities. For example, the Inclusive Friends Association used data-based advocacy to lobby for reforms to make the voting process more accessible and to increase the political participation of those with disabilities.

Nonpartisan citizen observers played an important role in raising public confidence in the election process, deterring electoral malfeasance, exposing irregularities and providing citizens with important information on the integrity of the elections. As an example, YIAGA Africa's #WatchingtheVote project deployed long-term observers to all 774 LGAs during the pre-election period to capture timely and reliable information about electoral preparations and early warning signs of electoral violence. The Policy and Legal Advocacy Center convened more than 60 organizations as part of the Nigeria Civil Society Situation Room to observe the conduct of the 2019 general elections. Other groups, such as the Center for Democratic Development, monitored disinformation in the media and conducted fact-checking during the campaign period.

Nigerian youth organizations, including the Youngstars Development Initiative, and musician 2Baba Idibia conducted the "Vote Not Fight" campaign, which called for the peaceful participation of youth in elections. Through concerts, a peace pledge, social and traditional media campaigns, and community-based peace ambassadors, Vote Not Fight reached out to individuals, particularly youth, who have historically been perpetrators or victims of election-related violence. Civil society, under the auspices of the Peace and Security Network, also closely monitored the pre-election period for early warning signs of election-related violence and worked with stakeholders to identify and implement mitigation strategies. The CLEEN Foundation also conducted threat assessments in high risk states, worked with security agencies to mobilize response strategies and monitored the conduct of security personnel at polling units.

Presidential and Legislative Election Day Observations

Election Delay

The last-minute postponement of the elections on the morning of election day on Feb. 16 demonstrated that INEC underestimated the challenges associated with administering the election. Moreover, the commission was not forthcoming about procurement delays as well as the impact of uncertainty over the candidate lists caused by pre-election disputes. The late postponement depressed voter turnout, sowed confusion about the duration of candidate and party campaign activity and imposed significant additional economic costs for Nigerians. Most significantly, the delay also undermined public confidence in INEC.

Following the delay announcement, the IRI/NDI mission joined other international observer groups in issuing a joint statement calling for calm.³⁸ IRI/NDI also released its own statement urging INEC to be more transparent about electoral preparations and to better communicate with the public and stakeholders.³⁹ For its part, INEC did make efforts to increase its communication and outreach during the week-long delay, including holding regular press briefings by the chairman.

In the days before Feb. 23, observers found that most materials had been received from headquarters at the state level and distributed to registration area centers. However, observers noted the absence of an inventory of materials or systems for tracking missing and misplaced materials. In addition, due to a fire in an INEC office in Anambra state, more than 4,600 smart card readers were destroyed, leaving certain districts in the state without enough backup machines.

Election Day

While millions of Nigerians demonstrated their resilient commitment to democracy by voting on election day, turnout for the national polls on Feb. 23, 2019, was only 35.66 percent, a historic low. Those who voted waited patiently to cast their ballot, often despite long lines and delays. Women and youth served as polling officials, party agents and observers. Observers noted a heavy presence of party agents, including those from the APC and PDP, at nearly every polling unit observed.

A majority of polling units observed by the mission did not have essential materials and polling staff in place by 8 a.m. and, as a result, opened late. YIAGA Africa similarly indicated that only 41 percent of polling units opened by 10 a.m. Some polling units observed by the IRI/NDI mission did not commence voting until 1 p.m., just one hour before polls were intended to close. Nigerians, however, remained calm and exercised patience.

IRI/NDI observers noted that some polling officials did not understand how to orient or use the materials in the polling unit. Notably, in some polling units observed, ballot boxes were found unsealed or missing labels and lids. Observers found many polling units to be overcrowded and located in areas too small for the number of voting points, contributing to an overall environment of disorder and tension. In addition, observers noted that the location of polling units for IDPs was changed at the last minute from camps to traditional ward-level polling units in some locations, which could have made voting more difficult for IDPs. IRI/NDI observers were told that the abrupt change was because the IDP framework adopted by INEC ahead of the elections was not supported by the

³⁸ See Appendix E for the full statement.

³⁹ See Appendix F for the full statement.

Electoral Act of 2010, which prohibits a voter from registering in more than one center or from voting “at a polling unit other than the one to which he is allotted.”

During voting, observers noted that the overall environment was peaceful and that polling officials generally adhered to voting procedures; PVCs were verified using the smart card readers and names were checked against the voter register. In most cases when fingerprints were not verified by the smart card readers, voters’ details were checked in the voter register, as prescribed by the guidelines. Observers noted few instances of voters being turned away. However, frequent failures of smart card readers to authenticate fingerprints frustrated polling officials and voters and stymied the process.

Observers noted with concern many violations of the secrecy of the ballot. For example, voting cubicles were not provided in all polling units. Even with voting screens, the setup of the polling unit did not always guarantee secrecy of the ballot. In urban and rural areas alike, observers noted that polling units were not always accessible to people with disabilities. Magnifying glasses and ballot guides for the visually impaired were not seen by most IRI/NDI observers. When asked, numerous polling officials were not aware of or not using the EC40H form for documenting the number of disabled voters.

INEC extended voting past 2 p.m. to make up for delayed polling unit openings. However, IRI/NDI observers found that a notification from INEC headquarters to extend polling hours had not reached some polling officials. Overall, polling officials followed the counting procedures in polling units where the mission observed. Observers noted that, generally, party agents signed the EC8A and EC8AVP results forms.⁴⁰ In many polling units, the counting and collation processes continued late into the night. According to YIAGA Africa, 19 percent of polling units did not publicly post results forms at the polling unit.

Observers noted that security officials overall acted professionally and impartially. Police showed restraint, even during contentious counting processes. However, observers reported disruptions and intimidation by party agents and campaigning in some polling units, which contravened regulations. Notably, observers reported many instances of party agents overstepping their responsibilities, often directing operations in the polling unit and, in a few cases, “assisting” voters to fill out and cast their ballots. While observers noted few cases of overt vote buying, they reported that less visible forms of voter coercion, such as the distribution of gift items, may have tainted the process. Though overall election day was peaceful, media and other observer groups reported injuries and loss of life, including that of at least one polling official.

Voting took place on Sunday, Feb. 24, in some localities that experienced challenges with the smart card readers. However, INEC did not provide information about the locations of these polling units.

Collation and Announcement of Results

On Feb. 24, INEC began releasing certified state-level results from its National Collation Center in Abuja. On Feb. 28, INEC declared Buhari of the APC the winner of the presidential contest with 55.6 percent of the vote. Abubakar of the PDP registered 41.2 percent. A PVT conducted by YIAGA Africa verified the results, finding INEC’s announced results to be within a credible statistical range.

INEC announced that voter turnout for the presidential election was 35.66 percent.⁴¹ It also announced the number of registered voters as collated as 82,344,107, nearly 1.7 million fewer than the figure announced prior to the elections. INEC has not provided an explanation for this discrepancy. If the actual number of registered voters is 84,004,084, as announced prior to the elections, the voter turnout rate would be even lower, at 35 percent.

⁴⁰ The EC8A form is to record the results for each political party at a polling unit. The EC8AVP form is to record the results for each political party at each voting point within the polling unit, which are then aggregated on the EC8A form.

⁴¹ INEC determined voter turnout by comparing the number of accredited voters with the number of registered voters (as collated).



Moreover, the difference between the number of accredited voters and votes cast indicates that 2.6 percent of voters were accredited but did not cast a ballot in the presidential race. While it is possible that some voters chose not to vote for a presidential candidate, this number is higher than expected by Nigerian civil society and election administration experts. In addition, the rate of rejected (or invalid) ballots, 4.7 percent, is higher than the rate in 2015 of 2.8 percent. However, INEC has not released disaggregated results data that would allow for further examination of these trends.

During the announcement of the presidential results, INEC also announced that voting was canceled in many polling units across the country due to disruptions, such as violence, ballot box snatching and polling officials' refusal to use the smart card reader, as well as for over-voting. These polling units represented more than 2.9 million people, or more than 3 percent of registered voters. This is a jump from the 2015 elections, when voting was canceled in 1,045 polling units, representing less than 1 percent of registered voters. INEC has not released a comprehensive list of canceled polling units, nor the reasons for these cancellations. While the number of canceled polling units did not significantly affect the presidential results given the margin separating the top two candidates, it did necessitate supplementary elections for Senate and House of Representative contests.

The results for the Senate and National Assembly elections were announced by the resident electoral commissioners in each state. INEC refused to certify a winning candidate in the Imo West senatorial district and the Oju/Obi constituency in Benue state, claiming that results declared by the returning officer were made under duress. The INEC chairman told the IRI/NDI mission that he would not certify the results from these areas, where INEC staff were threatened to return a certain result unless ordered to do so by the courts. At the time of publication of this report, INEC has yet to release any consolidated vote tallies or results from the National Assembly elections.



Gubernatorial and State House of Assembly Election Day Observations

Election Day

On March 9, INEC conducted gubernatorial elections in 29 states, State House of Assembly elections in all 36 states⁴² and six area council elections in the FCT. INEC also conducted supplementary elections in 14 states for seven Senate and 25 House of Representatives contests whose results were declared inconclusive following the Feb. 23 poll due to violence or other disruptions. INEC did not release the list of supplementary elections until late on March 8 and did not release a list of the polling units where supplementary voting occurred on March 9.

Before election day, the IRI/NDI mission noted lingering tensions from the Feb. 23 national-level polls. Representatives of the two major parties accused each other of planning to disrupt the electoral process in various states, and the mission received reports of a spike in violent confrontations between APC and PDP supporters. In Akwa Ibom, an alleged arson at the INEC office in Ibesikpo Asutan LGA on March 8 destroyed smart card readers, and INEC had to mobilize nearly 200 replacements from other states.

On election day, IRI/NDI observers noted that voter turnout was generally low. Women and youth were well-represented as polling officials, party agents and observers, with a significant number of women serving as presiding officers in polling units. In addition, observers found that voting rights for IDPs were generally respected, with IDPs in Benue and Adamawa states permitted to vote in their camps. However, IRI/NDI observers noted significant impediments to voting for people with disabilities and the elderly, as many polling units were not physically accessible to these voters.

Most polling units that IRI/NDI observed opened on time and received all essential materials prior to opening. However, in parts of Lagos, Nasarawa and Kaduna states, observers noted serious delays in the opening of some polling units. Such delays were generally due to the late arrival of INEC staff or party agents and the late distribution of materials from the registration area centers. In Ikeja LGA in Lagos, some polling units opened as late as 11 a.m. due to a strike by polling officials demanding back pay for their services. These delayed openings created tension and disorder.

IRI/NDI observers noted that voting was generally calm and polling officials performed their duties according to procedure. In general, INEC guidelines for accreditation and voting were followed. Polling officials verified PVCs using the smart card readers; where fingerprints could not be authenticated, procedures for manual accreditation were overall followed and voter details were checked against the register. Where IRI/NDI observed, there was generally gender balance among INEC and ad hoc election officials. IRI/NDI observers reported that smart card readers were functioning in most polling units. In the few instances where they malfunctioned, the problem was immediately reported and voting was suspended until the smart card readers were replaced. In some polling units in Lagos and Nasarawa states, the delay caused by malfunctioning smart card readers raised tension among voters who had been waiting in line for long periods. As was also noted by IRI/NDI observers during the Feb. 23 polls, the secrecy of the ballot was not uniformly protected in polling units observed. Crowding in some polling units meant citizens marked and cast their ballots in very close proximity to party agents, polling and security officials, and the general public. Some polling units in Lagos state did not have voting cubicles and did not provide adequate space to

⁴² Gubernatorial elections in the remaining seven states are conducted off-cycle as a result of previous court rulings.

protect voter privacy. Moreover, much like the Feb. 23 elections, instances of assisted voting exceeded the mandate set out in INEC's regulations.

In the majority of polling units where IRI/NDI observed, the atmosphere at closing and counting remained calm and orderly, with polling officials mostly following procedures outlined in INEC guidelines. However, in some locations the atmosphere was tense and procedures were not followed. In particular, observers in Rivers state reported that party agents were not given an opportunity to sign the results form; in Akwa Ibom, party loyalists attempted to disrupt the counting process; in Imo, polling officials were uninformed about the procedures to handle unused ballots; and in Nasarawa, polling officials were not provided the means to transport election materials to the collation center, hindering the security of sensitive materials. Of most concern, IRI/NDI observers witnessed a melee in a Benue polling unit when, during the count, aggrieved voters looking to receive cash for their vote violently confronted party agents. INEC officials in this polling unit were forced to stop counting ballots and relocate to the collation center to complete the process.

Observers reported cases of violence and intimidation in Imo, Adamawa and Akwa Ibom states. In Akwa Ibom, some party agents and voters objected to overt campaigning in the polling unit, which is illegal. IRI/NDI observers also reported in Benue state that voting had to be rescheduled in at least three locations where violence occurred. The civil society coalition Situation Room reported seven deaths by midday, in addition to several kidnappings in Rivers state. These incidents and the fire in Akwa Ibom that destroyed smart card readers and voter registers for one LGA on March 8 reinforce the impression of concerted attempts to disrupt the election process in certain localities. Overt vote buying in the form of distribution of cash and food inside or near polling units was observed in Akwa Ibom, Benue, FCT and Imo. Notably, open voting in polling units in Akwa Ibom allowed party agents to see marked ballots and to direct voters to a location near the polling unit to receive payments. The resident electoral commissioner for Benue state confirmed an incident in which large bags of cash were intercepted by the Economic and Financial Crimes Commission (EFCC). The EFCC officials were subsequently attacked by party representatives.

Police and unarmed security officials for the most part conducted themselves with restraint and professionalism in polling units where IRI/NDI observed. However, observers reported a heavy military presence in some areas, including near polling units, which heightened tensions and raised fears of imminent military intervention in the election process. Media and credible observer groups also reported that the military disrupted the polls in some areas, including in Rivers state where soldiers deployed heavily around INEC's office.

As with the presidential and National Assembly elections, the over-involvement of party agents was widespread in polling units observed, including instances in Nasarawa and Benue states where party agents violated procedure by accompanying voters to the voting cubicles and helped them mark and cast their ballots. Finally, the poor accreditation and training of party agents remains a major hindrance to an orderly and free voting process.

Collation, Announcement of Results and Supplementary Elections

Local and international observer groups noted irregularities and violence during the governorship collation process in several states. In Rivers state, conflict between unidentified security agencies and armed thugs led to delayed commencement of the collation and eventual suspension of the governorship election. In Benue state, IRI/NDI observers and media reported that four polling officials were kidnapped on their way to collation centers. In other states, party agents and observers were chased away or simply barred from the collation centers. IRI/NDI observers similarly noted issues at collation centers in Adamawa, Benue, Lagos, Nasarawa and in Rivers state, where observers saw INEC officials flee a collation center due to a rumored threat of an attack.

The second preliminary report by the EU delegation noted that in most cases, results forms and smart card readers were not properly transmitted to collation centers. This provided room for discrepancies in the results figures received from polling units and those announced at the collation centers. There were reported cases of interference by party agents or the presence of unauthorized people at collation.

Immediately following the March 9 election, INEC declared the results of 22 governorship elections, but it could not declare governorship contest results in six states where the outcome was inconclusive and in Rivers state, where

the collation process was suspended due to violence. INEC also declared results inconclusive for 41 State House of Assembly contests in 23 states.

The PDP questioned INEC's decision to declare the results inconclusive and claimed it was an attempt to sway the election results in favor of the ruling party. The PDP cited the Osun gubernatorial election as an example of how the governorship was awarded to the APC after the PDP candidate finished with the most votes after initial voting.

INEC conducted most of these supplementary elections on March 23.⁴³ Observers worried that the focus on a small number of polling units could lead to increased tensions and violence at the polls. This was the case in Kano state, where the supplementary election was marred by violence committed by armed thugs and increased presence of security. Observer groups reported that political thugs in some LGAs were forcing voters to support one party over the other. In Sokoto state, Governor Aminu Tambuwal of the PDP won reelection in one of the closest elections in Nigerian history with a margin of only 341 votes.

State	Incumbent Party	Results After March 9		Margin of Lead	Cancelled Votes ⁴⁴	Final Results		Winning Party
		APC	PDP			APC	PDP	
Adamawa	APC	334,955	367,471	32,476	40,988	336,386	376,552	PDP
Bauchi	APC	465,453	469,512	4,059	45,312	500,625	515,113	PDP
Benue	PDP	329,022	410,576	81,554	121,019	345,155	434,473	PDP
Kano	APC	987,819	1,014,474	26,655	128,572	1,033,695	1,024,713	APC
Plateau	APC	583,255	538,326	44,929	49,377	595,582	546,813	APC
Sokoto	PDP	486,145	489,558	3,413	75,403	511,611	512,002	PDP

Election Date	Election Type	Location
February 23	Presidential National Assembly	Nationwide
March 9	Gubernatorial State House of Assembly Area Council Supplementary National Assembly	29 states 36 states FCT 14 states
March 23	Supplementary Gubernatorial Supplementary State House of Assembly	5 states 23 states
March 28	Supplementary Gubernatorial	Adamawa state
April 13	Supplementary State House of Assembly	Rivers state (4 constituencies)
April 27	Supplementary House of Representatives	Lagos state (1 constituency)

⁴³ INEC delayed supplementary elections for the governorship contest in Adamawa state after an order from the state's high court at the request of the Movement of Restoration for Defence of Democracy, which sued to cancel the election because its party logo was omitted from the ballot. The court order was overruled on March 26 by the Adamawa State High Court, which allowed INEC to move forward with the supplementary governorship election on March 28.

⁴⁴ INEC has not elaborated the reasons for votes being cancelled, however, according to Section 26 of the Electoral Act of 2010, INEC may postpone an election if "there is reason to believe that a serious breach of the peace is likely to occur if the election is proceeded with on that date or if it is impossible to conduct the elections as a result of natural disasters or other emergencies." Results in a polling unit are considered "null and void" if the number of ballots cast exceeds the number of accredited voters. Polling units where results were considered "null and void" may also be included in this total, although INEC has not provided clarification on this.



Post-Election Period

Following the 2019 elections, more than 750 petitions were filed challenging the election results, including four presidential, 207 Senate, 101 House of Representatives, 54 governorship and 402 State House of Assembly petitions.⁴⁵

On March 18, Abubakar and the PDP filed a petition with the Court of Appeal challenging the outcome of the presidential election as declared by INEC. The petition claimed that the vote amounts announced by INEC were not the actual results, citing images produced by an unnamed whistleblower showing different result totals and pictures of an alleged INEC computer server. The petition also cited INEC's failure to comply with the Electoral Act and the ineligibility of Buhari to contest the election. INEC, as well as Buhari and the APC, filed responses to the petition. The Court of Appeal has until Sept. 14, 2019, 180 days after the filing of the petition, to pass judgment. The decision can then be appealed to the Supreme Court, which would have 90 days to render a verdict. On May 8, the Court of Appeal began hearing the petition. The PDP filed a claim calling for the president of the Court of Appeal, Zainab Bulkachuwa, to withdraw from the tribunal, citing her husband's affiliation with the APC. The party also requested access to the smart card readers and INEC central server.⁴⁶

In the weeks before the inauguration, election tribunals forced INEC to rescind the certification of at least 64 candidates. This includes three Senate, seven House of Representative, and 24 State House of Assembly candidates in Zamfara state who were disqualified after the courts ruled that the APC had not conducted a primary contest. Most of these election tribunal rulings related to intraparty disputes in which the court ruled that the candidate nominated by the party did not win the party's primary and should therefore be replaced with the rightful nominee from the same party.

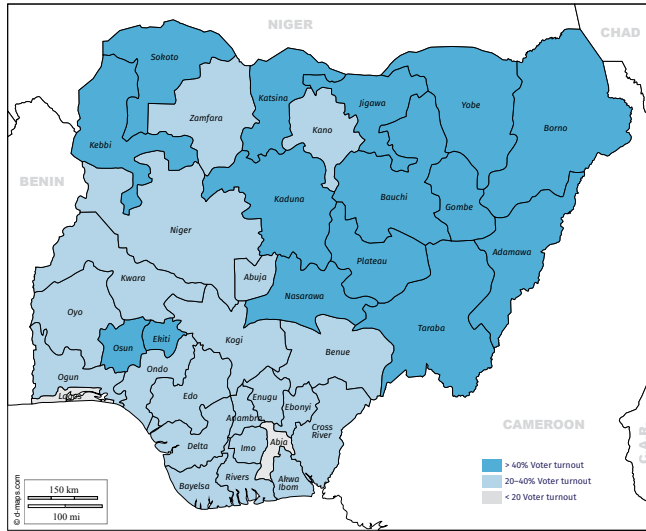
⁴⁵ Number of petitions submitted as of April 24.

⁴⁶ INEC's central server is for electronically receiving and storing election results and other relevant information.

Results Analysis

Presidential Results Analysis

The APC and Buhari won the presidential poll with 15,191,847 votes (55.6 percent), compared with the PDP and Abubakar, who received 11,262,978 votes (41.2 percent). Buhari received at least the required 25 percent in 32 states, well over the 24-state threshold. The APC won the presidential vote in 19 states while the PDP won in 17 states and the FCT.

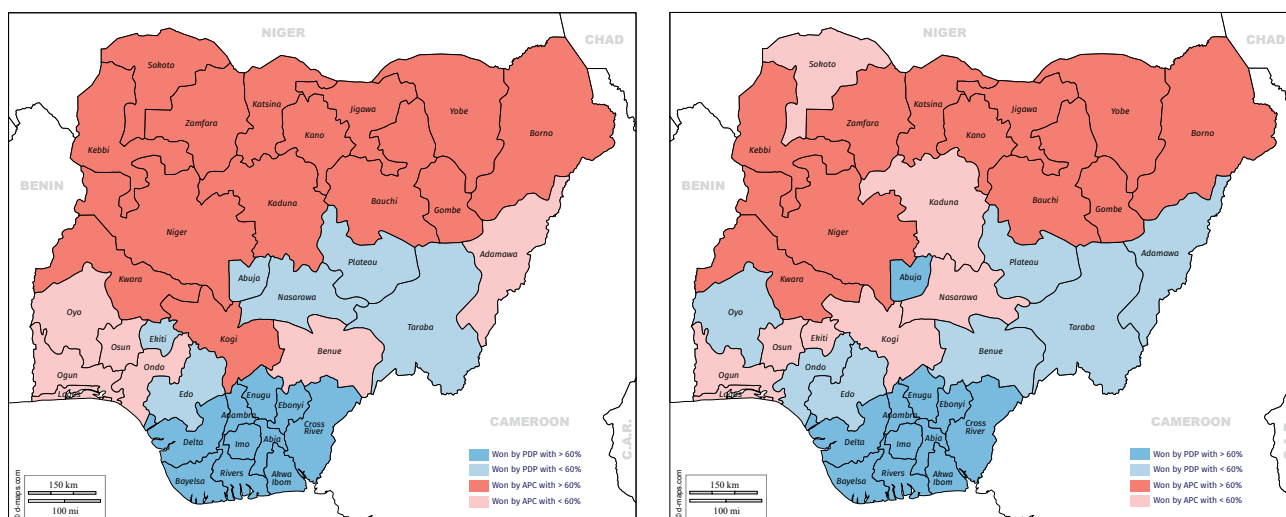


Voter turnout for the presidential election by state

Voter turnout varied widely across the country and INEC put it at 35.66 percent nationwide. More than 50 percent of registered voters cast ballots in Jigawa (54.63 percent) and Katsina (50.44 percent) states, whereas less than 20 percent participated in Abia (19.2 percent) and Lagos (18.32 percent) states.

As in the 2015 elections, in 2019 the APC maintained its strongholds in the North East and North West geopolitical zones. The PDP dominated in the South East and South West geopolitical zones. The PDP gained ground in the toss-up geopolitical zones, the North Central and South West, but these wins were not enough to surmount the higher turnout rates in the north, where the APC remained dominant.

Presidential Vote Totals as Announced by INEC	
Total number of registered voters	84,004,084
Total number of registered voters (as collated)	82,344,107
Total number of accredited voters (as collated)	29,364,209
Total number of valid votes (as collated)	27,324,583
Total number of rejected votes (as collated)	1,289,607
Total number of votes cast (as collated)	28,614,190
Percentage turnout (as collated)	35.66



Presidential results by state in 2015 (left) compared to 2019 (right)

National Assembly Results

As a result of the 2019 elections, the APC achieved majorities in both chambers of the National Assembly. The APC had a similarly strong majority coming out of the 2015 elections, but lost those majorities in 2018 after a wave of defections of senators and representatives to the PDP. In 2019, the PDP saw a reduction in the number of seats it holds in both chambers. These elections witnessed the emergence of new parties with representation in the National Assembly, including the Young Progressives Party (YPP) which won one seat in the Senate. The All Progressives Grand Alliance (APGA) also increased its seats in the House of Representatives from four to nine but lost its only seat in the Senate. As of the publication of this report, INEC had not released consolidated results from the National Assembly elections, including turnout figures and result totals for winning candidates.

The number of women elected declined after the 2019 elections, particularly in the National Assembly. The number elected to the Senate decreased from seven in 2015 to six in 2019. The number of women elected to the House of Representatives similarly declined from 20 in 2015 to just 12 in 2019. **Combined, only 3.8 percent of members of the National Assembly are women, the lowest rate for women's legislative participation in Sub-Saharan Africa and far below the region's average of 24 percent.**⁴⁷

Distribution of Seats in the Senate by Party and Gender as of June 3				
Party	Seats	Percentage of Seats	Number of Women Elected	Change from Number of Seats Held by the Party in 2015
APC	62	56.9%	2	+2
PDP	44	40.4%	4	-4
YPP	1	.9%	0	+1
Undeclared	2 ⁴⁸	1.8%		
TOTAL	109	100%	6 (5.5%)	

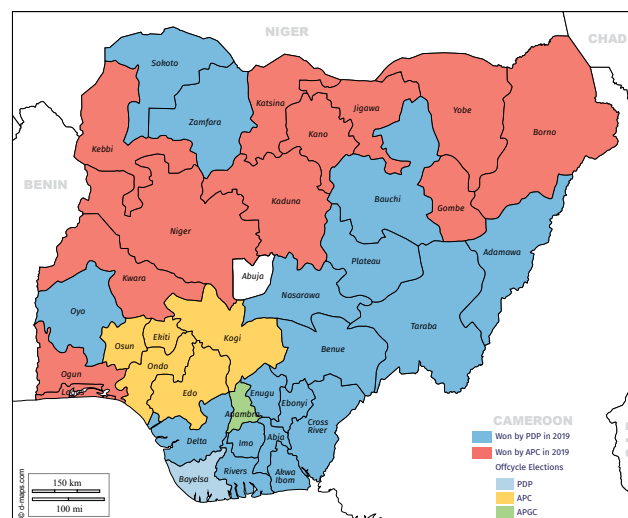
⁴⁷ World Bank (2018) https://data.worldbank.org/indicator/sg.gen.parl.zs?most_recent_year_desc=false.

⁴⁸ At the time of the report's publication, INEC had not declared results in Imo North and Imo West constituencies.

Distribution of Seats in the House of Representatives by Party and Gender as of June 3				
Party	Seats	Percentage of Seats	Number of Women Elected	Change from Number of Seats Held by the Party in 2015
AA	2	.6%	0	+2
ADC	3	.8%	0	+3
ADP	1	.3%	0	+1
APC	212	58.8%	8	-
APGA	9	2.5%	1	+4
APM	1	.3%	0	+1
LP	1	.3%	0	-
PDP	127	35.3%	3	-13
PRP	2	.5%	0	+2
SDP	1	.3%	0	-
Undeclared	1 ⁴⁹	.3%		
TOTAL	360	100%	12 (3.33%)	

Gubernatorial Results

Of the 29 gubernatorial elections conducted in March 2019, the PDP won in 14 states while the APC won in 15. The APC lost in four states that it previously held—Adamawa, Bauchi, Imo and Oyo states—and won two states previously controlled by the PDP—Gombe and Kwara states. As a result of the gubernatorial vote, the APC controls 19 states, the PDP controls 16 and the APGA controls one. All 29 governors elected in 2019 were men. Only four deputy governors elected in 2019 were women.⁵⁰ Fifteen of the elected governors are incumbents elected to a second term while 14 will hold the position for the first time.



State governors by party following 2019 elections

State House of Assembly Results

The APC won 56.5 percent of State House of Assembly seats nationwide. The APC also won a majority of seats in 22 of the 36 states. The PDP won majorities in 12 states. The APGA won a majority in the Anambra State House of Assembly. In Imo state, the Action Alliance (AA) and the APGA won eight and six seats, respectively, compared with the PDP's 13 seats. The APC controls all State House of Assembly seats in 11 states,⁵¹ and the PDP controls all seats in three states.⁵²

⁴⁹ INEC refused to declare a result for the Oju/Obi constituency in Benue state, as the initial declaration was made under duress. At the time of the report's publication, the matter is with the election tribunal.

⁵⁰ Enugu, Kaduna, Ogun and Rivers states.

⁵¹ Borno, Edo, Ekiti, Jigawa, Katsina, Kebbi, Kogi, Kwara, Lagos, Niger and Zamfara states.

⁵² Cross River, Ebonyi and Enugu states.



In most cases, the party with the majority of seats in the State House of Assembly also won the governorship, with exceptions of Bauchi, Imo and Sokoto states.

Only 44, or 4.4 percent, of State House of Assembly members elected in 2019 were women. Fourteen states have no women elected to serve in the State House of Assembly.⁵³ In 2015, there were 51 female members in the State Houses of Assembly and there were no female members in 14 states.

Distribution of Seats in the State Houses of Assembly		
Party	Seats	Women
AA	8	1
ADC	5	1
ADP	1	0
APC	536	15
APGA	33	1
APM	7	0
NNPP	1	0
PDP	390	26
SDP	3	0

⁵³ Abia, Bauchi, Borno, Edo, Jigawa, Kano, Katsina, Kebbi, Kwara, Nasarawa, Sokoto, Taraba, Yobe and Zamfara states.



Recommendations

Many Nigerians told members of the IRI/NDI mission that they were disappointed in the lack of progress in election administration since 2015 and in the performance of political parties. These elections marked the 20th anniversary of the country's transition to civilian democratic rule, but for many Nigerians, they also highlighted the need for a national conversation about the progress made since that transition and the vulnerabilities that must be overcome to make electoral processes more credible and to safeguard the country's democracy. In previous years suggestions for improvements by reputable citizen and international observation missions went unheeded. The IRI/NDI mission urges Nigerian stakeholders to seriously consider these and other recommendations to improve the electoral process.

Legal Framework and Election Dispute Resolution

- **Pursue a comprehensive, inclusive and expeditious electoral reform process.** This process should draw upon recommendations from Nigerian-led reform initiatives such as the Uwais commission (2008) and the Nnamani committee (2017). These reforms should also address the challenges and lessons learned from the 2019 electoral cycle and should include the creation of appropriate institutions to oversee political parties and prosecute electoral offenses, responsibilities that impede INEC's focus on election administration. These reforms should be pursued immediately and be completed early enough to allow changes to be fully implemented before the 2023 general elections.
- **Establish time limits for the adjudication of pre-election petitions to ensure that judgments are rendered before election day and early enough not to interfere with INEC's election preparations.** Reduce the length of time allowed for post-election disputes so the majority of petitions can be adjudicated fully before those rightly elected assume office. This might require reexamining the electoral calendar.

Election Administration

- **Complete constituency delimitation exercise and identify necessary polling units at least one year before the next elections.** Although the 1999 constitution (as amended) requires INEC to review constituency delimitation every 10 years, these boundaries have not been updated since 1996. The National Assembly and other political actors should not interfere in this process. INEC should also review the location and number of polling units to ensure voters have sufficient space to queue and cast their ballot in a manner that ensures ballot secrecy and that polling units are physically accessible to all voters, including people with disabilities and the elderly.
- **Make the continuous voter registration process more accessible to voters by pursuing technological advances that would allow for immediate issuance of a PVC upon registration and simplify the process for voters seeking to change their registration location.** Voter registration information should be made available to stakeholders in a format that allows for independent audit and verification.
- **Develop and adopt a strong strategic communications plan that builds on lessons learned from the 2019 elections to promote transparency and public trust.** This includes more frequent and open communication with election stakeholders through the use of frequent press conferences and public statements to debunk false information and disseminate honest information about election day, field visits by headquarters- and state-level staff, appearances on popular radio and television programs, and consistent social media engagement.
- **Reconsider the order and timing of general elections to ensure sufficient time for preparations and to promote voter participation and engagement at both the grassroots and national levels.**



- **Create a process that facilitates suffrage for those on official duty on election day, including polling officials, security agents and citizen observers.** Denying these individuals an opportunity to cast their ballot is a violation of the principle of universal suffrage.
- **Adopt more transparent procedures for the tabulation, transmission and announcement of results.** To enhance confidence in its announced results, INEC should update its data management and communications process to ensure that information about the election process and results are shared with the public promptly and transparently. INEC should establish clear procedures for the transmission of results from the polling unit directly to INEC headquarters in Abuja or the state INEC office. INEC should make public polling-unit-level results for all elections.

Political Party Conduct

- **Urgently commit to and implement measures to strengthen mechanisms for political party internal democracy.** This includes promoting a more inclusive environment in which women, youth and people with disabilities can participate fully and equally in the electoral process without fear of violence, intimidation, sexual harassment, hate speech or forced patron-client relationships between political leaders and aspirants. It also includes adopting more transparent, credible and fair nomination processes. Additionally, political parties should adopt internal mechanisms for effective resolution of intraparty disagreements, which could contribute to reducing the number of pre-election disputes.
- **Develop and campaign on issue-based platforms that reflect citizen priorities.** Abandon electoral practices such as voter intimidation, vote buying and other disruptions in the electoral process that undermine citizen confidence in electoral processes and institutions, and democratic governance.
- **Build the capacity of political parties to monitor elections.** Ensure the effective recruitment and training of party agents with an emphasis on building an understanding of election day procedures and the appropriate role of party agents at the polling unit, and collecting evidence that could support election petitions.



Civic Engagement

- **Improve coordination among stakeholders to increase and deepen voter and civic education.** INEC, the National Orientation Agency, civil society, political parties, and the media all have important roles to play in educating citizens about the election process as well as their rights and responsibilities in a participatory democracy. These stakeholders must redouble and better coordinate their efforts to expand their reach, develop messages that resonate with voters, and ensure that traditionally marginalized groups—including women, youth, people with disabilities and illiterate and semiliterate voters—are specifically targeted. This includes using technologies, such as social media and radio, and delivering messages in a variety of Nigeria's local languages.
- **Continue efforts to enhance the participation of marginalized groups, including women, youth, people with disabilities and IDPs.** INEC should continue to implement its own gender policy and disability framework and establish more detailed and timely guidelines and procedures that ensure the enfranchisement of IDPs.

Election Security

- **Continue to improve coordination between security agencies and INEC on the provision of electoral security.** The Inter-Agency Consultative Committee on Electoral Security should be strengthened and better operationalized at the state and local government levels. Security agencies should participate fully in INEC's electoral security training and be more transparent about election day deployments.
- **Enforce electoral laws by investigating and prosecuting perpetrators of election-related criminal acts.** This includes those arrested during the elections and those found to have supported or instigated criminal acts. Moreover, INEC should thoroughly investigate and prosecute election officials who engaged in or facilitated electoral offenses. Security agencies, including the military, should investigate and sanction security personnel who violated rules of engagement during the 2019 elections.

Acknowledgements

This report is based on information gathered through the joint IRI/NDI Nigeria international election observation mission, which was present in Nigeria from July 2018 to June 2019. While many individuals participated in the mission's activities, IRI/NDI take full responsibility for the content of this report and hope that it contributes to Nigeria's democratic consolidation.

A comprehensive election mission is, by its nature, a complex endeavor. IRI and NDI thank the Nigerian people for the warm welcome that they provided the mission. The IRI/NDI mission has been privileged to witness the enthusiasm for democracy that has been evident throughout this period.

Many Nigerian government officials, political party leaders, civil society activists and representatives of the international community met with our pre-election, election day and post-election delegations, as well as our thematic experts on multiple occasions; they were always ready to share information and concerns. We are grateful for their time and their contribution to our understanding of Nigerian political dynamics.

IRI/NDI also express sincere appreciation for the critical contributions of the more than 60 observers who participated in the pre-election, election day and post-election delegations.⁵⁵ In particular, we would like to recognize Dr. Pauline Baker, Lauren Blanchard, Jan Surotchak and Terry Tselane, who participated in the July pre-election assessment mission; Mvemba Dizolele, Robert Benjamin, Sarah Jegede-Toe and Anna Jones, who participated in the September pre-election assessment mission; Ambassador Linda Thomas-Greenfield, Ambassador Lewis Lucke and Dickson Omondi, who participated in the December pre-election assessment mission; Festus Mogae, former president of Botswana; Vaira Vike-Freiberga, former president of Latvia; Fatoumata Tambajang, former vice president of The Gambia; Ambassador Johnnie Carson, former U.S. assistant secretary of state for African affairs; Ambassador Derek Mitchell, president of NDI; Randy Scheunemann, IRI vice chairman; and Dr. Daniel Twining, president of IRI, who led election day delegations. IRI and NDI rely on the considerable expertise and generosity of individuals such as these to fulfill our responsibilities as international election observers.

⁵⁵ See Appendix I for a complete list of delegates.

IRI and NDI in Nigeria

IRI in Nigeria

IRI began working in Nigeria in 1998, supporting the development of political parties and collaborating with a wide network of Nigerian and international stakeholders to improve the country's political processes and build consensus on democratic reforms. IRI has fielded an international observation mission to Nigeria for every national election since the 1999 transition.

Over the past seven years, IRI has worked with Nigerian political parties to foster greater internal democracy, issue-based politics and greater inclusion of marginalized groups, and IRI helped political parties progress toward these objectives during the 2015 and 2019 electoral cycles. IRI frequently assisted state-level parties to replicate initiatives begun on the national level, including helping them prepare to compete in by-elections. By working with parties to develop and communicate issue-based platforms and manifestoes that specifically outlined party beliefs and commitments, IRI has contributed to a more substantive political discourse and a growing cycle of accountability between elected officials and citizens. IRI's work has also emphasized peaceful conflict prevention and resolution.

Before the 2015 and 2019 general elections, IRI facilitated the signing of peace accords for candidates at the presidential, legislative, gubernatorial and State House of Assembly levels. Before the 2019 elections, IRI also prepared political party agents to fulfill their roles on election day and facilitated gubernatorial debates. Throughout its various projects, IRI has emphasized the importance of the inclusion of marginalized groups, helping members of these groups advocate to political leaders and articulate actionable solutions for increasing the number of opportunities available to them, while also directly providing knowledge and skills to excluded populations. In Nigeria, IRI has developed relationships built on trust with many government, political, and civil society actors at the national and state levels.

NDI in Nigeria

Since Nigeria's 1999 transition from military to civilian rule, NDI has worked closely with civic and political organizations to support the development of the country's democratic institutions. NDI has also fielded an international observation mission to Nigeria during every national election since the 1999 transition. Currently, NDI is implementing the six-year Electoral Empowerment of Civil Society Project (EECSP), funded by the U.S. and U.K. agencies for international development. Under the EECSP, NDI supported domestic election observers to deploy PVTs in order to improve impartial observation and ensure accurate reporting on and recording of election vote totals during the 2015 and 2019 presidential elections and in select, off-cycle gubernatorial polls. The EECSP also supports local civil society efforts to increase participation by marginalized groups, such as women, youth and people with disabilities, in Nigeria's political processes through various advocacy and voter education campaigns. NDI, with British funding, has also implemented the Women in Politics program with the overall goal of electing more women into public office by helping women aspirants navigate formal and informal party nomination processes, helping women candidates run for office or reelection, helping political leaders understand the benefits of women's participation, and taking steps to increase women's leadership in political parties. NDI has provided technical support to the National Assembly to legislate effectively and conduct oversight of the executive branch. Through its previous and existing programs, NDI has maintained long-standing relationships with key political and elections actors, including the INEC, political parties, legislature and civil society organizations.

Appendices

- Appendix A** Statement of the First Joint NDI/IRI Pre-Election Assessment Mission to Nigeria
- Appendix B** Statement of the Second Joint NDI/IRI Pre-Election Assessment Mission to Nigeria
- Appendix C** Statement of the Third Joint NDI/IRI Pre-Election Assessment Mission to Nigeria
- Appendix D** IRI/NDI Joint Statement on the Suspension of the Chief Justice of Nigeria
- Appendix E** Joint Statement on the Postponement of the 2019 Elections in Nigeria
- Appendix F** IRI/NDI Statement on the Postponement of Nigeria's Elections
- Appendix G** Preliminary Statement of the Joint NDI/IRI International Observer Mission to Nigeria's February 23 Presidential and Legislative Elections
- Appendix H** Preliminary Statement of the Joint NDI/IRI International Observation Mission to Nigeria's March 9 Gubernatorial and State House of Assembly Elections
- Appendix I** List of Delegates for the IRI/NDI International Observation Mission to Nigeria's 2019 General Elections

Appendix A: Statement of the First Joint NDI/IRI Pre-Election Assessment Mission to Nigeria



**STATEMENT OF THE JOINT NDI/IRI PRE-ELECTION ASSESSMENT MISSION
TO NIGERIA
July 20, 2018**

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 July 12 - 20, 2018. The delegation's goals were to:

- Assess the current political and electoral environment in the lead-up to the 2019 general elections;
- Assess preparations for the general elections 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: Dr. Pauline Baker, president emeritus of the Fund for Peace; Lauren Blanchard, specialist in African affairs of the U.S. Congressional Research Service; Dr. Christopher Fomunyoh, senior associate and regional director for Central and West Africa at NDI; Jan Surochak, regional director for Europe at IRI; and Terry Tselane, vice chairperson of the Independent Electoral Commission of South Africa.

The delegation met with senior officials of the Independent National Electoral Commission (INEC), leaders of political parties, civic organizations, representatives of the media, and senior government officials. The delegation also watched the voting process in Ado-Ekiti during the July 14 Ekiti State gubernatorial election. 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 2019 presidential race and other polls in the states will likely be closely contested and take place against the backdrop of shifting political alliances and significant security concerns in many states of the Federation. In meetings with the delegation, many interlocutors reiterated Nigerians' strong commitment to democracy and their desire to ensure that every election is an improvement over the previous one, and that the polls are peaceful, credible, and further deepen the country's democratic practices. The team observed that the election management body – INEC – has undertaken several innovative steps to reinforce the integrity of the electoral system. However, continued efforts must be made by a cross section of Nigerian actors to enhance citizen confidence and participation in the process. Notably, the delegation heard repeated frustrations about the continued role that money plays in Nigerian politics, from how candidates are selected to how parties seek to influence voters. Nigerians with whom the delegation met also voiced concerns about the state of insecurity in parts of the country and how that could impact negatively on the election process.

Both NDI and IRI have deployed international election observation missions to all general elections in Nigeria since the 1999 transition from military to civilian democratic rule. The two Institutes are nonpartisan, nongovernmental organizations that support and strengthen democratic institutions and practices worldwide. They have observed collectively more than 200 elections in more than 50 countries over the last 30 years. NDI and IRI will conduct a second pre-election assessment mission to Nigeria in September and deploy a joint international delegation to observe the 2019 general elections.

II. POLITICAL ENVIRONMENT

Democratic gains over the past two decades. In the past two decades, Nigeria has seen significant gains in consolidating its democracy. Voters' expectations regarding the upcoming elections will likely be driven by their perceptions of progress in election administration since the 2007 polls.

Election administration improved markedly during the 2011 and 2015 general elections, in contrast to the electoral processes in previous years. INEC has taken steps to improve the organization and credibility of elections through innovations such as deploying members of the National Youth Service Corps as poll workers; introducing biometric permanent voter cards; deploying voter card readers (VCRs) to scan voter cards and validate fingerprints; and announcing results on an ongoing basis live on television, radio, and social media. Off-cycle gubernatorial elections have provided opportunities to foster best practices, as members of the delegation saw in Ekiti State where INEC combined accreditation and voting to shorten the time voters spent at the polling unit; applied enhanced software to increase the functionality of VCRs; and posted election results in polling units. An additional innovation in the lead-up to the 2019 polls is the introduction of continuous registration in an effort to increase the enrollment of new voters. The delegation heard that these measures aimed at improving the organization of voting and at raising confidence in the integrity of elections have led to a widespread perception of INEC as a fair and impartial umpire.

In recent years, competitive elections across the country have led to an *alternation in power* between major parties at the state and federal levels. Notably, in 2015, Nigeria experienced the first peaceful transfer of power since independence in 1960 from one ruling party - the People's Democratic Party (PDP) - to a then opposition party - the All People's Congress (APC). The elections were peaceful and their overall success increased confidence among Nigerians that credible elections matter.

Nigerians with whom the delegation met expressed *strong support for democracy*. This sentiment was also captured in the 2017 [Afrobarometer](#) survey, which showed that 72 percent of Nigerians agree that democratic elections are the best means of choosing the country's leaders. There is an expectation that the 2019 polls should see further improvements. Although there is a widespread desire to strengthen democratic culture in the country, many Nigerians are concerned about the over-personalization of politics and of the role of money in elections. Despite remaining challenges with competitive politics in Nigeria, the delegation was told by one interlocutor, "the only alternative to military rule is deepening democracy," a statement that reflects a widespread sentiment among Nigerians.

Significant security concerns. Nigeria faces security challenges from a number of non-state actors that, if unchecked, could disrupt the electoral process. Boko Haram continues to carry out terrorist attacks on communities in the North East. During its visit, the delegation heard

reports of the attack by the extremist group on a military base in Yobe. At the same time, the death toll from clashes between pastoralist and farming communities in the Middle Belt has risen since 2017. The conflicts are further exacerbated by illicit trade in weapons and stolen cattle by criminal gangs. In some circles, the inability of security forces to quell this inter-communitarian violence is given political and religious overtones. If not addressed, these security threats could erode confidence in government. Persistent insecurity and violence have led to very high numbers of internally displaced persons in the North East and Middle Belt that could pose specific challenges for the conduct of elections in the impacted areas.

III. FINDINGS SPECIFIC TO THE 2019 POLLS

Political parties, electoral alliances. The delegation's visit coincided with the emergence of new political parties and negotiations among political elites. Nigeria's political landscape is in a state of flux. There are currently 68 registered parties, and the number is expected to increase in the coming months. Many Nigerians with whom the delegation met, expressed frustration with political parties that for the most part are seen as very personality-driven and lacking internal democracy. For example, squabbles over the selection of convention delegates and leadership in the states has generated tensions within parties. Emerging political alliances are based mostly on personalities and agreements among political leaders, and do not necessarily reflect differences in policy preference or ideology.

Candidate selection process. In August and September 2018, political parties will conduct primaries to select their candidates for the 2019 elections. The delegation heard concerns about past practices that were not transparent and did not respect party constitutions. The delegation learned that, should candidates be imposed by party leaders through undemocratic means, such actions could lead to further fragmentation of political parties or result in intra-party violence, and further alienate voters.

The high cost of politicking and opaque candidate selection processes are particularly challenging for women, youth, and persons with disabilities (PWDs) to overcome. Nigeria has one of the lowest levels of women in elected office within West Africa and in the world (UN Women, 2017). Internal gender quotas included in party constitutions are generally not respected. The recent passage of the *Not Too Young To Run Bill* that reduced the minimum age for elected offices is seen as an opportunity for political parties to nominate young aspirants that reflect Nigeria's youthful population. The inclusion of youth, women, PWDs, and other marginalized groups would facilitate the emergence of a broad range of new leaders to reflect the ingenuity and dynamism of the Nigerian population.

Monetary incentives to voting. Nigerians expressed concerns to the delegation about an increase in the level and visibility of **vote buying**. Vote buying is an electoral offense; it also undermines the legitimacy of elections and weakens representative democracy. During the July 14 gubernatorial elections in Ekiti State, the *Watching the Vote* (WTV) group deployed citizen election observers to a representative sample of polling sites across the state and recorded that 8 percent of sampled polling units experienced incidents of vote buying or bribery on election day. Various individuals commented that poverty, disillusionment with the performance of elected representatives, and low civic awareness of voters contributed to the expansion of vote buying, particularly in off-cycle gubernatorial elections since 2015. The lack of enforcement of punishments for this electoral offense has allowed the practice to persist and grow. As one analyst stated to the assessment mission, "vote buying is a frightening development in our elections."

Election administration. The gubernatorial elections in Ekiti State provided an opportunity for INEC to again test recent changes to electoral administration. Citizen observer groups, including WTV and the Nigeria Civil Society Situation Room, highlighted administrative advances from previous polls, but also areas for further improvement. These include the need to enhance the ability of card readers to reliably verify voter fingerprints. In some cases, the re-registration of voters' fingerprints when they could not be recognized by the card reader led to slow moving queues and voter frustration. Delegation members also noted instances where the placement of the voting booth and the folding of the ballot did not guarantee the secrecy of the ballot. The delegation noted significant disparities in the capacity of polling unit officials to administer the counting of results. However, the consolidation of the accreditation and voting processes was a successful innovation that shortened the amount of time spent by voters at the polling unit.

Citizen engagement in early phases of the election. While INEC indicated that over nine million new voters have been registered since 2017, many voters have not collected their PVCs. For example, approximately 223,000 of Ekiti State's over 900,000 registered voters, had still not picked up their voter cards before election day. According to INEC, about eight million PVCs nationwide have not been collected by voters. While continuous registration has made the registration process more accessible, the time required to return to collect PVCs or to change the location of voters' registration requires a significant commitment from voters and may present a particular barrier for women and PWDs.

Legal framework for elections. As in the lead up to previous elections, the Electoral Act is in the process of being amended in preparations for 2019. INEC believes that the bill to amend the Electoral Act recently passed by the National Assembly would strengthen its ability to ensure greater transparency and accountability in the political party candidate nomination process for all elected offices. Changes to the Electoral Act would also require INEC to make the voter register and election results electronic and accessible; increase the campaign period from 90 to 150 days; and extend the application of the Electoral Act to local government elections. However, Nigerian stakeholders expressed concern that if the election bill is not enacted soon, there will be insufficient time for INEC and other actors to implement the changes to the law and to effectively disseminate information about the changes to election rules and procedures to citizens.

Nigerians expect INEC to continue to enhance transparency and impartiality in the administration of the polls, and communicate openly and frequently with voters, political parties, and other relevant stakeholders. Most Nigerians with whom the delegation met voiced confidence in INEC's ability to deliver credible elections in 2019.

Social media and disinformation. As internet penetration deepens across the country, millions of Nigerians now access and share information via smartphones, social media platforms such as Facebook and Twitter, and messaging platforms such as WhatsApp. The 2017 Afrobarometer poll for Nigeria stated that 39 percent of respondents regularly consume news on social media. These platforms offer new ways for citizens to engage in political and electoral processes, and for political parties, INEC, and government institutions to share information with voters. However, some Nigerians are fearful that, if not used responsibly, these platforms could become vehicles for disinformation and hate speech. Disinformation (sometimes called "fake news") is the deliberate generation and dissemination of false information to manipulate public opinion and perceptions. Nigerians told the delegation that

social media is already rife with politically-related content that, in some cases, uses altered photos and videos. They also regret that the spread of rumors is facilitated by easy access to distorted news. Nigerians also told the delegation that disinformation, hate speech, and the denigration of opponents can heighten tensions and increase the potential for election-related violence.

Insecurity and election-related violence. Nigerians with whom the delegation met voiced concern that persisting insecurity and the threat of violence could dampen citizen participation in the 2019 elections, and prevent some voters from going to the polls. The Middle Belt, often seen as a swing voting geopolitical zone, is particularly affected by the ongoing deadly clashes between farmers and herders. Should the violence persist, INEC may face challenges in safely organizing polls in some parts of the country, and will have to accommodate voters who have been displaced from their homes, including 1.9 million IDPs in the North East. Contentious elections also heighten the threat for election-related violence. Stakeholders noted with concern the tenor of the political rhetoric during the Ekiti gubernatorial election. If political parties and candidates employ inflammatory rhetoric in upcoming elections, it could increase the risk of clashes between supporters of opposing candidates and distract attention from the issues that are important to Nigerian voters. Similarly, the perceived ineffective response by security forces to mounting farmer-herder violence could negatively impact the electoral campaign. Some Nigerians with whom the delegation met expressed concern at the high number of security agents deployed to state elections, and termed it as an excessive “securitization” of elections that could scare voters away from the polls. Nigerians expect their security services to be impartial and the onus is on these services to show a high level of professionalism.

IV. NIGERIAN LED INITIATIVES TO ADDRESS CHALLENGES

Despite the challenges listed above, the 2019 polls provide an opportunity for political parties, INEC, the government, media and civil society to build upon and expand the advances from past elections to ensure inclusive, peaceful and credible elections. Most Nigerians that the delegation met with are full of hope as they prepare for the elections, and take pride in noting that democracy has taken root in their country. 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. As one Nigerian stated, “2019 will be the year of citizens.”

INEC communication and administration. INEC recognizes that expectations for the 2019 elections are very high. The Commission has done extensive planning in preparation for the polls based on their internal reviews of their performance in past elections. INEC has also worked with the National Assembly to improve the electoral framework. The amended Electoral Act is now only awaiting President Buhari’s signature to be enacted into law.

INEC representatives acknowledged the challenge of distributing uncollected PVCs, but have found innovative ways to increase the collection rate. The Commission is implementing its “Youth Votes Count” campaign involving music artists and comedians to reach young voters on university campuses. INEC indicated that the campaign resulted in higher rates of registration and PVC collection, and as a result, the Commission plans to expand the campaign. Also, Resident Election Commissioners (RECs) are going into communities with lists of voters who have not collected their PVCs, and are working with local leaders to encourage these voters to collect their cards. INEC has also adopted a PWD framework to

facilitate the inclusion of PWDs in elections, similar to its already existing gender framework.

INEC is seriously concerned about vote buying practices and is considering ways to address the issue. In the coming days the Commission said it will review the recent Ekiti polls and should any staff be found to have violated the Electoral Act, they would be prosecuted. INEC also acknowledged to the delegation the importance of coordinating and sharing information with relevant government agencies and other stakeholders in the election process. INEC has organized 180 elections since the 2015 polls, and for each of these met regularly with stakeholders. The Commission plans to intensify the frequency of such coordination meetings as the general elections approach.

Citizen engagement. The delegation heard from Nigerian stakeholders who said they anticipate youth participation in the 2019 elections to increase significantly. Young people, they said, have been galvanized by the *Not Too Young To Run* campaign, which resulted in a constitutional amendment that lowered the age requirements for presidential and gubernatorial candidates to 35 years old, and for state and federal representative candidates to 25 years old. This citizen-led movement demonstrated the power of Nigerian youth to influence their government, and has shown that the government can be responsive to citizens when they advocate for change. The onus is now on political parties to encourage and support young Nigerians who seek elected office.

Various citizen groups are also supporting women aspiring to elected office. For example, the *Nigerian Women's Trust Fund* and the *Women in Politics Forum* are training and raising the profile of women aspirants. The delegation was also encouraged by the new levels of advocacy and participation from the PWD community. For example, *Inclusive Friends Association* (IFA) through its *Access Nigeria* campaign have used data-based advocacy to lobby for reforms to increase the political participation of PWDs and the accessibility of the voting process. Some political parties have made considerable efforts to create leadership opportunities for women, youth, and PWDs.

Citizen monitoring of electoral processes. Nonpartisan citizen observers play an important role during elections by raising public confidence in the election process, deterring electoral malfeasance, exposing irregularities and providing citizens with important information concerning the integrity of the elections. For the 2019 elections, *YIAGA Africa* plans to deploy the parallel vote tabulation (PVT) methodology as part of its *#WatchingtheVote* (WTV) project. The PVT methodology provides an accurate qualitative assessment of the conduct of election day processes and near real-time independent verification of official results, which helps enhance confidence in the process. WTV will also deploy long-term observers during the pre-election period in order to capture timely and reliable information about electoral preparations and early warning signs of violence. The *Policy and Legal Advocacy Center* (PLAC) plans to convene more than 60 organizations as part of the *Nigeria Civil Society Situation Room* to observe the conduct of the 2019 general elections. Other groups, such as the *Center for Democratic Development*, plan to monitor disinformation in the media and conduct fact checking during the campaign.

Violence monitoring and non-violence campaigns. Nigerian youth organizations, including *Youngstars Development Initiative* (YDI), and musician 2Baba Idibia, are conducting the “*Vote Not Fight*” (VNF) campaign, which calls for youth’s peaceful participation in elections. Through concerts, a peace pledge, social and traditional media campaigns, and

community-based peace ambassadors, VNF reaches out to individuals (particularly youth) who have historically been drawn into election violence either as perpetrators or as victims. Civil society, under the auspices of the *Peace and Security Network (PSN)*, are also closely monitoring for early warning signs of election-related violence, and working with stakeholders to identify and implement mitigation strategies. For example, PSN is preparing a high level event in September to coincide with the UN International Day for Peace, featuring the chairmen of APC and PDP and other keynote speakers, in an effort to have political leaders commit to promoting tolerance and avoiding hate speech in the upcoming electoral campaigns. Also, the *CLEEN Foundation* is conducting threat assessments in high risk states, working with security agencies to mobilize response strategies, and monitoring the conduct of security personnel at polling units.

V. RECOMMENDATIONS

The delegation believes that with political will and through coordinated efforts, many of the above mentioned challenges can be addressed in order to enhance citizen confidence and participation in elections and also mitigate violence during and after the polls. In the spirit of international cooperation, the delegation therefore offers the following recommendations for review and consideration:

The Federal Government of Nigeria should:

- Intensify efforts to address insecurity in many parts of the country.
- Reiterate to all security services their constitutional obligation to be professional and impartial in guaranteeing election security for all citizens and political contestants.
- Enforce the law in regards to illegal activities such as vote buying on election day wherever it occurs.
- Ensure sufficient time for INEC to implement electoral changes by signing into law the Electoral Act (Amendment) Bill before August 16, in accordance with the ECOWAS protocol to which Nigeria is a signatory.
- Approve and obligate INEC's requested budget in a timely manner and ensure other government agencies involved in the election process receive sufficient and timely funding.
- Ensure that agencies such as the National Orientation Agency (NOA) that have responsibilities for civic and voter education receive adequate and timely funding to support peaceful, inclusive and credible elections.
- Establish the Electoral Offenses and Political Parties Registration Commission as soon as possible to enhance the accountability of political parties with regards to the funding of campaigns and other activities.

The Independent National Electoral Commission should:

- Increase efforts to encourage voters to register before the close of continuous voter registration on August 17.
- Undertake an extensive campaign to raise voter awareness on the need to collect PVCs before the next elections.
- Pursue technological advances that could allow for the issuance of PVCs upon registration.
- Continue to improve the card reader technology and inform voters of its efforts.
- Ensure consistent application of voting procedures by polling officials with regards to:
 - Arranging of the polling unit to ensure voters cast their ballot in secret;
 - Folding the ballot paper;

- Allowing voters in the queue when the polling unit closes to vote;
- Clarifying the criteria for invalidating ballots; and
- Using consistent counting procedures.
- Fully implement its PWD framework to ensure the voting process is more accessible to PWDs.
- In coordination with security services, enforce the law in regards to illegal activities such as vote buying that occur at polling units on election day.
- Track and publicize political party compliance with commitments on gender representation in leadership positions and on candidate lists within the party.
- Enhance communication strategies to better match how Nigerians consume information, such as through community radio and social media using infographics and short videos.
- Release early sample ballots to facilitate voter education efforts.

Political parties should:

- Conduct transparent and democratic candidate selection processes that adhere to their by-laws and policies.
- Make concerted efforts to encourage and support women, youth, and PWD candidates beyond providing free nomination forms.
- Initiate issue-based campaigns that address national priorities, such as security, the economy, and governance.
- Conduct voter education campaigns and disseminate messages of peace and tolerance among their supporters.
- Respect the rule of law, including INEC guidelines for political parties, especially provisions against the use of violence and of speech that could incite violence.

Civil society should:

- Begin voter education efforts early in the election process. Work closely with government agencies such as INEC and the NOA to inform voters about the election process, including the collection of PVCs, how to vote, and keeping the peace.
- Educate voters on their civic responsibilities and the value of their vote, emphasizing that vote buying can be tantamount to vote rigging.
- Continue to pursue advocacy efforts with INEC, NOA, and political parties to enhance the participation of women, youth, and PWDs.
- Working closely with the media, explore avenues for monitoring, exposing, and countering disinformation and hate speech.
- Draw upon strategies used in recent successful advocacy efforts such as *Not Too Young to Run* to engage political parties on issues important to Nigerian voters.
- Continue monitoring the election process, disseminating impartial findings, and advocating for improvements to election integrity.
- Consider early initiatives to mitigate tensions between contestants, such as the Abuja Accord facilitated by the National Peace Council in 2015.

Media should:

- Report accurately, responsibly and professionally in line with the media code of conduct in order to foster civil discourse.
- Fact-check and verify information before publishing and avoid supporting or republishing outlets that spread disinformation.
- Organize candidate debates in coordination with civil society to enable information sharing with voters and policy discussions.

The international community should:

- Provide timely support to Nigerian civil society to enable groups to begin voter education, citizen engagement, citizen election observer, and violence mitigation campaigns early in the election process.
- Message regularly to the main political actors and parties to uphold the rule of law and commit to the holding of peaceful elections.

NDI and IRI will continue to observe the electoral process and plan to deploy a second pre-election assessment mission in September and will issue additional statements as appropriate. The two Institutes will field joint international election observation missions for the 2019 general elections. NDI and IRI will cooperate with other international observation missions and Nigerian citizen observer efforts in accordance with the Declaration of Principles for International Election Observation and Nigerian law.

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The delegation's work was funded by the United States Agency for International Development (USAID).

Appendix B: Statement of the Second Joint NDI/IRI Pre-Election Assessment Mission to Nigeria



STATEMENT OF THE SECOND JOINT NDI/IRI PRE-ELECTION ASSESSMENT MISSION TO NIGERIA

September 28, 2018

I. INTRODUCTION

From September 19-28, 2018, the International Republican Institute (IRI) and the National Democratic Institute (NDI) conducted a second joint pre-election assessment mission to Nigeria. The [first assessment](#) mission visited Nigeria in July 2018 and issued a statement on July 20, 2018, with recommendations on steps that would enhance citizen confidence in the credibility of the elections. This second mission builds on the first and captures progress achieved thus far and remaining challenges that need to be addressed. The purpose of conducting two pre-election assessment missions in Nigeria is to:

- Assess the current political and electoral environment in the lead-up to the 2019 general elections;
- Assess preparations for the general elections and offer recommendations to enhance citizen confidence in the process and mitigate violence; and
- Demonstrate international support for Nigeria's democratization process.

The second assessment delegation was comprised of: Robert Benjamin, Senior Associate & Regional Director for Central and East Europe, NDI (USA); Mvemba Dizolele, Professorial Lecturer at Johns Hopkins University's School of Advanced International Studies (Democratic Republic of the Congo); Sarah Jegede-Toe, Co-Chair, Liberia National Elections Commission (Liberia); Anna Jones, National Network Coordinator, WANEP-The Gambia (The Gambia); and John Tomaszewski, Africa Director, IRI (USA).

The delegation met with a wide array of election stakeholders, including the Independent National Electoral Commission (INEC), political party and religious leaders, civil society representatives, security forces, academics, and representatives of the international community. In addition, the delegation traveled to Osun State to meet with electoral stakeholders ahead of the off-cycle gubernatorial election on September 22, 2018 and visited several polling units in the cities of Osogbo, Ilesa, Ede, and Ofatedo on voting day to witness the conduct of the election within the framework of preparing for the 2019 general elections. The delegation expresses its deep appreciation to everyone with whom it met for sharing insights from which the mission benefitted greatly. The delegation conducted its activities in accordance with the laws of Nigeria and the *Declarations of Principles for International Election Observations*, which was launched in 2005 at the United Nations.

Both IRI and NDI have deployed international election observation missions to all general elections in Nigeria since the 1999 transition from military to civilian democratic rule. IRI and NDI are nonpartisan, nongovernmental organizations that support and strengthen democratic institutions and practices worldwide. The Institutes have observed collectively more than 200 elections in more than 50 countries over the last 30 years. IRI and NDI will deploy a joint international delegation to observe the presidential, National Assembly, gubernatorial and state assembly elections in Nigeria in 2019.

II. SUMMARY

Nigeria's 2019 elections will be an important step for the country's democracy. If successful, the elections would consolidate democratic gains achieved in the last two decades since the transition from military to civilian democratic rule. The elections are also expected to be closely competed among the major political parties. President Muhammadu Buhari is seeking reelection after historic elections in 2015 when the country experienced its first transition of presidential power from the People's Democratic Party (PDP)—which had been in power since the transition from military to civilian democratic rule in 1999—to the All Progressives Congress (APC).

Numerous positive developments have occurred since the 2015 elections that enhance today's electoral environment in Nigeria. Some of these developments were noted in IRI/NDI's [first pre-election statement](#). For example, the Independent National Election Commission (INEC) has improved the voting process, notably through the introduction of continuous voter registration, adoption of simultaneous accreditation and voting, improvements to the secrecy of the ballot, and advancement of the smart card reader technology. Young people are also more motivated to participate in politics and hold their representatives accountable through initiatives as the *Not Too Young To Run* campaign. Citizens are also deeply committed to democracy. [Afrobarometer's 2017 survey](#) found that 72 percent of Nigerians agreed that democratic elections are the best means of choosing their country's leaders.

Despite the above improvements in the administrative and procedural aspects of the voting process, deficits in the political process could undermine the democratic character of the 2019 elections. Numerous interlocutors commented on the lack of equitable competition within political parties regarding candidate selection, and, relatedly, a penchant among parties to induce voter support through means that run contrary to the spirit of democratic franchise. For many Nigerians, the pervasive role of money in the campaign process lies at the heart of these concerns.

III. NOTABLE IMPROVEMENTS

The IRI/NDI delegation recognizes numerous positive developments initiated by electoral stakeholders—some of which followed the IRI/NDI July 2018 pre-election statement—that are contributing to an enhanced electoral environment:

- *Improvements to election administration* – The delegation notes that INEC has initiated several measures to improve the efficiency and effectiveness of voting since the last pre-election assessment mission. Citizen observer group YIAGA Africa stated that the September 22 Osun State poll was an improvement over previous elections in Anambra and Ekiti states in that most

sensitive and non-sensitive election materials arrived on time thus facilitating the punctual opening of polling units, poll workers were deployed early, and results were posted in the polling units. The delegation also notes that INEC has improved efforts to recruit staff, particularly women, and provide better training, which can yield more uniform polling unit operations and clear roles and responsibilities among various polling officials.

- *Enhancement of the ballot secrecy* – During the Ekiti election, citizen observer groups as well as IRI/NDI's delegation noted deficiencies in ballot secrecy in some polling units during the process and offered recommendations to address these issues. For the Osun election, INEC instituted measures that enhanced ballot secrecy, including providing additional guidance to poll workers on the configuration of the polling unit and banning the use of cellphones while voting. Higher consistency of polling officials in guiding voters to roll their ballots avoided spoiling the ballot while also obscuring the voter's choice from view. These changes enhanced the voters' privacy and reduced the possibility of vote buying and voter intimidation on Election Day.
- *Enhancements to the biometric verification system* – Software enhancements to the smart card reader have increased the rate of successful verification of voters' biometric data and increased the speed of the voting process. This lessens the burden on voters and polling workers. In addition, smart card readers used for voter accreditation are experiencing fewer malfunctions. Reports from citizen observer groups in Osun State indicated that malfunctions were resolved in timely fashion.
- *Strong commitment by civil society to improve the electoral process* – As noted in IRI/NDI's July 2018 statement, civil society is playing a critical role in the areas of conflict mitigation, inclusion, voter and civic education, and citizen-based voter observation. During this assessment, IRI/NDI heard about additional initiatives underway, including the Access Nigeria Campaign and Center for Citizens with Persons with Disabilities' advocacy for better inclusion of PWDs on Election Day. As a result of these efforts, INEC adopted the *Framework on Access and Participation of Persons Living with Disabilities*. Some of the measures were implemented during the Osun State election, such as the use of a Braille Ballot Guide and a form that counts voters with disabilities. Efforts by the International Federation of Women Lawyers to mitigate violence against women has the potential to increase women's participation in the electoral process and deter psychological and physical violence that too often curtails their participation. The Peace and Security Network is coordinating efforts to identify potential risks of electoral violence and mobilize response efforts.

IV. REMAINING CHALLENGES AND CONCERNS

Despite the above improvements, the delegation noted challenges, that if left unaddressed, could limit the ability of Nigerians to experience a fully participatory and credible process. With 140 days left before the elections, there is need to urgently address these issues.

- *Delays in finalizing legal framework for the 2019 elections* – The delegation notes consensus among political, civic and governmental stakeholders on proposed amendments to the *Electoral Act 2010*, which could improve the credibility and transparency of elections in 2019.

After weeks of back and forth between the executive and legislative branches, the bill is currently with the National Assembly, which is slated to reconvene on October 9, 2018. However, delays in the amendment's passage have many Nigerians questioning whether INEC will have enough time to implement these changes for the 2019 elections.

- *Delayed release of funds for the 2019 elections* – Nigerian interlocutors expressed concerns regarding timely and sufficient funding for the 2019 elections. INEC leadership has affirmed that it will be prepared for elections if the full budget is released when the National Assembly returns to session. Several electoral stakeholders in Nigeria underscored the need for timely logistical and operational preparations.
- *Security threats* – Delegates heard continued concerns about persistent insecurity, particularly in the Middle Belt and North East, which may be amplified in the pre-election environment. Insecurity, combined with heightened political tensions, raise the likelihood of political and/or communal violence, which would disproportionately impact vulnerable populations such as internally displaced persons (IDPs). Should existing conflicts remain unresolved and/or the threat of violence intensify, personal insecurity could deter enthusiasm or prevent citizens from participating in the electoral process. In light of these complex and difficult circumstances, it is incumbent on security services in Nigeria to ensure a safe and secure environment for citizens to exercise their right to vote and to contribute to public confidence in the overall electoral process. Some Nigerians are concerned that security efforts could be used for partisan agendas at the expense of their ability to fulfill their mandate as prescribed by law.
- *Vote buying* – The delegation heard complaints about the lack of robust investigation and, where merited, prosecution of alleged vote buying, despite numerous instances reported by civil society groups. Improvements to the electoral administration and procedure and a higher number of political parties vying for elected positions have enhanced political competition and narrowed margins of victory. Tighter political competition heightens the risk of political parties relying more intensively on unethical and illegal means to secure victory, including inappropriate voter inducement schemes and vote buying. Political parties are responsible for their campaigns and are obligated to follow the law. The delegation heard from many stakeholders, including those within political parties, that there is neither sufficient will nor incentive to remedy these issues.
- *Barriers to internal party democracy* – The delegation recognizes that some political parties have experimented with direct primaries that empower members to select a candidate of their choice, while others rely on indirect measures for candidate selection. In reality, candidates contesting in party primaries are often imposed on members by political elites and so-called “godfathers.” Political parties lack comprehensive membership lists, which does not provide a foundation for a successful direct primary process. There is also a lack of open and advance communication from national party leaders about the composition of delegate lists and the mode and date of voting. These circumstances can heighten intra-party tension and focus party attention inward at a time when their ability to communicate effectively with voters is paramount.

- *Women's participation in the electoral process* – The delegation understand that there are barriers for women, youth, and PWDs to be active participants in the electoral process, including but not limited to attempts to run for elected office. These barriers include the lack of access to party decision-making structures and financial obligations that are impossible to meet without the support of political party elites to whom aspirants can become politically and/or personally beholden. Prevailing social structures and practices limit the ability of women to enter and advance in politics, and often discourages them from engaging in political life in the first place. Women politicians with whom the delegation met referenced numerous instances of discrimination, which led to their dissuasion from and, in some cases, loss of will to participate in politics. The failure to pass the Gender and Equal Opportunities bill last year in the National Assembly and of political parties to establish and implement voluntary electoral party gender quotas are missed opportunities for increasing women's political participation and enhancing the electoral environment in Nigeria.
- *Incitement to violence and disinformation* – The IRI/NDI delegation observed with concern the use of inflammatory language by political parties, particularly through social media. Much of this rhetoric, which at times contains false or unverified information or hate speech, can manipulate public perceptions, heightens tensions, and fuels the possibility of election-related violence. Following the Osun election, the delegation observed on social media the circulation of false results, misleading photos and videos, and inciting statements by political parties, which contributed to heightened tension during and following the results announcement process.

V. RECOMMENDATIONS

The delegation believes that with political will and through coordinated efforts by all stakeholders, many of the above-mentioned challenges can be addressed to enhance citizen confidence and participation in elections and mitigate violence during and after the polls. In the spirit of international cooperation, the delegation therefore offers the following recommendations to electoral stakeholders in Nigeria, which build upon and reinforce the recommendations of the first pre-election assessment mission.

Recommendations for the Federal Government of Nigeria:

- Provide sufficient and timely funds so that INEC and other electoral bodies can fulfill their responsibilities as prescribed by law.
- Ensure the timely passage of the amendment to the *Electoral Act 2010*.
- Ensure that security services maintain the highest level of professionalism and impartiality in facilitating the electoral process, refrain from actions that could be seen as motivated by partisan interests, enable accredited observers and journalists to perform their work, and protect the right of citizens to exercise their votes freely.
- Enforce laws against election malfeasance (including vote buying) and ensure equal and robust application through such measures as the establishment of the Electoral Offenses Commission and Tribunal.
- Respect and uphold press freedom and freedom of information laws in letter and in spirit.

Recommendations for the Independent National Electoral Commission:

- Take concrete measures to combat vote buying through voter education campaigns, enforcement of laws against voter inducement, and nationwide ban on cellphones in the voting cubicle.
- Enhance as much as possible the physical space for voting to facilitate the processing of voters on election day. Prioritize training for polling officials on configuring polling units to enhance ballot secrecy while maintaining a transparent voting process.
- Decentralize the Permanent Voter Card (PVC) collection process from the local government level to the ward and community levels and intensify voter sensitization to increase PVC collection rates.
- Implement the PWD framework, including operationalizing the Braille Ballot Guide and Form EC30PWD nationwide for Election Day, conducting voter education to increase the participation of PWDs in the voting process, and improving accessibility of polling units.
- Undertake measures to increase understanding of the vote collation process and ensure access of observers and party agents to collation centers.
- Publish polling unit-level registration and results data on INEC's website in a machine-readable format.
- Release specimen ballots well in advance of Election Day so that civil society and other electoral stakeholders can conduct sufficient voter education to orient voters.

Recommendations for political parties:

- Engage, at the leadership level, in inter-party dialogue, such as the one facilitated by the National Peace Committee in 2015, and adhere to agreed provisions therein.
- Proactively investigate and, where substantiated, take punitive action against party members and supporters who use hate speech and violence (including through gangs) or disseminate false information during the election cycle.
- Demonstrate thorough adherence to campaign finance regulations and commit to the proper use of resources in engaging voters. Provide access to INEC auditors per applicable regulations.
- Adhere to and enforce existing codes of conduct that commit parties to democratic electoral standards regarding campaign use of resources, engagement of voters, peaceful resolution of disputes, and acceptance of verified and credible results.
- Empower the Inter-Party Advisory Committee (IPAC) to perform its coordination and mediation functions effectively with a priority on state level engagement.
- Upon conclusion of party primaries, promote party cohesion through equitable access to dispute resolution and reconciliation mechanisms.
- Participate in public debates and otherwise enable candidates to reach out to citizens so that the latter are duly informed of party and candidate platforms and policy positions. Devote time and attention to women and youth candidates in particular.

Recommendations for civil society:

- Begin voter education as soon as feasible on ballot design, use and secrecy; vote buying and other illegal practices; the role of security forces in the voting process; and vote tabulation and collation procedures.
- Begin to focus voter education in IDP camps or areas where IDPs have recently returned home so that they are afforded the same opportunities to participate in the voting process.

- Promote the peaceful participation of citizens in the electoral process and draw on existing inter-religious and peacebuilding bodies to enhance their efforts.
- Disseminate information about citizen-based observation findings and analysis to increase public knowledge and understanding about the conduct of the elections.

Recommendations for state-owned and private media:

- Provide balanced coverage of political activities and opinions during primetime television and radio shows, and in the print media.
- Without infringing on freedoms of the press and expression, refrain from disseminating proven “fake news” or inciting language by electoral stakeholders that could inflame tensions around the elections.
- Provide political parties with ample opportunities to share information on their policies and manifestos with voters.
- Disseminate messages on the importance of peaceful participation in the electoral process.

Recommendations for the international community:

- Support Nigerian civil society at the state level to implement creative and strategic programs around voter and civic education and conflict mitigation that target groups of voters most in need of information, including women, youth, PWDs rural populations, and IDPs.
- Continue to regularly message to the main political actors and parties on the importance of respecting the rule of law and holding credible, meaningful polls.

IRI and NDI will continue to observe the electoral process and will issue additional statements as appropriate. IRI and NDI will also field joint international election observation missions for the 2019 general elections. IRI and NDI will cooperate with other international observation missions and Nigerian citizen observer efforts in accordance with the Declaration of Principles for International Election Observation and Nigerian law.

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The delegation’s work was funded by the United States Agency for International Development (USAID).

Appendix C: Statement of the Third Joint NDI/IRI Pre-Election Assessment Mission to Nigeria



**STATEMENT OF THE THIRD JOINT NDI/IRI PRE-ELECTION ASSESSMENT
MISSION TO NIGERIA**
December 19, 2018

I. INTRODUCTION

From December 14-19, 2018, the International Republican Institute (IRI) and the National Democratic Institute (NDI) conducted a third pre-election assessment mission as part of their joint observation of Nigeria's 2019 general elections. IRI/NDI conducted an initial [pre-election assessment](#) in July 2018 and a second [pre-election assessment](#) in September 2018. The goals for all three missions were to: assess the current political and electoral environment; review preparations for the general elections; and, as appropriate, offer recommendations to enhance confidence in the process as well as to mitigate potentials for election-related violence.

At the end of both previous assessments, IRI/NDI issued statements that highlighted improvements achieved since the 2015 general elections and provided recommendations on steps to enhance confidence in the credibility of the 2019 elections. This mission examined changes to the electoral environment since the second assessment, the status of recommendations previously offered by IRI/NDI, and issues that could still be addressed between now and election day to ensure more credible and peaceful polls.

This assessment delegation comprised: **Linda Thomas-Greenfield** (lead delegate), former Assistant Secretary for African Affairs; **Lewis Lucke**, former USAID senior official and Ambassador to the Kingdom of Swaziland; **Dickson Omondi**, NDI Kenya Resident Country Director; and **John Tomaszewski**, IRI Africa Regional Director.

The delegation met with a wide array of election stakeholders, including the Independent National Electoral Commission (INEC), political parties and their candidates, members of the judiciary, civil society representatives, media practitioners, security officials, and senior government officials. The delegation expresses its appreciation to everyone with whom it met for sharing insights from which the mission benefited greatly. The delegation conducted its activities in accordance with the Declaration of Principles for International Election Observation, which was launched in 2005 at the United Nations, and the laws of Nigeria. It also considered international and regional electoral standards, including the African Union (AU) Africa Charter on Democracy, Elections and Governance, as well as the Economic Community of West African States

(ECOWAS) Protocol on Democracy and Good Governance. All activities were conducted on a strictly nonpartisan basis and without interfering in the election process.

Both IRI and NDI have deployed international election observation missions to all general elections in Nigeria since the 1999 transition from military to civilian democratic rule. NDI and IRI are nonpartisan, nongovernmental organizations that support and strengthen democratic institutions and practices worldwide. The Institutes have observed collectively more than 200 elections in more than 50 countries over the last 30 years. IRI and NDI will deploy a joint international delegation to observe the presidential, National Assembly, gubernatorial and state assembly elections in Nigeria in 2019.

II. SUMMARY

The 2019 polls will be Nigeria's sixth elections since the transition from military to civilian democratic rule. While past elections have had their challenges, significant improvements in 2011 and 2015 have generated high expectations for the quality of the 2019 electoral process. The presidential and gubernatorial elections, in particular, are expected to be closely contested. More than seventy candidates will be vying for the nation's top office, including incumbent President Muhammadu Buhari of the All Progressives Congress (APC), former Vice-President Atiku Abubakar of the People's Democratic Party (PDP), and a number of new challengers, including women presidential candidates. The elections will also take place against the backdrop of insecurity with violence in the North East and Middle Belt and threats from non-state actors that could impact negatively the electoral process.

All three of NDI/IRI's pre-election delegations have heard Nigerians express a strong commitment to democracy and of continued efforts to improve Nigeria's election practices. If credible and peaceful, the 2019 general elections could further consolidate the country's democratic institutions, and Nigeria would continue to serve as an example for the region and the continent. However, if the polls are not seen as sufficiently transparent, accountable, and inclusive by Nigerians or are marred by violence, it could undermine past democratic gains, erode Nigerians' trust in its democratic system, and threaten democratic progress across the region.

The success of these elections will hinge on whether voters have confidence in the process and ultimately accept the outcome as reflecting their will. The IRI/NDI delegation heard from a number of Nigerian interlocutors about efforts to enhance citizen confidence and participation in the polls. Since the 2015 elections, INEC has implemented a several improvements and innovations to strengthen election integrity, including enhancements to the smart card reader, increased protection of ballot secrecy, and improved operational and logistical plans. Civil society and citizen observer groups are monitoring and reporting on electoral processes, and are engaged in advocating for these processes to be inclusive of all Nigerians, including marginalized populations.

The delegation notes the positive efforts being made to conduct more transparent, accountable, and inclusive elections, but confidence in the process and the outcome of the elections could still be undermined. Irresponsible political rhetoric threatens to weaken public confidence in Nigeria's electoral institutions and potentially incite violence. Widespread concerns about vote buying, illegal voting, and efforts to compromise the secrecy of the vote on election day could lead to the

rejection of election results or post-election violence. Further, given Nigeria's persistent insecurity, perceptions about the lack of neutrality on the part of the security forces could undermine participation in the election and confidence in the outcome despite assurances to the contrary.

With less than two months until the 2019 Nigeria general elections, the delegation notes there are still tangible steps that should be taken to address these concerns. In particular: INEC and all other electoral stakeholders should increase communication with the public to enhance confidence in the electoral process and the commission's independence; political parties and their candidates should adhere to codes of conduct and peace pledges, including the Abuja Accord 2018 and actively discourage voter inducements such as vote buying; security forces should go above and beyond to reassure the public that they are professional and neutral; concerted efforts should be made to include and promote the full participation of marginalized groups, particularly women, in all aspects the electoral process; and INEC, civil society, and political parties should urgently increase voter education efforts.

III. OBSERVATIONS

Election Administration

Legal Framework for Elections

On December 6, 2018, President Buhari for the fourth time withheld his assent to a bill to further amend the *Electoral Act 2010 (as amended)*, citing the proximity to the election. International and domestic election observers, including NDI/IRI's July and September delegations, have repeatedly emphasized the importance of pursuing electoral reforms early in the election process to allow INEC sufficient time to implement electoral changes. The delegation heard that most of proposed changes would have codified important improvements in the electoral process since the 2011 elections. INEC expressed its confidence in organizing the 2019 elections under the existing legal framework. INEC will exercise its authority specified under Section 52 of the 2015 amendment to the *Electoral Act 2010* to issue election guidelines. INEC assured the delegation that the voting guidelines and procedures for the 2019 elections will include the use of the smart card reader for accreditation, which is seen as an important safeguard against illegal voting.

Permanent Voters Cards and Smart Card Readers

The introduction of Permanent Voters Cards (PVCs) and smart card readers in the 2015 elections contributed significantly to the credibility of that process. INEC will again utilize these features in the 2019 polls. In 2017, INEC launched the Continuous Voter Registration process and printed PVCs for new registrants. IRI/NDI's July and September delegations made the recommendation that INEC intensify and decentralize the PVC collection process. INEC informed this delegation of its efforts to develop localized strategies to increase collection rates including potentially extending the collection deadline until the week before the election; expanding daily operating hours; and sending SMS's to remind voters to collect their PVCs. INEC stressed that voters must have a valid PVC to vote. Presiding officers will determine the validity of the PVCs and the identity of the voter by using the smart card readers. Unlike in 2015, INEC stated that it does not intend to use incident forms for voters with valid PVCs whose fingerprints cannot be authenticated. Instead,

in such cases the incident will be recorded on the manual voter register. However, the delegation found confusion amongst stakeholders concerning this process.

Polling Units and Voting Points

There has been a significant increase in the number and changes in the distribution of registered voters without an increase in the number of polling units to accommodate these population changes. As a result, many polling units include more registered voters than could be processed on a single day. Therefore, INEC has established subsidiary voting points at many polling units to enable all registered voters to cast ballots on election day. In response, political parties have expressed the desire to deploy party agents to every voting point to ensure that voting and counting are witnessed at all locations. However, Section 45 of the *Electoral Act of 2010 (as amended)* stipulates that each political party can appoint a person to each polling unit. While INEC expressed concern about too many party agents present at a polling unit, this provision unduly limits the ability of political parties (and citizen observers) from witnessing the entire voting and counting process at every polling location.

Results Collation and Transmission

IRI/NDI's July and September delegations noted in the Ekiti and Osun gubernatorial elections INEC's pilot exercise to use smart card readers to transmit electronically the number of accredited observers present and results from each polling unit. INEC stated that will not utilize e-transmission of official results of the 2019 elections as it is not supported under the existing legal framework. Instead, INEC informed the delegation it will continue e-transmission as a pilot program and use the e-transmitted results internally to identify discrepancies in the manually collated results. Citizen observer groups and political parties noted confusion in past elections about which observers and party agents have access to the collation process, and registered concern that the procedures had not been well explained or made available. These actors also expressed a desire for INEC to grant access to observe the commission's data center in Abuja.

Voting for Marginalized Groups including Women and Persons with Disabilities (PWDs) as well as Internally Displaced Persons (IDPs)

In the July and September joint assessments, IRI/NDI noted numerous efforts by INEC and civil society to promote the participation of marginalized groups in the electoral process. INEC has a Gender Policy to help promote a level playing field for all stakeholders in the delivery of credible elections. In implementing this policy, INEC should strive to ensure that women comprise half of all election officials at all levels. Election day procedures should be reviewed to ensure that they do not contain barriers to women voting.

INEC has adopted *Framework on Access and Participation of Persons Living with Disabilities* and use of the Braille Ballot Guide during the Osun gubernatorial election. INEC assured the delegation that it plans to extend these efforts nationwide for the 2019 elections.

More than two million people have been internally displaced in Nigeria. On December 10, 2018, INEC released its updated *Framework for Voting by Internally Displaced Persons (IDPs)*. INEC

informed the delegation of its efforts to re-issue lost PVCs and to register first-time voters resident in IDP camps in Nigeria. As in 2015, those displaced but residing in camps within their home state will be able to vote. Under the new framework, INEC is allowing IDPs in camps outside their home state to vote in the presidential elections. The delegation heard concerns about the implementation of the IDP and PWD frameworks, and the extent to which marginalized groups are aware of frameworks enabling them to vote on election day.

Communication and Information Sharing

In meetings with the delegation and in statements to the media, political actors conveyed inaccurate information concerning the election, particularly regarding INEC's plans for using smart card readers, incident forms, electronic transmission of results, and IDP voting. The delegation found that stakeholders often lacked information directly from INEC on these issues. Such misinformation has added to general confusion and uncertainty about election procedures, and have the potential to undermine confidence in the elections. INEC acknowledged that it needs to increase its communication and outreach efforts to electoral stakeholders and the public, and more quickly respond to inaccurate information.

Insecurity and Election Violence

The 2019 elections will be conducted in an environment of insecurity in some parts of the country. Recent attacks in the North East have raised concerns about Boko Haram's resurgence. In the Middle Belt, intercommunal violence continues, while criminality and gang violence across the country, particularly in the South South, is on the rise. As NDI/IRI's previous delegations noted, if insecurity persists or increases, this could deter citizens from participating in the electoral process, including voting on election day.

Nigerian interlocutors also expressed concern about the rise of political violence during the political party primary process and following the start of the campaign period. Election observation and violence monitoring groups noted a number of violent incidents during the primary process. YIAGA Africa's second pre-election statement noted instances of verbal attacks in 23 percent of local government areas (LGAs), and vandalism or the destruction of political party or candidate property in 16 percent of LGAs. Nigerian interlocutors informed this delegation about troubling levels of hate speech made by candidates, political party leaders, and their supporters on the campaign trail, in the media, and on social media that has the potential to stoke fears about election-related violence. They expressed particular concern over hate speech targeting women. Special consideration should also be given to preventing and denouncing violence against women in the electoral process (VAW-E) to ensure the full participation of women. Civil society organizations are monitoring violence across the country, but given the many potential flashpoints even more vigilance is required.

Role of Security Forces

As in July and September, Nigerian stakeholders across sectors expressed a lack of confidence in the neutrality of security services. They cautioned that interference in the election process by security forces, perceived or otherwise, could undermine confidence in the electoral process.

President Buhari told the delegation that he has warned security forces against partisanship. Under Section 29 of the *2010 Electoral Act (as amended)*, INEC has the authority to request for the deployment and assignment of security personnel for elections. The Inter-agency Consultative Committee on Electoral Security (ICCES) is co-chaired by the National Security Advisor (NSA) and the INEC Chairman and is meant to improve coordination and information sharing. However, the delegation was informed that in practice, security agencies do not always share necessary information, and at times circumvent INEC's legal authority. In addition, some Nigerians with whom the delegation met indicated that ICCES has not been sufficiently operationalized at the state and local government levels. While efforts such as creating emergency and information hotlines are being made by police at the state level, civil society groups monitoring violence told the delegation that incident reports are not adequately responded to or investigated.

Political Parties

Candidate Nominations

Party primaries to select candidates were concluded in October. Ninety-one political parties will be competing for public office, more than 70 of which have selected candidates for the presidency. IRI/NDI's first pre-election delegation called upon political parties to conduct transparent and democratic candidate selection processes that adhere to their own bylaws and policies. However, civil society organizations informed the delegation that some primaries were undercut by vote buying as well as by confusion over methods for voting, the location of the nomination conventions, and composition of membership lists. Other stakeholders expressed frustration over the continued practice by political parties of substituting names on their candidate lists. Several candidates who won their primaries, including numerous women and youth, were removed from the list by party leaders and replaced by preferred candidates. Aggrieved aspirants filed nearly 400 election petitions, many of which are still pending in the courts. There is a prescribed timeline for the adjudication of all pre-election disputes. All outstanding cases, including any appeals, should be expeditiously resolved prior to the election.

Political Party Agents

Political party leaders indicated to the delegation their plans to deploy party agents to monitor the conduct of voting and counting processes. INEC indicated its intention to allow political parties to deploy only one agent to each polling unit. However as noted, as many polling units will be divided into multiple voting points, this could inhibit political parties from fully monitoring the electoral process. Despite this being the sixth election since the return to multi-party politics, political parties still lack sufficient capacity to effectively deploy well trained agents and to establish systems for collecting data from polling units nationwide.

Commitments to Peaceful Campaigns

In early December, political parties and presidential candidates signed the Abuja Accord 2018 under the auspices of the National Peace Committee (NPC), a body composed of eminent Nigerians under the leadership of former head of state, General Abdulsalami Abubakar. By signing the accord, candidates committed to refrain from declarations or speeches that have the potential

to incite violence and to speak out against such statements made by their supporters. The NPC is planning a second accord that will ask political parties and their candidates to commit to respecting the outcome of elections and taking disputes to the courts. The NPC hopes to also convene political leaders in states with a high potential for political violence. However, some Nigerians indicated that even more should be done to step down the peace accord at the state and local levels. All political parties, as members of the Inter-party Advisory Committee (IPAC), have agreed to a code of conduct.

Voter Education

With less than two months until the elections, the delegation noted low levels of voter education. In its second pre-election report, YIAGA Africa's observers witnessed voter education activities by INEC in only 61 percent of LGAs, by civil society groups in only 52 percent of LGAs, and by the National Orientation Agency in only 21 percent of LGAs. Civil society representatives told the delegation that there is a lack of coordination among civil society groups and with INEC to establish targeted messaging, identify gaps, and develop strategies to ensure all voters, and particularly marginalized communities, are sufficiently informed about and engaged in the election process. Political parties also have an incentive to ensure their voters are knowledgeable about the election process; however, the delegation did not hear of efforts by political parties to conduct their own voter education campaigns.

Vote Buying

In its July and September statements, the joint mission highlighted the detrimental effect of vote buying on the integrity of the election process. As noted in its second pre-election report, YIAGA Africa's observers witnessed the distribution of money or gift items in 15 percent of LGAs. The delegation heard of efforts by civil society and government institution to educate voters on the importance of their vote. For example, the Independent Corrupt Practices and Other Related Offences Commission (ICPC) declared vote buying a form of corruption and launched a campaign to combat the practice. INEC also affirmed that measures taken in the Osun election to ensure secrecy of the vote, including changes to the layout of and the banning of cell phones in polling units, will be applied nationwide for the 2019 general elections. Stakeholders, however, noted that any efforts to curb vote buying will be insufficient unless political parties adamantly discourage the practice and hold their members accountable.

Citizen Observation

Several citizen observation efforts are planned for the 2019 polls. Networks of credible civil society organizations, including Election Monitor and the Nigeria Civil Society Situation Room, will deploy observers to monitor events on and around election day. YIAGA Africa, as part of the *Watching the Vote* project, has deployed long-term observers to assess the pre-election environment in all 774 LGAs. It has and will continue to monitor and report on election preparations and the political environment, including PVC collection, voter education, the conduct of campaign events, and early warning signs of election violence. For the presidential election, YIAGA Africa plans to deploy nearly 4,000 observers, including 3,034 stationary observers to a statistically valid sample of 1,517 polling unit in order to provide independent verification of the

presidential election results. Citizen observers noted to the delegation that INEC had not yet released information about the accreditation process for observers, which could hinder observer groups' recruitment and deployment efforts. INEC informed the delegation that the initial call for observers should be released shortly and that it would introduce online accreditation to facilitate the process.

Media

Media practitioners acknowledged to the delegation that Nigerian media outlets face competing interests to both earn marketing dollars and conduct objective issue-based reporting. However, they recognized the positive influence of new regulations issued by the National Broadcasting Commission (NBC) to discourage the dissemination of hate speech and disinformation on television. The delegation also attended the vice-presidential debate hosted by the Nigerian Elections Debate Group and Broadcasting Organizations of Nigeria. These groups plan to hold a presidential debate on January 16, 2019. This type of collaboration between civil society and the media helps to promote issue-based discourse between candidates.

Disinformation

Many stakeholders expressed concern over the levels and role of disinformation in the elections. As NDI/IRI's previous delegation noted, this type of false and unverified rhetoric manipulates public perceptions, heightens tension, and fuels the potential for violence. The delegation was informed that the websites and social media profiles of legitimate civil society organizations, observation groups, and media outlets have been recently cloned or hacked, and then used to spread disinformation to audiences who believe they are consulting trusted sources. Both media and civil society groups are collaborating on ways to fact check and verify the accuracy of reports, and are trying to alert social media platforms to take measures to remove posts that violate user policies.

IV. TANGIBLE STEPS NEEDED TO PROMOTE CREDIBLE AND PEACEFUL ELECTIONS

With less than two months until election day, there are still a number of steps that should be taken to promote credible and peaceful elections in Nigeria. Furthering Nigeria's democratic progress will require pro-active and concerted efforts to instill public confidence. In the spirit of international cooperation, this NDI/IRI delegation offers, respectfully, the following recommendations:

- ***INEC and all other electoral stakeholders should increase communication with the public to enhance confidence in the election process and the commission's independence.*** Elections not only need to be credible but must be seen to be credible. INEC should place public outreach and communications among its top priorities, and continue to engage in forums with interested civil society organizations and the media. The commission should proactively message and issue quick responses to correct inaccurate or misrepresented information through traditional and non-traditional forms of communication, including social media and community radios. This outreach should include strategies to disseminate this information at the state and local levels and in

Nigeria's many languages. Specifically, INEC should urgently provide clarity on the voting, counting, and collation processes.

- ***INEC should ensure its guidelines for the 2019 elections are consistent with the existing legal framework and share these widely with political parties and observers in a timely manner.*** It is critical that INEC urgently release guidelines for the 2019 elections so that all stakeholders are fully aware of election day procedures. These should include clear provisions on access for party agents and observers all polling units and subsidiary voting points and to all stages of the collation process (including the pilot e-transmission of results data center) as well as for the posting of polling unit level results on the INEC website immediately after the announcement of the aggregated results in accordance with best practices for open election data (www.openelectiondata.net).
- ***Political parties and their candidates should adhere to codes of conduct and peace pledges, including the Abuja Accord 2018.*** Negotiating and signing agreements are just the first step; political parties and their candidates must also hold party members and supporters accountable for violations. Political parties and candidates should also: run issue-based campaigns; abstain from using and openly condemn tactics that incite violence, such as hate speech and disinformation; and actively discourage voter inducement, such as vote buying and other coercive tactics. All candidates should publicly commit to respecting the outcome of elections and to settle electoral disputes in the courts. This commitment will reduce tensions in the lead up to elections and deter violence when election results are counted and released to the public.
- ***Security forces should go above and beyond to assure the public that they are professional and neutral.*** Security forces' prime role is to ensure voters can cast their ballot in a secure environment on election day. The president told the delegation that he has warned security forces against partisanship. He should hold to account those that seek to influence the outcome of any election in favor of a particular candidate or party. As prescribed by law, security forces should defer to INEC concerning their deployment for the 2019 elections, and provide the names of officers deployed at each polling unit. Security forces should participate fully in all ICCES meetings at the national and state levels as well as engage in other coordination efforts convened by civil society. All security forces involved in facilitating the electoral process should also participate fully in INEC electoral security trainings.
- ***Voter education efforts should urgently be increased.*** INEC, civil society, and the National Orientation Agency should increase coordination to establish key messages, identify gaps, and conduct campaigns to inform voters about electoral process, engage citizens and political actors on issues, and encourage peaceful participation in the polls. Political parties, too, should invest in educating their members and supporters about the election process to ensure their full participation on election day.
- ***Efforts to counter vote buying should be enhanced.*** In addition to its efforts to enhance the secrecy of the vote on election day, INEC should work with civil society to disseminate messages about the importance of their vote and how vote buying compromises the

integrity of elections. In accordance with the political party code of conduct, political party leaders should prohibit the practice among their members and candidates and hold them accountable for violations. Authorities, including INEC, security forces, the Independent Corrupt Practices and Other Related Offences Commission and the Economic, Financial Crimes Commission should also investigate and where warranted prosecute the improper use of campaign funds, including voter inducement.

- ***Include and promote the participation of marginalized groups, particularly women, in the electoral process.*** Women make up over half of the electorate but remain underrepresented in all aspects of the electoral process. Concerted efforts should be made by INEC, political parties, security forces, and civil society to ensure the equal participation of women. Special attention should be paid to preventing and denouncing violence against women in the electoral process (VAW-E). INEC should fully implement the *Framework for Voting by Internally Displaced Persons (IDPs)* and *Framework on Access and Participation of Persons Living with Disabilities*. Civil society, INEC, and political parties should conduct voter education to sensitize voters about these frameworks. All political actors should also discourage discrimination and hate speech, particularly against women, youth, and PWDs.
- ***The media should engage in responsible coverage of the elections.*** Media practitioners should promote issue-based coverage of the election campaign. Working with civil society, journalists should actively seek to fact check and verify stories and sources to discourage and counteract disinformation. Media outlets should also provide equal opportunities and access to all political parties and candidates.
- ***The international community should coordinate its messaging and activities to promote democratic and peaceful elections in Nigeria.*** Civil society and INEC strongly encouraged coordination to prevent the duplication of efforts and to ensure that clear and consistent messages are conveyed.

Appendix D: IRI/NDI Joint Statement on the Suspension of the Chief Justice of Nigeria



JANUARY 28, 2019

Washington, DC—The National Democratic Institute (NDI) and International Republican Institute (IRI) are concerned by the suspension of the Chief Justice of Nigeria on January 25. The suspension comes just three weeks before the February 16 presidential and National Assembly polls and has raised doubts among electoral stakeholders about the independence of the Supreme Court and Electoral Tribunals in the upcoming general election. Consistent with the Economic Community of West African States (ECOWAS) Protocol on Democracy and Good Governance, actions such as these taken so close to Election Day should be done through consensus and in consultation with all political actors so as not to be perceived as unfairly impacting the electoral process.

“The judicial branch plays a critical role in the electoral process. It is imperative that these courts are objective and that they are perceived as such by all election stakeholders,” said NDI President Ambassador Derek Mitchell. “The suspension of Nigeria’s highest judicial officer so close to the vote could undermine citizens’ confidence in the judiciary’s independence.”

“IRI and NDI call on all stakeholders to adhere to the rule of law and peaceful resolution of disputes,” said IRI President Daniel Twining. “We encourage all political actors to engage in an inclusive dialogue and implement initiatives to assure the public and political contestants that, should disputes arise from the upcoming general elections, they will be resolved fairly.”

NDI and IRI have observed all national elections in Nigeria since the country’s return to civilian democratic rule in 1999. The two organizations have together deployed more than 200 international observer missions to various countries around the world. The Institutes plan to jointly observe the February 16 presidential and National Assembly elections and the March 2 gubernatorial and state houses of assembly elections. IRI and NDI conducted pre-election assessment missions in July, September, and December 2018 and issued statements of our findings with recommendations to further strengthen Nigeria’s electoral process.

NDI and IRI are nonprofit, nonpartisan organizations that support and strengthen democratic institutions and practices worldwide. IRI and NDI conduct our activities in accordance with Nigerian law and the Declaration of Principles for International Election Observation, which is also endorsed by the African Union, ECOWAS, the Commonwealth Secretariat, the European Union, and 47 other organizations.

Appendix E: Joint Statement on the Postponement of the 2019 Elections in Nigeria



Abuja, 16 February 2019

JOINT STATEMENT ON THE POSTPONEMENT OF THE 2019 ELECTIONS IN NIGERIA

We, the Heads of the international election observation missions and the United Nations present in Nigeria, have taken note of the decision of the Independent National Electoral Commission (INEC) to postpone the 2019 general elections due to logistical and operational challenges.

While we note that this decision has caused disappointment for many, we call on all Nigerians to continue to remain calm and supportive of the electoral process as INEC works to implement its new timeline.

We urge INEC to use this time to finalise all preparations and ensure that the new election dates are strictly adhered to. We encourage INEC to provide regular updates and information to the public on its preparations in the coming days and weeks to enhance confidence and trust in the process.

As we continue to closely observe preparations across the country, we stand in solidarity with the people of Nigeria in their desire for credible and peaceful elections.

1. Economic Community of West African States Election Observation Mission - Her Excellency Ellen Johnson Sirleaf, Former President of Liberia
2. African Union Election Observation Mission - His Excellency Hailemariam Desalegn, Former Prime Minister of Ethiopia
3. Commonwealth Observer Group - His Excellency Dr Jakaya Kikwete, Former President of the United Republic of Tanzania
4. Electoral Institute for Sustainable Democracy in Africa Election Observation Mission - His Excellency Rupiah Banda, Former President of Zambia
5. European Union Election Observation Mission - Maria Arena, Belgian Member of the European Parliament
6. National Democratic Institute/International Republican Institute Election Observation Mission - His Excellency Festus Mogae, Former President of Botswana and Her Excellency Vaira Vīķe-Freiberga, Former President of Latvia
7. Organisation of Islamic Cooperation, Ambassador Boubakar Adamou, Director of African Political Affairs
8. United Nations Special Representative of the Secretary-General for West Africa and the Sahel, Dr Mohamed Ibn Chambas

Appendix F: IRI and NDI Statement on the Postponement of Nigeria's Elections



FEBRUARY 16, 2019

The International Republican Institute (IRI) and the National Democratic Institute's (NDI) joint international election observation mission for Nigeria's 2019 elections released the following statement:

"NDI/IRI fully endorse the Joint Statement on the Postponement of the 2019 Elections in Nigeria of election observation mission heads and continue to support Nigeria's democratic development.

"The IRI/NDI Mission appreciates INEC's commitment to holding credible democratic elections. While we understand it is better to delay the elections than to disenfranchise voters due to logistical obstacles, NDI/IRI regret that INEC underestimated the challenges associated with the administration of the elections, leading to the decision to postpone them. Despite repeated assurances that logistical arrangements were in order, the Commission waited until the morning of the election to announce the delay.

"As we have done in three pre-election statements issued between July and December 2018, we urge INEC to increase transparency and to better communicate about the electoral process to build trust with the citizens of Nigeria in the coming days and weeks. Moreover, we encourage the Commission to take sufficient steps to secure sensitive materials and apply lessons learned for these and future elections.

"The IRI/NDI Mission urges the Nigerian people to continue to remain calm and patient as the electoral process unfolds. There are both challenges and opportunities in this difficult situation. As the continent's largest economy and most populous nation, what happens in Nigeria has an impact across Africa and the world at large.

"This is a period when Nigerians across the political spectrum can unite for peaceful and successful presidential and National Assembly elections on February 23 and the gubernatorial and state House of Assembly elections on March 9. The NDI/IRI election observation mission delegation will remain in country for the remainder of the electoral process."

Appendix G: Preliminary Statement of the Joint NDI/IRI International Observer Mission to Nigeria's February 23 Presidential and Legislative Elections



PRELIMINARY STATEMENT OF THE JOINT NDI/IRI INTERNATIONAL OBSERVER MISSION TO NIGERIA'S FEBRUARY 23 PRESIDENTIAL AND LEGISLATIVE ELECTIONS

**February 25, 2019
Abuja, Nigeria**

I. OVERVIEW

This preliminary statement is offered by the international observation mission of the International Republican Institute (IRI) and the National Democratic Institute (NDI) to Nigeria's February 23, 2019 presidential and National Assembly elections. The 40-person mission, with members from 19 countries, was co-led by: former Vice President of The Gambia, H.E. Fatoumata Tambajang; NDI President, Ambassador Derek Mitchell; and IRI President, Dr. Daniel Twining. The mission visited Nigeria from February 11 to 25, 2019, with some turn-over in leadership and members mid-way due to the one-week delay of the polls from February 16 to February 23. The original mission included among its leadership former President of Botswana, H.E. Festus Mogae; former President of Latvia, H.E. Vaira Vīķe-Freiberga; former U.S. Assistant Secretary of State for African Affairs, Ambassador Johnnie Carson; and IRI Vice Chairman Randy Scheunemann. The mission deployed 20 observer teams to 16 states covering all six geo-political zones and the Federal Capital Territory (FCT).

Through this statement, NDI and IRI seek to: reflect the international community's interest in and support for democratic electoral processes in Nigeria; provide an accurate and impartial report on the election process to date; and offer recommendations to improve future elections. The mission expresses its condolences for the loss of life in election related violence and salutes the Nigerian people for their resilience. The mission builds on the findings of joint IRI/NDI pre-election assessments conducted in July, September and December 2018; reports submitted by NDI/IRI observers who were deployed in each of the country's six geopolitical zones and the FCT in the pre-election period and those deployed for the February 23 polls; and additional reports submitted by thematic technical experts and in-country staff.

The mission conducted its activities in accordance with Nigerian law and the *Declaration of Principles for International Election Observation*. The mission collaborated closely with other international observer missions that endorse the Declaration, and with YIAGA Africa, one of Nigeria's leading civil society organizations, which deployed more than 3,900 citizen observers on election day and conducted a parallel vote tabulation (PVT or Quick Count). The mission is grateful for the hospitality and cooperation it received from all Nigerians with

whom it met, especially voters, government officials, officers of the Independent National Election Commission (INEC) and polling officials, party members and candidates, citizen election observers, civic activists and members of the National Peace Committee.

The mission notes that Nigeria has achieved significant democratic gains over the past two decades since the return to civilian rule, including in managing elections. High levels of citizen engagement in supporting inclusive and credible polls through voter education and election monitoring, demonstrate the strong commitment of Nigerians to their democracy. On February 23, millions of Nigerians turned out, waited patiently throughout the process and cast their ballot peacefully. However, the last minute postponement of the election by INEC and significant delays in the opening of polling units risk undermining citizen confidence in elections and disenfranchising voters. As stated by YIAGA Africa, “Nigeria missed an opportunity to improve the quality of its elections as compared to 2015.” Last minute election postponements should not become the norm in Nigeria. Also, the mission notes that political parties are the weakest link in the chain of efforts to deepen Nigeria’s democracy through more inclusive and peaceful polls. Party leaders and candidates carry significant responsibility to promote peaceful conduct by their supporters and foster inclusive politics. The mission highly appreciated that, despite the many challenges, Nigerians exhibited their strong dedication to electoral and democratic processes.

The IRI/NDI mission stresses that this statement is preliminary in nature. With elections postponed in parts of three states, the tabulation and announcement of final results have not been completed. As this process continues, the mission calls on Nigerian political parties and candidates to cooperate in good faith with INEC; political leaders to adhere fully to the 2019 Abuja Accord and respect the will of the Nigerian people as expressed through the ballot box; and for INEC to release official results in a timely manner. The mission recognizes that, ultimately, it is the people of Nigeria who will determine the credibility of these elections. NDI and IRI will continue to watch the remaining phases of the electoral process, including the announcement of official results and swearing in of newly elected officials.

II. THE NIGERIAN ELECTION CONTEXT

Many Nigerians believe that the peaceful transfer of power between parties after the 2015 elections, the first time in Nigerian history, increased citizen and political engagement in the lead up to the 2019 elections. The 2015 experience underscored for Nigerians that credible elections matter. Nigerians undertook many initiatives to enhance citizen participation and create an enabling environment for credible polls. However, the failure to enact the amended Electoral Act was a missed opportunity for codifying recent improvements in election processes. Moreover, the absence of internal democracy within political parties continues to hinder women and youth from rising within their ranks and running as candidates for elected office. The last-minute delay of the presidential and legislative elections in the early hours of election day on February 16 also contributed to voter apathy and the lowering of confidence in the election commission.

A. Electoral improvements since 2015

Advances for youth, women and persons with disabilities. Between the 2015 and 2019 elections, more than 14 million Nigerians registered as new voters, bringing the total number of registered voters to over 84 million. Approximately 51 percent of those voters are aged 18 to 35. In 2018, the constitutional amendment emanating from the “Not Too Young to Run” campaign lowered the minimum age for elected offices at national, state and local levels. It also led to an increase in youth candidates at all levels. For example, the percentage of youth candidates increased from 21 percent in 2015 to over 34 percent in 2019. The number of women candidates also increased, and six women ran for president. Advocacy groups worked with INEC to adopt measures to facilitate accessible voting for persons with disabilities, notably through a national campaign on the use of the Braille Ballot Guide, which was piloted in the Ekiti and Osun gubernatorial elections, and the distribution of information posters targeting the hearing impaired.

Consolidation of electoral advances. INEC updated the 2019 elections guidelines to require that voters possess a valid permanent voter’s card (PVC) to be allowed to vote. The guidelines also included provisions for the use of smart card readers to accredit voters, and instituted measures to protect the integrity of the vote such as mandating that voters not use cell phones while in the voting booth, and ensuring that ballot boxes are no more than two meters away from the voting cubicle and at a distance from party agents. For the 2019 polls, 86.6 percent of PVCs were collected, up from 82 percent in 2015.

Nigerian-led initiatives to support inclusive, credible and peaceful elections. In preparation for the 2019 polls, Nigerians actively sought to increase citizen participation, enhance confidence in the elections, and mitigate the risk of election-related violence. Various citizen organizations conducted initiatives such as:

- voter education by the Inclusive Friends Association (IFA) and the Access Nigeria campaign, as well as Enough is Enough (EiE) and its RSVP campaign;
- get-out-the-vote campaigns targeting women and youth by the Stop Violence against Women in Politics campaign and Connected Development (CODE);
- peace messaging by the Peace and Security Network (PSN) and during Media Peace Day, and the nationwide campaign targeting youth, “Vote Not Fight,” led by celebrity ambassador 2Baba Idibia and Youngstars Development Initiative (YDI);
- efforts at combating disinformation by the Centre for Democracy and Development (CDD) and fact checking initiatives such as CrossCheck Nigeria;
- election monitoring by the Nigeria Civil Society Situation Room and Gender Election Watch; and
- YIAGA Africa’s nationwide PVT, a methodology that provides an accurate qualitative assessment of the conduct of election day processes and near real-time independent verification of official results, which helps enhance confidence in the process.

Conflict mitigation initiatives at the grassroots reduced tensions and community-based conflict in the months leading up to the elections. At the national level, the National Peace Committee (NPC) facilitated the signing of the 2019 Abuja Accord by all presidential candidates at a public ceremony on February 13. During the ceremony, also attended by the Commonwealth Secretary-General, representatives of the United Nations (UN), African Union (AU), Economic Community of West African States (ECOWAS), United States (US) and European Union (EU), presidential candidates pledged to avoid behavior that would endanger the country's stability and to accept the outcome of the election. Similar accords were also signed at the state level, in the eight most volatile states.

B. Persisting challenges

Weak internal democracy within political parties. Political parties remain the weakest link among Nigeria's nascent democratic institutions. Opaque campaign financing and candidate selection processes, and weak internal party democracy, are significant disadvantages for women and youth trying to break into male-dominated party leadership ranks. The two major political parties, the All Progressives Congress (APC) and the People's Democratic Party (PDP), fielded only 24 and 31 women candidates, respectively, for the bicameral National Assembly's 469 seats, and only 13 and 8 legislative candidates under the age of 35. Most women and youth candidates thus ran on the tickets of newly created parties, with unfavorable odds of winning. The lack of ideological differentiation between political parties favors "cross-carpeting," with party elites regularly switching parties to secure nomination for elected office. Contentious and, at times, violent party primaries contributed to party factionalism and resulted in pending litigation in more than 600 instances. In a context of deep mistrust among parties, the suspension of Chief Justice Walter Onnoghen six weeks ahead of the election fed into suspicions of manipulation of the electoral process.

Unfulfilled promises of electoral reform. In December, with just two months to election day, the president rejected a pending bill to amend the Electoral Act 2010, citing the proximity to the election. The failure to enact an amended electoral code early in the process was a missed opportunity to codify important improvements since the 2011 elections. The Bill, if enacted, would have also introduced increased penalties for vote-buying; imposed higher fines on media houses not providing candidates equal airtime; made the voter register and election results electronic and accessible; and extended the application of the Electoral Act to local government elections.

Slow resolution of election disputes. Long delays in resolving disputes stemming from party primaries left INEC with barely a month to print ballots and result sheets. Most judgments remained pending by election day; moreover, cases from the 2015 elections remain in court, underscoring the need for amending the legal framework to ensure fair and expeditious resolution of election related disputes.

Multiple sources of insecurity. Despite repeated appeals, instances of violent clashes between party supporters and the use of inflammatory language by political actors increased

as election day approached. Kidnappings and general criminality were on the rise across the country, increasing electoral insecurity. Community-based conflict in the Middle Belt states and terrorist attacks by Boko Haram in the North-East have displaced more than two million Nigerians internally. Women, in particular, have faced sexual violence and additional physical, psychological and economic barriers to participation as aspirants, candidates, and voters.

Hate speech and disinformation. The Internet now reaches half of Nigeria's population and platforms such as Facebook, Twitter, YouTube and WhatsApp are increasingly superseding traditional media as a source of news. Content spreads rapidly on large WhatsApp groups, largely unchecked and unverified on closed, encrypted platforms. Efforts at disinformation do not appear to be state driven or to come from external actors, but to serve the interests of politicians with their own agendas. Overall, the mission heard reports that it was challenging for voters to obtain verifiable information in deciding for whom to vote. The spread of hate speech via social media and in public settings is also worrisome, including hateful language targeting women candidates or fueling regional, ethnic, and religious differences. Specifically, the mission heard credible concerns that the spread of fake news following the election delay heightened tensions and threatened to undermine confidence in the overall process and in the electoral outcome.

Last minute postponement of elections. INEC underestimated the challenges associated with the administration of the elections as originally scheduled. The Commission did not communicate sufficiently with political parties and the public about election preparations and waited until the morning of the February 16 elections to announce the delay. It is highly probable that such a late postponement had negative effects on voter turnout, created controversy about the duration of candidate and party campaign activity, and imposed significant additional economic costs for Nigerians, many of whom traveled to their constituencies to vote on February 16. Most significantly, the delay also undermined public confidence in INEC.

III. ELECTION DAY OBSERVATIONS

Participation. The mission noted that despite many challenges tens of millions of Nigerians demonstrated their resilient commitment to democracy by voting on election day. Those who voted waited patiently to cast their ballot, often despite long lines and delays. Women and youth served as polling officials, party agents and observers. However, IRI/NDI observers noted significant impediments to voting for persons with disabilities and the elderly. In addition, observers found that the location of polling units for internally displaced persons (IDPs) was changed at the last minute from camps to wards in some locations, which could have impacted IDP enfranchisement.

Material deployment. NDI/IRI observers who were deployed initially for the February 16 election noted the absence or misplacement of essential materials at the Central Bank of Nigeria (CBN) and INEC offices, including result sheets and ballots. In the days prior to

February 23, observers found that most materials had been received from headquarters and distributed to Registration Area Centers (RACs). Observers noted the absence of an inventory of materials across CBNs and RACs, hindering tracking and leaving officials to rely on notification from their counterparts about missing and misplaced materials. In addition, due to a fire in an INEC office in Anambra, over 4,600 smart card readers were destroyed, leaving certain districts without adequate backup machines.

Set-up and opening. A majority of polling units observed by the mission did not have essential materials and polling staff in place by 8am and, as a result, opened late. Media and other observer reports similarly indicated that more than half of the polling units were not open as of 10am. Some polling units observed by the mission did not commence voting until 1pm, just one hour before polls were intended to close. Nigerians, however, continued to remain calm and exercised patience. In some cases, IRI/NDI observers noted that polling officials lacked understanding about how to orient or use the materials in the polling unit. Notably, in some polling units observed, ballot boxes were found unsealed or missing labels and lids. Observers found many polling units to be overcrowded and located in areas lacking sufficient space for the number of voting points, contributing to an overall environment of disorder and tension.

Voting. Observers noted that the overall environment was peaceful and that polling officials generally adhered to voting procedures; PVCs were verified using the smart card reader and names were checked against the voter register. In most cases, when fingerprints were not verified by the smart card reader, voters' details were checked in the voter register as prescribed by the guidelines. Observers noted few instances of voters being turned away. However, frequent failures of smart card readers to authenticate fingerprints contributed to frustrations among polling officials and stymied the process.

Observers noted with concern numerous instances in which the secrecy of the ballot was not protected. For example, voting cubicles were not provided in all polling units. Even with voting screens, the setup of the polling unit did not always guarantee secrecy of the ballot. Moreover, party agents in many polling units observed provided assistance to voters in violation of procedures.

In urban and rural areas alike, observers noted that polling units were not always accessible to persons with disabilities. Magnifying glasses and ballots for the visually impaired were not seen by most of NDI/IRI observers. When asked, numerous polling officials were not aware of or not using the EC 40H form for documenting the number of disabled voters.

Closing. INEC extended voting past 2pm to make up for delayed polling unit openings. However, IRI/NDI observers found that the notification to extend polling hours had not reached some polling officials. Overall, polling officials followed the counting procedures in polling units where the mission observed. Observers noted that generally party agents signed the EC.8A and EC.8A VP results forms. In many polling units the counting and collation processes continued late into the night. According to YIAGA Africa, 19 percent of polling

units did not publicly post the results forms at the polling unit. The mission commends the dedication of polling officials, many of whom were members of the National Youth Service Corps, who remained resilient in working long hours.

Security forces did a commendable job exercising restraint in most areas. Observers noted that security officials overall acted professionally and impartially. Police showed restraint, even during contentious counting processes.

Electoral offences and violence. Observers reported disruptions and intimidation by party agents and campaigning in some polling units, which contravened regulations. Notably, observers reported many instances of party agents overstepping their responsibilities, often directing operations in the polling unit and, in a few cases, “assisting” voters to fill and cast their ballots. While observers noted few cases of overt vote buying, they reported that less visible forms of voter coercion may have influenced the integrity of the process. Though overall election day was peaceful, media and other observer groups have reported injuries and loss of life, including that of at least one polling official. The mission expresses its condolences to the victims and their families.

IV. RECOMMENDATIONS

In the spirit of international cooperation, the NDI/IRI mission urges Nigerians to address immediate and longer-term challenges to inclusive and credible elections.

Ahead of the March 9 state level elections, the IRI/NDI mission offers the following short-term recommendations to further strengthen the credibility of the process:

Short-term recommendations (in the lead-up to March 9 state elections)

To the Government:

- Ensure adequate security to support and protect INEC deployment and voter engagement.

To INEC:

- Intensify communication and outreach to the Nigerian public and relevant stakeholders in the electoral process.
- Improve plans for distribution of sensitive election materials such as ballot papers and result sheets.
- Ensure ad hoc polling staff are adequately trained on polling procedures, including the use of smart card readers, guidelines for assisted voting, and organizing polling units to ensure ballot secrecy.
- Fully implement the Disability Framework by ensuring that all polling units are accessible to persons with disabilities and that the Braille Ballot Guides are widely available for the State Assembly and gubernatorial elections.

- Fully implement the IDP Framework by making provisions for intra-state IDPs to vote, including the establishment of polling units in IDP camps where there are registered voters.
- Improve communication with polling staff throughout election day, including to convey important changes or updates to the voting process.
- Make polling unit level results publicly available in a machine-readable format and in a timely manner, in line with best practices for open election data.

To political parties and candidates:

- Respect the rule of law and call on supporters to remain peaceful before, during, and after the announcement of results.
- Reconfirm commitment to the NPC peace accords and existing codes of conduct, including by conducting peaceful campaigns and denouncing members or supporters who use hate speech, incite violence, or participate in vote buying.
- Instruct party agents to refrain from interfering in election day processes, including by attempting to coerce voters through vote buying and threats of violence or other punitive actions.
- Refrain from disseminating false or misleading information to citizens.
- Channel electoral complaints and disputes, should they arise, through established legal processes.

To civil society:

- Redouble efforts to promote peaceful elections and educate voters on voting procedures and the importance of their vote.
- Continue to observe and report on the electoral process to ensure accountability.
- In coordination with the media, enhance efforts to counter false narratives, disinformation, and fake news.

To security agencies:

- Maintain the highest level of professionalism, understand their role on election day, and continue to take steps to assure the public of their neutrality.
- Support INEC to ensure the integrity of balloting and collation processes are protected.
- Work with INEC to investigate electoral offenses and take appropriate measures to sanction offenders.

In the spirit of international cooperation, the NDI/IRI mission also offers recommendations to strengthen the electoral process in the medium- to long-term:

Medium- to long-term recommendations

To the Government of Nigeria:

- Immediately after the 2019 elections, pursue a comprehensive and inclusive electoral reform process that draws upon the recommendations made by the Uwais

Commission and Nnamani Committee, among others, and codifies recent improvements in election procedures.

- Establish the National Electoral Offenses Commission and the Political Parties Registration and Regulatory Commission.
- Review the timeline for the resolution of electoral disputes.
- Ensure the timely approval and release of the election budget.

To political parties:

- Strengthen mechanisms for internal democracy and promote an inclusive environment in which women, youth and persons with disabilities can participate fully and equally in the electoral process without fear of violence, intimidation, sexual harassment, hate speech or forced patron-client relationships between political leaders and aspirants.
- Engage in transparent, inclusive, and credible candidate nomination processes.
- Develop party platforms that enhance confidence in electoral and democratic processes and institutions.

To INEC:

- Conduct a comprehensive and thorough audit of preparations for the 2019 polls to identify the shortcomings that contributed to the election delay and election day challenges. Make findings public and engage in a consultative process to address deficiencies and rebuild public confidence.
- Develop and adopt a strong strategic communication plan that builds on lessons learned from the 2019 elections in order to promote transparency and public trust.
- Revise election guidelines to accommodate voters on official duty on election day including polling officials, security agents, and citizen observers.
- Make the continuous voter registration process more accessible to voters through technological advances that would allow for immediate issuance of a PVC upon registration.
- Create more polling units and reassess polling locations to ensure sufficient space and accessibility for persons with disabilities and the elderly.
- Enhance training for ad hoc polling officials to ensure sound knowledge of procedures, to include opportunities for hands-on practice in using smart card readers.
- Fully implement its own Gender Policy and Disability Framework.
- Establish more detailed and timely guidelines and procedures that ensure the enfranchisement of IDPs.

To civil society:

- Coordinate efforts to advocate for the adoption and implementation of electoral reforms.
- Work with INEC and the National Orientation Agency to better coordinate voter education messaging and campaigns.

- Conduct civic education between elections to enhance citizen understanding of and engagement in democratic processes.
- In coordination with the media, educate citizens on the dangers of disinformation and misinformation in the public sphere and promote credible narratives in the media and online.
- Share best practices and lessons learned nationally and regionally to strengthen synergies and peer-to-peer support among civil society actors.

To security agencies:

- Continue to improve coordination with INEC on the provision of electoral security, including participating fully in INEC's electoral security training and enhancing transparency around election day deployments.

To the judiciary:

- Ensure the timely and fair resolution of electoral disputes.

Unlike in previous years when suggestions by reputable domestic and international observation missions went unheeded, the IRI/NDI mission urges Nigerian stakeholders to consider seriously these and other recommendations to improve the electoral process.

V. ABOUT THE MISSION

Both NDI and IRI have deployed international election observation missions to all general elections in Nigeria since the 1999 transition from military to civilian democratic rule. IRI and NDI are nonpartisan, nongovernmental organizations that support and strengthen democratic institutions and practices worldwide. The Institutes have observed collectively more than 200 elections in more than 50 countries over the last 30 years.

The joint NDI/IRI observation mission for the February 23 elections built upon three IRI/NDI pre-election assessment missions conducted in July, September and December 2018, and a deployment of observers for the originally scheduled election date on February 16. The NDI/IRI mission conducted its activities in accordance with the *Declaration of Principles for International Election Observation*, which was launched in 2005 at the United Nations, and the laws of Nigeria. It also considered international and regional electoral standards, including the AU African Charter on Democracy, Elections and Governance, as well as the ECOWAS Protocol on Democracy and Good Governance.

The delegation's work was funded by the United States Agency for International Development (USAID).

Appendix H: Preliminary Statement of the Joint NDI/IRI International Observation Mission to Nigeria's March 9 Gubernatorial and State House of Assembly Elections



PRELIMINARY STATEMENT OF THE JOINT NDI/IRI INTERNATIONAL OBSERVATION MISSION TO NIGERIA'S MARCH 9 GUBERNATORIAL AND STATE HOUSE OF ASSEMBLY ELECTIONS

**March 11, 2019
Abuja, Nigeria**

I. OVERVIEW

This preliminary statement is offered by the international observation mission of the International Republican Institute (IRI) and the National Democratic Institute (NDI) to Nigeria's March 9, 2019 gubernatorial and state House of Assembly elections. The 20-person mission, with members from 11 countries, was co-led by Dr. Christopher Fomunyoh, Senior Associate and Regional Director for Central and West Africa (NDI); and John Tomaszewski, Regional Director for Africa (IRI). The mission visited Nigeria from March 4 - 11, 2019, and deployed 10 observer teams to 10 states covering all six geo-political zones and the Federal Capital Territory (FCT). The IRI/NDI deployment for the March 9 elections underscores the significance of the state level polls for the consolidation of democracy in Nigeria.

Through this statement, NDI and IRI seek to: reflect the international community's interest in and support for democratic electoral processes in Nigeria; provide an accurate and impartial report on the electoral process to date; and offer recommendations to consolidate democratic gains and improve future elections. The mission builds on the findings of three joint IRI/NDI pre-election assessments conducted in [July](#), [September](#) and [December](#) 2018; an observation mission deployed for the [February 23 national elections](#); reports submitted by members of the NDI/IRI mission observing the March 9 state-level polls; and additional reports prepared by thematic technical experts and in-country staff.

The mission conducted its activities in accordance with Nigerian law and the *Declaration of Principles for International Election Observation*. The mission collaborated closely with the European Union (EU) observation mission and with Nigerian citizen observer groups. The IRI/NDI mission is grateful for the hospitality and cooperation it received from all Nigerians with whom it met, especially voters, government officials, the Chairman and members of the Independent National Election Commission (INEC) and polling officials, party members and candidates, citizen election observers, civic activists and members of the National Peace Committee (NPC).

Summary of findings

Many Nigerians continue to underscore the particular significance of the March 9 state level elections. Under Nigeria's federal system, the 36 states and FCT are the pillars of the country's democratic architecture where the decisions that impact citizens' everyday lives are made. Moreover, it is easier for citizens to hold to account elected leaders at the state level than those at the federal level, because their actions affect local services more directly. While a marked improvement was seen in the administration of the March 9 state-level elections compared to February 23, and the electoral environment was generally calm in most parts of the country, the elections our delegation observed were marred by irregularities, instances of intimidation, vote-buying and violent acts during the voting, counting, and collation processes in some places. Incidents of violence and disruption to the balloting process were observed in Lagos, Benue, Rivers, and Nasarawa states. The delegation was informed of the loss of life as a result of election-day violence. The mission deplores these losses and expresses its deepest condolences to the bereaved and to the Nigerian people. These actions and the impunity with which some electoral actors conducted themselves, including some polling agents and members of the military, undermine citizen confidence in elections and threaten the legitimacy of Nigeria's democracy.

In the days leading up to the March 9 elections, many states still grappled with inconclusive candidate selection processes, uncertainty about the parties to appear on the ballot and pending litigation on these matters. The confusion generated by this uncertainty hampered effective campaigning, and hence hindered voters' ability to make informed choices on election day. For the most part, political parties were unable to resolve disputes emanating from party primaries and candidate selection processes through internal mechanisms. As a result, many aggrieved individuals petitioned courts of law for redress, overtaxing INEC and the country's legal system.

Moreover, the intense focus on federal campaigns for the presidency and National Assembly so close to the state-level polls overshadowed local campaigns and may have also undermined the mobilization of voters for the March 9 elections. There were very few women in winning positions on the tickets fielded by major political parties for the gubernatorial and state House of Assembly polls. Despite being Africa's largest democracy, Nigeria has the lowest representation of women in national legislative office of any country on the continent, and this representation will likely fall below five percent following the February 23 National Assembly vote. This is not a record to be proud of. Finally, many Nigerians expressed deep concerns about the militarization of the election process.

The NDI/IRI mission stresses that this statement is preliminary in nature; the collation and announcement of final results has not concluded, and IRI and NDI will continue to watch the remaining phases of the electoral process. The mission recognizes that, ultimately, it is the people of Nigeria who will determine the credibility of these elections. As the 2019 electoral cycle comes to a close, NDI and IRI call on all electoral stakeholders in the immediate post-election period to take stock of and build consensus on priority electoral reforms in order to rebuild popular confidence in advance of future elections.

II. THE CONTEXT LEADING UP TO STATE-LEVEL ELECTIONS

On March 9, gubernatorial races were held in 29 states¹, and state House of Assembly elections were held in all 36 states. Area council elections occurred in FCT. In 19 states, incumbent governors sought reelection. Heading in to the March 9 polls, the All Progressives Congress (APC) controlled the governorship and state House of Assembly in 22 states, while the People's Democratic Party (PDP) controlled 13 states, and the All Progressives Grand Alliance (APGA) one. Supplementary elections were also organized on March 9 for seven Senate and 25 House of Representatives seats in 14 states where polls were suspended on February 23 due to violence or other disruptions.

The gubernatorial, state House of Assembly, and supplementary elections were conducted in a context of lingering tensions in the immediate aftermath of the February 23 national-level polls. Moreover, numerous electoral disputes from last year's party primaries are still being litigated in the courts, creating uncertainty about the status of individual candidates in certain gubernatorial and state House of Assembly races.

Significance of state-level elections. Gubernatorial elections are a better indicator of the strength of respective political parties within each locality as opposed to elections for offices at the federal level. Governors manage state budgets and play an important role in mobilizing grassroots support. Similarly, state Houses of Assembly exercise crucial oversight authority over state executives and legislate on local concerns.

State level elections are fiercely contested, as various groups compete for access to public office and resources, and engage patronage networks at the local level. Intra-state politics can exacerbate pre-existing ethnic and religious tensions. The delegation heard concerns that, in states such as Lagos and Kaduna, ethnic or religious divisions create fault lines that could become drivers of election-related violence.

Inconclusive candidate selection processes. The absence of internal party democracy and the lack of effective mechanisms for resolving intra-party disputes contributed to highly contentious party primaries in 2018 which resulted in more than 600 pending court cases, some of them to resolve candidacies for state-level offices. As one respected Nigerian commented, “parties and candidates are relying on the court system to resolve problems caused by their own opaque candidate selection processes.” In the lead-up to the gubernatorial elections, court rulings on the eligibility of parties and candidates in several states were issued within days of the polls. Last-minute legal proceedings and uncertainty about which parties would be on the ballot created confusion among voters and may have hindered effective campaigning by parties and candidates. These legal wranglings also posed significant challenges in election planning for INEC and overburdened the legal system.

¹ Seven states hold their gubernatorial polls off-cycle.

INEC communication. After the one-week postponement of the presidential and National Assembly polls on February 16, INEC increased public outreach and communications, including through regular press briefings. However, while some information sharing continued at the state-level through Resident Election Commissioners (RECs), the frequency of communication from INEC headquarters declined following the national elections. Only on March 9 – the day of the elections – did INEC publicize the names of the winners of the Senate and House of Representative elections and the list of constituencies and polling units where supplementary elections were to hold. Additionally, INEC has yet to release detailed results from the national polls, has not responded publicly to questions about the discrepancy in the number of registered voters announced during the collation process, nor explained the high number of cancelled votes in the February 23 polls.

Lack of women's representation. The percentage of women candidates running for governor and deputy governor increased slightly this year from 6 and 17 percent respectively in 2015 to 8 and 26 percent. However, the two major parties did not field any women candidates for governor. Additionally, of the 276 women running for deputy governor, only five were candidates from APC or PDP. Similarly, of the nearly 1,900 women running for state House of Assembly seats, only 75 are from APC or PDP. As was the case for the February 23 national elections, the vast majority of women candidates for state-level elections ran on the tickets of newly created parties, with little prospect of winning elected office.

Thus far, the Nigerian government has not applied the 35 percent affirmative action principle included in the 2006 National Gender Policy, and the National Assembly has repeatedly missed opportunities to adopt legislation that would support greater participation of women in politics. A Gender and Equal Opportunities Bill has been before the National Assembly since 2010.

Election-related insecurity. In the lead-up to the March 9 polls, representatives of the two major parties accused each other of planning to disrupt the electoral process in various states, and the mission received reports of a spike in violent confrontations between APC and PDP supporters. In Akwa Ibom, an alleged arson at the INEC office in Ibesikpo Asutan LGA on March 8 destroyed smart card readers, and INEC had to mobilize nearly 200 replacements from other states within 24 hours. In this context, the INEC chairman felt compelled to state publicly that the commission would not declare any winners in cases of electoral malpractice, including cases in which INEC officials may be forced under duress to declare a winner, as happened in Benue and Imo states during the February 23 national polls. The killing of some INEC staff and citizens as a result of the Feb. 23 and Mar. 9 elections, as well as incidents of rape and other acts of sexual violence against women, are abhorrent acts that merit serious investigation with the aim of ensuring that perpetrators are brought to justice. The mission extends its deepest condolences to the victims and families.

Positive initiatives in the lead up to the March 9 elections. The mission noted several efforts by political leaders to decrease tensions and foster the conduct of credible polls. Three days before election day, President Buhari issued a statement stressing the importance of peaceful state-level elections, and his main challenger in the presidential race, former Vice President

Atiku Abubakar, used social media to call on PDP supporters to come out in large numbers and vote peacefully on March 9. In a positive step that defused tensions during a public demonstration staged by PDP at INEC headquarters to voice concerns over the role played by some security agencies during the national elections, INEC commissioners invited PDP leaders into the building and immediately engaged in discussions to address their concerns.

Gubernatorial candidates or their parties in 25 states signed peace accords, committing candidates and their supporters to avoid behavior that would endanger the peaceful conduct of the elections. This innovation was an effort to replicate, at the state level, the 2019 Abuja Accord facilitated by the NPC and signed by all presidential candidates at a public ceremony on February 13. Some of the state level agreements were facilitated by the NPC, and others by INEC and the Inter-Agency Consultative Committee on Elections (ICCES).

Well-respected Nigerian civil society organizations such as CLEEN Foundation, Situation Room, and YIAGA Africa, maintained efforts at monitoring the elections to support a credible electoral process. The Centre for Democracy and Development (CDD) supported balanced and professional media reporting on the electoral process, in an effort to curb disinformation and hate speech. Other groups, such as the Youngstars Development Initiative (YDI), intensified calls for peaceful citizen engagement in the elections. There were also instances of grassroots groups, such as Imo Youth, calling for violence-free polls and good governance.

III. ELECTION DAY OBSERVATIONS

Participation. Overall, voter participation in the polling units observed by the NDI/IRI mission was low. Women and youth were well-represented as polling officials, party agents and observers, with a significant number of women serving as presiding officers in polling units. In addition, observers found that voting rights for internally displaced persons (IDPs) were generally respected, with IDPs in Benue and Adamawa permitted to vote in their camps. However, IRI/NDI observers noted significant impediments to voting for persons with disabilities and the elderly, as many polling units were not physically accessible to these voters.

Set-up and opening. Most polling units that NDI/IRI observed opened on time and received all essential materials prior to opening. However, in parts of Lagos, Nasarawa and Kaduna states, observers noted serious delays in the opening of some polling units. Such delays were generally due to the late arrival of INEC staff or party agents and the late distribution of materials from the Registration Area Centers (RACs). In Ikeja LGA in Lagos, many polling units opened late, some as late as 11:00 am, due to a strike by polling officials demanding back-pay for their services on February 23. These delayed openings created tension and disorder.

Voting. For the most part, voting was calm and polling officials performed their duties according to procedure. Overall, observers reported few instances of overcrowding; however, this may be due to low voter turnout in many states. In general, accreditation and voting procedures were followed according to INEC guidelines. Polling officials verified permanent voter cards (PVCs) using the smart card readers; where fingerprints could not be authenticated,

procedures for manual accreditation were generally followed and voter details were checked against the register. Where IRI/NDI observed, there was generally gender balance among INEC and ad hoc election officials.

NDI/IRI observers reported that smart card readers were functioning in most polling units. In the few instances where they malfunctioned, the problem was immediately reported, and voting was suspended until the smart card reader was replaced. In some polling units in Lagos and Nasarawa states, the delay caused by malfunctioning smart card readers raised tension among voters who had been waiting in line for long periods.

As was also noted by IRI/NDI observers during the February 23 polls, the secrecy of the ballot was not uniformly protected in polling units observed. Insufficient physical space within some polling units meant citizens marked and cast their ballots in very close proximity to party agents, polling and security officials, and the general public. Some polling units in Lagos state did not have voting cubicles and did not provide adequate space to protect voter privacy. Moreover, much like the February 23 elections, instances of assisted voting exceeded the mandate set out in INEC's regulations.

Closing. In the majority of polling units where NDI/IRI observed, the atmosphere at closing and counting remained calm and orderly with polling officials mostly following procedures outlined in INEC guidelines. However, in some locations the atmosphere was tense and procedures were not followed. In particular, observers in Rivers reported party agents were not given an opportunity to sign the results form; in Akwa Ibom, party loyalists attempted to disrupt the counting process; in Imo, polling officials were uninformed about the procedures to handle unused ballots; and in Nasarawa, polling officials were not provided the means to transport election materials to the collation center, hindering the security of sensitive materials. Of most concern, IRI/NDI observers witnessed a melee in a Benue polling unit when, during the count, aggrieved voters looking to receive cash for their vote violently confronted party agents. INEC officials in this polling unit were forced to stop counting ballots and relocate to the collation center to complete the process.

Collation. The delegation heard concerns expressed by reputable citizen observer groups about serious irregularities and violence at collation centers in many parts of the country. These groups also reported that observers and party agents were chased away or barred from the collation centers. IRI/NDI observers similarly noted issues at collation centers in Adamawa, Benue, Lagos, Nasarawa, and in Rivers state where observers saw INEC officials flee a collation center due to a rumored threat of an attack.

Electoral offences and violence. Observers reported cases of violence and intimidation in Imo, Adamawa, and Akwa Ibom states. In this last state, frustrations rose between party agents and among voters over overt campaigning in the polling unit. NDI/IRI observers also reported in Benue that four polling officials were kidnapped as they travelled to the collation center and that voting had to be rescheduled in at least three locations where violence occurred. The civil society coalition Situation Room reported a total of seven deaths by midday, in addition to

several kidnappings in Rivers state. These incidents and the fire in Akwa Ibom that destroyed smart card readers and voter registers for one LGA on March 8 reinforce the impression of concerted attempts to disrupt the election process in certain localities.

Overt vote buying in the form of distribution of cash and food inside or near polling units was observed in Akwa Ibom, Benue, FCT, and Imo. Notably, open voting in polling units in Akwa Ibom allowed party agents to see marked ballots and to direct voters to a location near the polling unit to receive payments. The REC for Benue confirmed an incident whereby large bags of cash were intercepted by the Economic and Financial Crimes Commission (EFCC). The EFCC officials were subsequently attacked by party representatives.

Security services and the military. Police and unarmed security officials, for the most part, conducted themselves with restraint and professionalism in polling units where NDI/IRI observed. However, our observers reported a heavy military presence in some areas, including near polling units, which heightened tensions and raised fears of imminent military intervention in the election process. Media and credible observer groups also reported that the military disrupted the polls in some areas, including in Rivers state where soldiers deployed heavily around INEC's office.

Political party agents. As with the presidential and National Assembly elections, the overinvolvement of party agents was widespread in polling units observed, including instances in Nasarawa and Benue states where party agents accompanied voters to the voting cubicles and helped them mark and cast their ballots, in violation of procedure. Finally, the poor accreditation and training of party agents remains a major hindrance to an orderly and free voting process.

IV. RECOMMENDATIONS

The delegation heard from many Nigerians that, in comparing the conduct of the 2019 polls to those of 2015, they are disappointed with the lack of progress in election administration and with the performance of political parties in elections. Nigerian democrats recognize that this election cycle coincides with the 20th anniversary of the country's transition to civilian democratic rule. We therefore urge a national conversation on progress made and vulnerabilities that must be overcome to further strengthen the credibility of electoral processes and safeguard the country's democracy. In the spirit of international cooperation, the IRI/NDI mission offers the following recommendations:

To the Executive Branch of Government:

- Expedite the adoption of comprehensive electoral reforms in order to lay the groundwork for an improved electoral framework.
- Implement fully and expeditiously the recommendations of Nigerian-led reform initiatives such as the reports from the Uwais Commission (2008) and the Nnamani Committee (2017), and create appropriate institutions to oversee political parties and

prosecute electoral offences, responsibilities that currently impede INEC's focus on election administration.

- Adopt and apply measures to achieve the 35 percent affirmative action for women in both elective and appointive posts as envisioned in the 2006 National Gender Policy.
- Investigate the actions of the military and hold accountable those who violated the electoral and other laws.

To the National Assembly:

- Undertake and pass amendments to the election law that address the challenges and lessons learned from the 2019 electoral cycle, and do so early enough to allow these changes to be implemented before the next round of state or national elections.
- Prioritize legislation that would promote women's leadership and political participation, notably by the adoption of the Gender and Equal Opportunities Bill.

To INEC:

- Publish complete and detailed state level results as well as national results in a timely manner.
- Conduct a comprehensive review of the conduct of the 2019 polls that involves a full spectrum of election stakeholders.
- Review the recommendations from credible domestic and international observer groups to improve the electoral framework and conduct of elections.
- Enhance communications and data management between the state and national levels to ensure that information about election processes and results are shared with the public in a timely and transparent manner.
- Reconsider the order and timing of general elections in Nigeria to ensure sufficient time for election preparations and to promote voter participation and engagement at both the grassroots and national levels.
- Fully empower presiding officers to exercise their authority to act on election offenses when they occur.

To political parties and candidates:

- As stated in NDI/IRI's February 25 statement, there is an urgent need to strengthen mechanisms for internal democracy, especially to encourage leadership of women and youth.
- Develop internal mechanisms for effective resolution of intra-party disputes.
- Work across party lines to identify common priorities and support electoral reform.
- Abandon electoral practices such as voter intimidation, vote buying, and other disruptions of the election process that undermine citizen confidence in elections and democratic governance.
- Develop state-level platforms and policy positions that take into consideration localized priority issues upon which voters can base their choices.
- Strengthen relationships between party structures and elected representatives in the National Assembly and at the state level to support parties' reform agendas and ensure campaign promises are met in ways that improve the well-being of citizens.

To civil society:

- Convene national and state-level multi-stakeholder dialogues to draw lessons from the 2019 election process and galvanize broad-based public support for electoral reform.
- Drawing upon lessons learned from the #NotTooYoungToRun campaign and the passage of the Discrimination Against Persons with Disabilities (Prohibition) Act, create a broad-based coalition and aggressively champion coordinated advocacy efforts to increase the political participation of women.
- Enhance efforts to channel citizen priorities at the state and local level to elected representatives and state-level party structures in an effort to promote more responsive and accountable governance.

To security agencies:

- Work with INEC to enforce the electoral law by investigating and prosecuting perpetrators of election-related criminal acts.
- Investigate and sanction security personnel who violate the rules of engagement on election day.

Most importantly, we call on the Nigerian people to claim, protect, and defend their democracy and respect the rights of fellow citizens to participate peacefully in the political process. Meaningful democratic progress can only be achieved if Nigerians continue to champion their civic duties and responsibilities.

V. ABOUT THE MISSION

Both IRI and NDI have deployed international election observation missions to all general elections in Nigeria since the 1999 transition from military to civilian democratic rule. NDI and IRI are nonpartisan, nongovernmental organizations that support and strengthen democratic institutions and practices worldwide. The Institutes have observed collectively more than 200 elections in more than 50 countries over the last 30 years.

The joint IRI/NDI observation mission for the March 9 elections built upon three NDI/IRI pre-election assessment missions conducted in July, September and December 2018, and an election day observation mission deployed for the February 23 national polls. The IRI/NDI mission conducted its activities in accordance with the *Declaration of Principles for International Election Observation*, which was launched in 2005 at the United Nations, and the laws of Nigeria. It also considered international and regional electoral standards, including the African Union (AU) African Charter on Democracy, Elections and Governance, as well as the Economic Community of West African States (ECOWAS) Protocol on Democracy and Good Governance.

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Appendix I: List of Delegates for the IRI/NDI International Observation Mission to Nigeria's 2019 General Elections

International Election Observation Mission for the February 16, 2019 Presidential and National Assembly Elections

Leadership

His Excellency Festus Mogae
Former President
Botswana

Her Excellency Vaira Vike-Freiberga
Former President
Latvia

Her Excellency Fatoumata Tambajang
Former Vice President
The Gambia

Randy Scheunemann
Vice Chair, IRI Board of Directors
United States

Ambassador Johnnie Carson
Former U.S. Assistant Secretary of State for African Affairs
United States

Ambassador Derek Mitchell
President, NDI
United States

Delegates

Travis Adkins
Director Global Governance and Civic Engagement, InterAction
United States

Tutu Alicante
Founder and Director, EG Justice
Equatorial Guinea

Sarah Aldrich
Africa Analyst, U.S. Department of State's Office of Opinion Research
United States

Marie Allegret
Political and Electoral Process International Consultant
France

Dany Komla Ayida
Resident Country Director for DRC, NDI
Togo

Abella Bateyunga
Founder and Executive Director, Tanzania Bora Initiative
Tanzania

Orane Baramburiye
Program Assistant, NDI
Burundi

Alienor Benoist
Political and Media Analyst
France

Jane Chege Gitonga
Head of Partnerships, Independent Electoral and Boundary Commission
Kenya

Alexandra Davis
Legislative Aide, Office of U.S. Senator Chris Coons
United States

Jennifer Cooke
Director of African Studies, The George Washington University
United States

Mvemba Dizolele
Lecturer, John Hopkins University's School of Advanced International Studies
Democratic Republic of Congo

Majda El Bied
Deputy Regional Director for Africa, Westminster Foundation for Democracy
Belgium

Marlene Haas
Former Secretary General, Socialist International Women
The Netherlands

Dr. Darren Kew
Associate Professor, University of Massachusetts Boston
United States

Samuel LaHood
Director for Government and External Affairs, IRI
United States

Kelvin Lewis
President, Sierra Leone Association of Journalists
Sierra Leone

Meghan Gallagher
Professional Staff Member, U.S. House of Representatives Committee on Foreign Affairs
United States

Isha Hamid
Regional Coordinator, National Election Watch
Sierra Leone

Asante Kissi

Assistant Director, Electoral Commission of Ghana
Ghana

Dr. Carl LeVan

Associate Professor, American University
United States

Tami Longaberger

Board Member, IRI
United States

Alex Magaisa

Lecturer of Law, University of Kent at Canterbury
Zimbabwe

Farida Nabourema

Director, Togolese Civil League
Togo

Njeik Terence Njeuh

Lawyer
Cameroon

Peter Mac Manu

Former National Chairman, New Patriotic Party
Ghana

Charity Ngilu

Governor, Kitui County
Kenya

Christopher O'Connor

Program Officer, National Endowment for Democracy
United States

Modupe Oshikoya

Assistant Professor, Virginia Wesleyan University
United Kingdom

Lauren Ploch-Blanchard

Specialist in African Affairs, Congressional Research Service
United States

Bojan Ristic

Resident Program Director for Somalia, IRI
Serbia

Esther Tawiah

Founder and Executive Director, Gender Centre for Empowering Development
Ghana

Emily Rodriguez

Communication Director, Bertelsmann Foundation
United States

Victoria Wollie

National Coordinator, West Africa Network for Peacebuilding
Liberia

International Election Observation Mission for the February 23, 2019 Presidential and National Assembly Elections

Leadership

Her Excellency Fatoumata Tambajang

Former Vice President
The Gambia

Ambassador Derek Mitchell

President, NDI
United States

Dr. Daniel Twining

President, IRI
United States

Dr. Christopher Fomunyoh

Senior Associate and Regional Director for Central and West Africa, NDI
Cameroon

John Tomaszewski

Regional Director for Africa, IRI
United States

Delegates

Travis Adkins

Director Global Governance and Civic Engagement, InterAction
United States

Sarah Aldrich

Africa Analyst, U.S. Department of State's Office of Opinion Research
United States

Marie Allegret

Political and Electoral Process International Consultant
France

Dany Komla Ayida

Resident Country Director for DRC, NDI
Togo

Saibana Balde

Founder and Executive Coordinator, Tchintchor
Guinea-Bissau

Abella Bateyunga

Founder and Executive Director, Tanzania Bora Initiative
Tanzania

Orane Baramburiye

Program Assistant, NDI
Burundi

Alienor Benoist

Political and Media Analyst
France

Jane Chege Gitonga

Head of Partnerships, Independent Electoral and Boundary Commission
Kenya

Mahamadou Manla Chetima

Member of Parliament, National Assembly
Niger

Mvemba Dizolele

Lecturer, John Hopkins University's School of Advanced International Studies
Democratic Republic of Congo

Adama Dembele

Senior Program Officer for DRC, Freedom House
Mali

Moise Loka Fonton

Project Coordinator, Electoral Process Support Framework
Benin

Fatou Hann

Executive Director, Wafrika (Women of Africa)
Guinea

Anne Kathurima

Manager for Special Interest Groups, Election Observation Group
Kenya

Dr. Darren Kew

Associate Professor, University of Massachusetts Boston
United States

Fahiraman Rodrigue Kone

PhD Candidate, Alassane Outtara University
Côte d'Ivoire

Isha Hamid

Regional Coordinator, National Election Watch
Sierra Leone

Anna N'gulu Jones

Commissioner, Truth, Reconciliation and Reparations Commission
The Gambia

McAnthony Keah

Constitutional and Electoral Reform Processes Expert
Liberia

Asante Kissi

Assistant Director, Electoral Commission of Ghana
Ghana

Dr. Carl LeVan

Associate Professor, American University
United States

Kelvin Lewis

President, Sierra Leone Association of Journalists
Sierra Leone

Andrew Makoni

Chair, Zimbabwe Election Support Network
Zimbabwe

Peter Mac Manu

Former National Chairman, New Patriotic Party
Ghana

Njeik Terence Njeuh

Lawyer
Cameroon

Christopher O'Connor

Program Officer, National Endowment for Democracy
United States

Jacob Price

Program Officer, IRI
United States

Modupe Oshikoya

Assistant Professor, Virginia Wesleyan University
United Kingdom

Alyssa Rickard

Program Officer, IRI
United States

Bojan Ristic

Resident Program Director for Somalia, IRI
Serbia

Elie Smith

News Correspondent, Bloomberg
Cameroon

Wallis Stanfield

Graduate Student, Auburn University
United States

Esther Tawiah

Founder and Executive Director, Gender Centre for Empowering Development
Ghana

Victoria Wollie

National Coordinator, West Africa Network for Peacebuilding
Liberia

International Election Observation Mission for the March 9, 2019 Gubernatorial and State House of Assembly Elections

Leadership

Dr. Christopher Fomunyoh

Senior Associate and Regional Director for Central and
West Africa, NDI
Cameroon

John Tomaszewski

Regional Director for Africa, IRI
United States

Delegates

Marie Allegret

Political and Electoral Process International Consultant
France

Dr. Ismaila Ceesay

Political Science Lecturer, University of The Gambia
The Gambia

Judd Devermont

Africa Director, Center for Strategic and International
Studies
United States

Marlene Haas

Former Secretary General, Socialist International Women
The Netherlands

Nicholas Kerr

Assistant Professor, University of Florida
United States

Zoe King

Program Assistant, NDI
United States

Asante Kissi

Assistant Director, Electoral Commission of Ghana
Ghana

Elizabeth Lewis

Regional Deputy Director for Africa, IRI
United States

Ameha Mekonnen Asfaw

Board Chair, Human Rights Council of Ethiopia Deputy
Chair, Lawyers for Human Rights
Ethiopia

Doussouba Konate

Accountability Lab Mali
Mali

Frederic Mbassa

Chief of Staff, Vice Prime Minister and Minister of
Finance
Cabo Verde

Robina Namusisi

Resident Program Director for The Gambia, IRI
Uganda

Njeik Terence Njeuh

Lawyer
Cameroon

Oge Onubogu

Senior Program Officer for Africa Programs, United States
Institute for Peace
United States

Elie Smith

News Correspondent, Bloomberg
Cameroon

Melanie Sonhaye Kombate

Program Director, West Africa Human Rights Defenders
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Togo

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