

IRI/NDI INTERNATIONAL ELECTION OBSERVATION MISSION TO NIGERIA

FINAL REPORT OF THE 2023 GENERAL ELECTION



IRI/NDI International Election Observation Mission To Nigeria

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ABIS	Automatic Bimodal Identification System
ADC	African Democratic Congress
APC	All Progressives Congress
BVAS	Bimodal Voter Accreditation System
EFCC	Economic and Financial Crimes Commission
FCT	Federal Capital Territory
IPOB	Indigenous People of Biafra
IDP	Internally Displaced Persons
IEOM	International Election Observation Mission
INEC	Independent National Electoral Commission
IReV	INEC Results Viewing Portal
IRI	International Republican Institute
KDI	Kimpact Development Initiative
LGA	Local Government Area
LP	Labour Party
NNPP	New Nigeria Peoples Party
NOA	National Orientation Agency
NDI	National Democratic Institute
OPDs	Organizations for Persons with Disabilities
PEAM	Pre-election Assessment Mission
PDP	People's Democratic Party
PVC	Permanent Voter Card
PVT	Parallel Vote Tabulation
PWDs	Persons with Disabilities
STO	Short-Term Observer
USAID	United States Agency for International Development

Nigeria's 2023 elections had the potential of being a watershed moment in the country's democratic trajectory. Against a backdrop of historic instability across the country, escalating economic crises (in part due to a state-created currency shortage), and growing national divisions, the elections nonetheless presented a critical opportunity for citizens, especially youth, to engage in the democratic process and to channel grievances through legitimate political means. In July 2022, Independent National Electoral Commission (INEC) Chairman Mahmood Yakubu stated that INEC would deliver "the best-ever election" in 2023, and this was welcomed by many Nigerians and outside observers as both aspirational and necessary. Buttressing this optimism was the Electoral Act 2022, which introduced reforms aimed at more timely organization of pre-electoral processes and increasing transparency in results collation and reporting.

Despite these positive prospects earlier in the year, the elections fell short of Nigerian citizens' legitimate and reasonable expectations, as significant logistical, technological, and communications failures by INEC, political parties that relied on divisive rhetoric rather than running on issues, regional disparities in electoral integrity, instances of vote manipulation, political violence, and marginalization of key populations marred the electoral process and disenfranchised voters. Although there were incremental improvements in election administration, advances in results transparency, increased competitiveness in the presidential race, and quality engagement of youth, the elections saw the lowest turnout for national contests in Nigeria's modern democratic history with only one in five registered voters participating. Sustained protests and allegations of irregularities have persisted since February due to the poor administration of the election.

The incoming government, lawmakers, INEC, and political parties must all demonstrate genuine and renewed dedication to improving electoral and democratic processes, fighting corruption, and providing Nigerian citizens with responsive and trusted institutions. Going forward, it will require the collective action of all Nigerians to combat disenchantment, address grievances, and restore faith in electoral democracy.

The International Republican Institute (IRI) and the National Democratic Institute (NDI) organized a joint international election observation mission (IEOM) for the 2023 general elections. Recognizing that elections are about more than just election day, the IEOM organized an initial technical assessment team, which monitored the Ekiti gubernatorial election; conducted two pre-election assessment missions in July and December 2022 (with the July mission monitoring the Osun gubernatorial election); deployed thematic analysts to Nigeria to monitor the pre- and post-election periods; and deployed a 40-member delegation of short-term observers drawn from across Africa and around the world for the February 25 elections. The delegation observed in 20 states, including the FCT, and was led by a distinguished team including her excellent Dr. Joyce Banda, former president of Malawi, and Ambassador Mark Green, former Administrator of the U.S. Agency for International Development (USAID). The IEOM methodology is based on a comprehensive gathering of information for fact-based, politically impartial analysis that is presented in the IEOM's findings and recommendations. This report provides a comprehensive assessment of the 2023 Nigeria Presidential and National Assembly elections by the joint NDI/IRI IEOM through May 2023.

The IEOM analyzed the legal framework and conditions in the pre-election period; the voting, counting, and tallying processes on election day; and the resolution of complaints post-election.¹ The IEOM adhered to the Declaration of Principles for International Election Observation as well as international and regional standards and conducted its activities in accordance with Nigerian law. This report examines Nigeria's electoral environment and processes and offers recommendations to various stakeholders based on NDI's and IRI's comparative experience, and in the spirit of international cooperation.

1. At the time this report was issued, claims challenging the results of the presidential election had not yet been resolved given the extended timeframe available for the courts to rule on such challenges.

KEY FINDINGS

Legal Framework

The Electoral Act 2022 had provisions that were meant to enhance the administration and transparency of elections, including significant extensions of electoral timelines, secured advanced funding for INEC, authorized, but did not require, the use of electronic technology for the accreditation of voters² and transmission of results, increased results accessibility for the public, and additional mechanisms for results verification. However, a number of legal measures are still required to foster more inclusive and accountable processes, such as: allowing independent candidates to stand for election; voting failsafes for voters who cannot be present at their registered polling unit on election day; quotas or other protocols to promote the representation of women and other marginalized groups; and clear, well-resourced, and effective enforcement mechanisms against electoral offenses. Despite attempts to improve the timeline for resolving nomination challenges, electoral litigation still dominated the pre-election period, and protracted adjudication timelines meant the courts were ruling on candidatures right up to election day. Such uncertainty hindered the ability of candidates to campaign and for voters to make an informed choice on election day.

Election Administration

Amidst widespread incidents of insecurity and severe currency and fuel shortages, the election management body, INEC, was still able to administer a nationwide election according to the electoral calendar for the first time in more than a decade. INEC also undertook improvements in planning and organization and made concerted efforts to confront issues such as overcrowding at polling units and results transparency. However, INEC was not consistent and open in its communication about electoral updates and procedures; it also failed to provide important election data on voter registration and Permanent Voter Card (PVC) statistics in a timely manner. Such actions and/or omissions fueled confusion and uncertainty. This was particularly pronounced during and immediately after the February 25 elections, when INEC failed to provide timely or accessible information regarding the nature and scope of late openings, canceled elections, and challenges with the INEC Result Viewing Portal (IReV). Moreover, vote manipulation in some southern states identified by Yiaga Africa's Parallel Vote Tabulation (PVT) revealed vulnerabilities in the integrity of INEC officials and oversight mechanisms, and disparities in the levels of election quality and access in Nigeria's six geopolitical zones.

Political Parties and Campaigning

Political parties in Nigeria remain weak, and often compete in elections with a blatant disregard for the rules of the game. New provisions of the Electoral Act 2022 raised expectations for more transparency in political party primaries; however, the candidate nominations process remained opaque. All parties adopted a system of indirect primaries or negotiated consensus that relied heavily on elite bargains beyond the effective scrutiny of INEC or nonpartisan observers. Costly nomination forms dampened the interest of some potential aspirants who did not foresee the possibility of a level playing field. With limited enforcement of campaign finance limits, disclosure requirements, and other electoral violations, money continued to play a corrosive role in Nigeria's electoral system. The election campaign itself was marred by inflammatory rhetoric, political violence, and a lack of accountability for political actors who violated electoral and criminal codes. Little effort was made by the major political parties to address these offenses by their members.

Electoral Violence

Election violence and insecurity significantly affected the 2023 elections, particularly in the pre-election period. The lead-up to the election was more violent than the equivalent period in 2019, and the overall 2023 election cycle saw significantly more fatalities and incidents of election violence, in significantly more LGAs, when compared to the 2019 election cycle. Reported incidents included: assassinations and attempted assassinations of political candidates and party officials, attacks on supporters and rallies of opposing parties, and attacks on INEC facilities, processes (such as voter registration events), and personnel. Insecurity on election day was also significantly worse than during the 2019 elections, with violent disruptions of election processes reported in 22 states and the FCT on February 25 and 21 states during gubernatorial and state elections on March 18. Much of the violence was targeted political violence seemingly organized by, or at least conducted with the support of, politicians and/or party officials. Election violence was exacerbated by intra-party disputes during some of the primaries, shifting political alliances, the rise in armed groups, the emergence of new informal security elements, and a persistent failure to hold perpetrators of such acts to account. Peace accords and other peacebuilding initiatives appeared to have very limited impact, and the impunity of violent offenders continues to hamper a constructive path forward. Without significant reforms and greater accountability, many Nigerians are fearful that political operatives may see political violence as a viable and low-cost electoral strategy in future elections.

2. Accreditation of voters in Nigeria is the election day process of identifying which individuals are eligible to vote.

Information Environment

Although Nigeria has a vibrant and pluralistic information landscape, with a wide variety of traditional and digital outlets, it remains a challenging environment for media. Journalists were targets of harassment and violence by political party activists, and some security services in the leadup to and during the elections. Media outlets faced government interference, especially by some state governors, through a politicized regulatory system, as well as pressure aimed at silencing critical media coverage. Several cases were reported of outright harassment and arbitrary detentions. At the same time, the prevalence of disinformation during the national and state elections, especially on social media platforms, distorted the election campaign and threatened to significantly undermine confidence in the electoral process. Content aimed at demeaning election opponents or damaging the credibility of the electoral process and of INEC were especially commonplace. A surge of disinformation on the February 25 election day itself, and during the week following the elections while the results were being processed, fueled rumors, and spread false post-election narratives.

Meaningful Inclusion

The participation of women in political office in Nigeria continues to fall behind as the country currently holds the lowest ratings in Africa. In early 2022, the National Assembly rejected five constitutional reform bills that aimed to promote women's rights and political empowerment. Women represented a mere 9.9 percent of presidential and national assembly candidates in 2023, a drop from 12 percent in 2019. Exclusionary internal party nomination processes and the prohibitive costs of nomination forms and campaigning favored political elites and disadvantaged women, youth, persons with disabilities (PWDs), and other marginalized groups. The legal framework's restriction on independent candidates also deprived individuals from these groups of viable alternatives to party apparatuses. Nigeria has been a leader in promoting youth participation with the Not Too Young To Run Act lowering the age to stand for political office in 2018. While youth registered to vote in high numbers and continue to be a driving force for progress in Nigeria, the number of youth candidates declined in the national and state elections during the 2023 election cycle, comprising only 28.6 percent as opposed to 34 percent of candidates in 2019. Without disaggregated turnout figures, the level of participation of youth on election day is unclear.

Voters with disabilities, internally displaced persons, and election workers still face significant barriers to participation. Although the Electoral Act 2022 introduced

greater provisions to facilitate the participation of PWDs, observers noted that these were not comprehensively and consistently applied on election day. Nigeria has an estimated 3.2 million internally displaced people (IDPs). Despite steps taken by INEC to survey IDP voters in some states and develop a framework for their participation, there is still insufficient data regarding IDPs, their locations, and their participation on a national scale. Information on IDP voting centers was not centralized or easily available. Voter registration and PVC collection for IDPs was particularly challenging. The lack of provisions for advance or absentee voting impacted not only IDPs, but also homebound or hospitalized voters and those that are working on election day.

Election Day

Nigerians were relieved that the presidential election date was respected without a last-minute postponement as happened in the past; nevertheless, many complained that polling stations³ opened late across the country on account of the late deployment of staff and materials. These challenges were not experienced equally across the country, and disproportionately impacted voters in the South East and South South geo-political zones. While this pattern had been experienced in past elections, the regional difference in delays was more glaring during the 2023 elections, and INEC's lack of transparency and communication regarding the cause and extent of these problems undermined confidence in the process, especially in those zones and among parties that considered those areas their strongholds. Because of the delayed openings, many voters had to wait for long hours and in overcrowded conditions before casting their ballots. There was no consistent, coordinated effort to extend voting hours, and long wait times exacerbated tensions at many polling units.

The Bimodal Voter Accreditation System (BVAS) generally facilitated the accreditation process of voters, although observers noted that devices sometimes malfunctioned with regards to thumbprint recognition. In a number of cases, the BVAS could not successfully transmit the results of all three electoral contests at the polling unit, and polling staff cited network issues. Citizen observers noted significant administrative improvements in BVAS functionality during the subsequent gubernatorial and state elections.

Targeted incidents of violence also impacted the polling process and likely disenfranchised voters. According to civil society violence monitors, news reports, and statements from INEC and security forces, election day violence and disruption of the electoral process occurred in at least 22 states and the FCT, including an attack on a collation center in Lagos.

3. In Nigeria, polling stations are commonly referred to as polling units.

Results Management and Information Transparency

Publishing polling station-level results through IReV is one of the major improvements to election transparency since the 2019 polls. However, the system was not tested at a national scale and floundered during crucial hours of the immediate post-election period, stoking confusion, and suspicion about the results. While IReV provided voters the ability to look up the results of individual polling stations, the portal was not in compliance with open election data principles⁴ and did not provide the information in a complete, bulk, or machine analyzable format, limiting the ability of citizens to verify results at the LGA, state and national level or to fact-check contradictory narratives. A significant percentage of the results uploaded to the IReV were unreadable. Furthermore, at the time of publication, INEC had still not uploaded more than 9,000 presidential polling unit results to the IReV and did not clarify how many of these units were canceled. The IReV system also required a login and password for several days following the election, creating barriers to access for what should be a fully public portal. Contrary to expectations and regulations, INEC used an alternate portal to house presidential results before posting them to the IReV.⁵ INEC struggled to explain why it occurred, offering various explanations from technical glitches to cyberattacks. Though these issues of transparency and missing results fueled speculation of deliberate malfeasance, the IReV system performed more in line with expectations for the gubernatorial and state elections on March 18.

As of the publishing of this report, INEC has yet to publish aggregate level results on its website for either the presidential, national assembly, gubernatorial or state assembly results, including vote shares, turnout, and invalid ballots data. Additionally other information critical to understanding the 2023 elections, such as the number of polling units where elections were canceled on election day or postponed, has also not been made public months after the election.

PRIORITY RECOMMENDATIONS

The 2023 polls were a test of the (new) Electoral Act 2022 and INEC, but legislative and technological progress was undermined by failures that were, in many cases, foreseeable. At the same time, the elections were also an opportunity for political parties to demonstrate that they would contest the elections based on issues and according to democratic practices. While the elections featured greater political pluralism, they again

witnessed parties across the political spectrum seeking to gain unfair electoral advantage through division, malfeasance, and violence.

The IEOM believes that there is still space to confront electoral integrity challenges and build on the gains of recent reforms, but only through demonstrable political will, good faith, and committed and coordinated efforts among Nigerian stakeholders. In the spirit of international cooperation, IRI and NDI respectfully offer the following 15 priority recommendations for review, consideration, and adoption by Nigerian stakeholders and the international community, to promote a resilient and inclusive democracy. A detailed list of recommendations is included at the end of this report.

RECOMMENDATIONS FOR IMMEDIATE ACTION

- INEC should agree to civil society's call for an independent, citizen-led, and comprehensive review of the entire 2023 electoral process.
- INEC should ensure all results images from the 2023 presidential election are uploaded to its IReV portal immediately and provide complete polling unit level results on the IReV portal in machine-analyzable and bulk format (such as a CSV file), as well as from all levels of the collation process.
- INEC should immediately publish a complete list of all canceled polling units, along with the reason for cancellation and the total number of PVCs collected for canceled polling units.
- INEC, the police, and the courts should identify and prosecute those responsible for electoral violence or manipulation during the 2023 election.
- The international community should sanction and name government and party officials who orchestrated, tolerated, or encouraged electoral violence or manipulation during the 2023 cycle.

RECOMMENDATIONS IN ADVANCE OF THE 2027 ELECTIONS

- Nigerian lawmakers should prioritize gender quota legislation to increase the representation of women in elected offices.

4. See <https://openelectiondata.net/en/>

5. Section 38 (ii) of INEC's Regulations and Guidelines for the Conduct of Elections, 2022, stipulates that "On completion of all the Polling Unit voting and results procedures, the Presiding Officer shall use the BVAS to upload a scanned copy of the EC8A to the INEC Result Viewing Portal (IReV), as prescribed by the Commission."

- Lawmakers should update the Electoral Act 2022 to support absentee processes for citizens unable to be at their registered polling unit on election day, including domestic observers, polling officials, security personnel, and inter-state workers.
- To better hold perpetrators accountable for election violations, especially in the pre-election period, and alleviate the burden on INEC to prosecute offenders, lawmakers should revisit the legal framework to develop clear and well-resourced electoral offense enforcement mechanisms.
- To ensure the transparency of the results collation process, INEC should review the election guidelines and procedures to require that EC40G forms – which contain information about polling units where elections were canceled or not held, as well as the number of PVCs collected at the affected polling units – are made publicly available, along with the results forms.
- INEC should develop realistic timelines and an operational framework that ensure timely opening of polling stations and even distribution of materials across polling units, targeting specific resources to areas with historic patterns of delayed openings.
- Political actors should refrain from unfounded, misleading, or inflammatory narratives regarding the elections, their opponents, or democratic institutions, and hold members of political parties accountable who spread false information or violent and politically destabilizing rhetoric.
- Political parties should hold candidates, party members, and party agents accountable for participating in hate speech or ethnic polarization.
- Parties and candidates should hold accountable leaders and supporters to desist from any acts of violence, before, during and after election and redress through proper legal channels and abide by the outcomes of judicial proceedings.
- Media houses should continue to support fact-checking desks and partnerships to mitigate the spread of rumors and false information regarding electoral processes in Nigeria and work with civil society to support the rights of journalists.
- Security forces should be more proactive in arresting electoral offenders. The Electoral Act should be amended to clarify that security agencies have the authority to halt electoral offenses at polling units, rather than defer to INEC staff for directions.



Nigeria's 2023 presidential and national assembly elections were the seventh national polls since the country's 1999 transition back to civilian democratic rule. Confidence in election administration, and specifically the Independent National Election Commission (INEC), has been frayed after over a decade of delayed presidential elections. Operational and administrative challenges, including the last-minute postponement of the February 16, 2019, presidential and national assembly elections, and widespread insecurity deterred voters and undermined confidence in the credibility and impartiality of the process. Only 35.6 percent of registered voters participated in the 2019 presidential polls, at that time the lowest rate of participation in any federal election since the transition.

With Muhammadu Buhari stepping down following his second term, Nigerians once again affirmed their commitment to term limits and democratic transitions. However, the leadup to the elections was marked by an escalating erosion of trust in government in the face of economic instability, rising violence, and endemic corruption.

Since the 2019 polls, faith in public institutions continued to wane. According to Gallup's 2021 global survey, only 25 percent of Nigerians had confidence in their government, and only 18 percent agreed that elections were honest – both significant declines over the past 10 years. This decline in public confidence explained in some ways, the surge in voter registration ahead of the 2023 elections, particularly by youth, many of whom had participated in the recent youth-led social movements like #EndSARS,⁶ and thereafter wanted to transform their frustration with the status quo into concrete political action.

There were notable efforts to address both technical and public confidence shortcomings in the conduct of elections since 2019, including the passage of the Electoral Act 2022, one of the most substantive election reform packages in the country's recent history and an achievement of advocacy from Nigerian civil society and reform-minded legislators.⁷ Proponents of the new law believed it would enhance confidence by introducing new technology to authenticate voter identity and electronically transmit and publicize polling unit-level election results. In addition, the law extended and clarified the timelines for electoral processes, provided for INEC to receive funding in a timely manner, and

imposed new policies guiding political party finances and candidate nomination processes, among other reforms.

The Ekiti gubernatorial elections on June 18, 2022, served as an important test for INEC in using this new technology and demonstrated improvements in its logistical and operational preparations. While observers noted a small number of administrative challenges and notable cases of vote buying, they widely deemed the Ekiti election as an improvement on past off-cycle polls since 2019. The Osun gubernatorial election on July 16, 2022, similarly, served as an important bellwether of the preparedness of INEC and other electoral stakeholders for the 2023 elections. While observers noted improvements in the Ekiti and Osun elections, observers also expressed concern that the challenges experienced in these elections would be magnified on a national scale and called on INEC to take a series of steps to improve prospects for a successful nationwide election.

The 2023 presidential contest also saw a break from political dynamics that defined previous polls in Nigeria, with a greater degree of contestation. The presidential elections were an open contest with no incumbent for the first time since 2007 and, as a result of significant party defections, saw an emergence of a major third party candidate that disrupted the traditional two-party contest and created the potential for a run-off for the first time since Nigeria's transition to democracy in 1999. Presidential candidate Peter Obi, the former state governor of Anambra, defected from the People's Democratic Party (PDP) to run under the banner of the Labour Party (LP) and emerged as a viable "third force" for the presidential election. Meanwhile, the APC selected former Governor of Lagos, Bola Tinubu, as its flag bearer. Former Vice President and 2019 presidential candidate, Atiku Abubakar, once again contested on the ticket of the PDP. The elections also featured another strong presidential candidate, Rabiu Kwankwaso of the New Nigerian Peoples Party (NNPP).

6. The #EndSARS movement started in 2017 in response to human rights abuses and corruption by the Special Anti-Robbery Squad (SARS), an elite unit of the Nigerian Police Force (NPF). It morphed into a broader movement calling for decentralization of policing and government reform.

7. The Electoral Act 2022 introduced much-needed reforms aimed at increasing transparency in results collation and timely organization of pre-electoral processes, a more robust framework to enhance electoral integrity and mechanisms for transparency.

The 2023 general elections took place amidst a deteriorating security situation. Since 2019, violence and insecurity had become even more prevalent in Nigeria, spreading to many states across the country, and increasing frustration in the government's inability to ensure the safety of citizens. In the lead-up to the elections, Nigeria was grappling with incidents of violent extremism in the North East, armed banditry in the North West, intercommunal conflict in North Central, and threats of secession in the South East.

In October 2022, the Central Bank of Nigeria (CBN) announced that all 1,000, 500- and 200-Naira notes would no longer be considered valid currency as of January 31, 2023 (later extended to February 10, 2023). As the deadline neared, businesses increasingly refused to accept old currency. The cash shortage

became increasingly acute in February, as Nigerians, desperate to obtain new currency, waited in line for hours at banks and ATMs, which quickly ran out of new currency. The ensuing cash shortage led to significant financial hardship for many Nigerians dependent on a cash economy, and significant protests resulted, in some cases resulting in bank closures. On March 3, 2023, the Supreme Court intervened, ruling the February 10 deadline unconstitutional, and extending the deadline to exchange old currency until the end of the year. While the CBN decision in October 2022 was attributed to a long-delayed effort to update Nigeria's currency, the faulty execution of the policy and ensuing crisis led to rampant speculation about malevolent motives behind the policy.



In 2022, changes in Nigeria's electoral legislation established a more robust framework to enhance electoral integrity, although notable shortcomings remained. The legal framework governing the 2023 elections was grounded in the 1999 Constitution of Nigeria, which enshrines fundamental freedoms necessary for democratic elections and provides for INEC to organize, undertake, and supervise all federal elections. The framework was further shaped by the Electoral Act 2022 and various legal changes mandated by judicial rulings, and complemented by the regulations, guidelines, and manuals of INEC.

The Electoral Act of February 2022 was the first comprehensive electoral reform package in over a decade.⁸ It addressed many deficiencies in the legal framework, all of which had been noted by civil society and international observers as hindrances to improving the quality and conduct of Nigerian elections. Discussions of implementing such reforms began prior to the 2019 election, and its passage prior to the 2023 election was welcomed by virtually all election stakeholders.

The changes introduced by the Electoral Act significantly impacted electoral timelines and planning. The Act mandated that funding for general elections be released to INEC at least one year in advance, addressing a recurring challenge of the Commission not having the necessary funding to begin electoral preparations on time. Restrictions were also placed on political parties, including mandating them to hold party primaries and submit lists of candidates no later than 180 days prior to an election. The Act also mandated that anyone holding an appointed political office must vacate their position prior to participating as a delegate at a party convention or contesting as a candidate. Notably, this only applied to those holding an appointed political office, and not those who were elected or were members of the public service. The campaign period was also extended to 150 days before polling day instead of the previous limitation of 90 days.

The Act also refined electoral operations on election day to increase access and transparency. For example, it mandated that voters with impairments or disabilities be assisted at the polling unit by a person of their choosing. INEC was also mandated to provide assistance to impaired voters through a suitable means of communication such as braille, embossed print, electronic devices, sign language interpretation, or off-site voting in appropriate cases.

Extensive changes were made to the transmission and management of results, including providing for the use of electronic technology and public access to results data. The Act also clarified the definition of overvoting, specifically stating that if the total votes cast at any polling unit exceeded the number of accredited voters in that unit, the entire results of the unit would be discarded.

Despite these improvements, the legal framework still failed to address some lingering challenges. It also lacked provisions for enforcement. The right to candidacy for Nigerian citizens remained restrictive, prohibiting contestants from running as independents and requiring their nomination from a political party. Candidates also had to meet requirements regarding their citizenship and levels of education. There were no effective legal mechanisms to ensure the "nearly equal" size of House of Representatives constituencies as is mandated by the constitution (apportionment of seats by state has not been adjusted since the original drawing of House seats in 1999, and Nigeria's population has grown by an estimated 100 million since then). The framework also contained vague guidelines, such as mandating that voter registration needed to terminate "not later than 90 days" prior to an election. This language was used by INEC to close registration eight months prior to the election, disenfranchising many potential first-time voters who wished to register - or came of age - closer to the election.

The legal framework also did not allow for voting by Nigerian citizens outside of the country nor did it provide contingencies for voters that were unable to be at their registered polling unit on election day, such as observers, polling officials, and security personnel. Similarly, no provisions were made for voters who were homebound or hospitalized, despite these categories of persons being referenced in INEC guidelines.

ELECTORAL OFFENSES

The Electoral Act 2022 and INEC's regulations and guidelines provided for a wide range of electoral offenses and related penalties, including vote buying, violence, and disruption of the voting process. However, the responsibility for their application was shared between various institutions and many Nigerians expressed frustration about ongoing impunity for electoral offenses and lack of accountability regarding enforcement. The Electoral Act stated only that the prosecution shall be undertaken by INEC but did not specify the manner

8. The law had been expected to have been in place for the 2019 elections. While passed by the National Assembly and Senate, President Buhari did not sign the bill into law in advance of the 2019 elections.

of administering this process, the related responsibilities and the deadlines for its effective implementation. Similarly, INEC's extensive 2022 Regulations and Guidelines for the Conduct of Elections contained no regulations or guidance on these matters.

Ahead of the 2023 elections, the Nigeria Police Force established Electoral Offences Desks, operating within the Force Criminal Investigations Department, located in Abuja and all state capitals. These Desks were tasked with investigating alleged offenses as defined under the Electoral Act and ensuring that charges were brought to court when there was adequate evidence. According to the Inspector-General of Police (IGP), on election day of February 25, the police responded to 185 major incidents and arrested 203 alleged offenders. Lagos police informed that they had arrested 23 suspects, of which four individual cases were forwarded to INEC for prosecution. On 13 March, two weeks after election day, the IGP directed the Commissioners of Police to ensure that investigations "are swiftly concluded and the case files forwarded to the INEC for prosecution." All together the police reported about 489 "major electoral infractions" and 781 offenders to be prosecuted in collaboration with INEC.⁹

Interlocutors frequently expressed frustration about INEC's inability and reluctance to perform the function of a prosecutor for electoral offenses. Defenders of the Commission noted its limited resources and bandwidth for enforcement in comparison to its other responsibilities and noted inadequate investigations by the police which made it impossible for them to formulate charges. At the end of the electoral cycle, the IEOM received information that only approximately 5 to 10 cases had been filed with the court, which is in contrast to the numerous high-profile offenses reported in the media, including attacks on INEC facilities, committed during the year-long election period. Recognizing some of these gaps, INEC and others have advocated for an Electoral Offences Tribunal to take over responsibility for investigating and prosecuting electoral offenses.

COMPLAINTS AND APPEALS

The legal framework governing Nigeria's elections clearly outlines the rights of candidates to appeal electoral outcomes of both party primaries and general elections. During the 2019 election, many challenges emerged regarding primaries and candidate replacements, some of which were not settled until after election day. In order to mitigate this, the Electoral Act 2022 set the deadline for candidate submission to no later than 180 days prior to election day, providing more time for courts to adjudicate cases. Further, restrictions were placed on who could challenge a candidacy or the result of a primary, limiting the right to only those who contested the same party primary. All related disputes were channeled to the Federal High Court (FHC) with appeals possible to the Court of Appeal and the Supreme Court. In June 2022, the FHC issued new pre-election Practice Directions to provide for expeditious, matter focused and time-effective adjudication with minimal delays.

Despite these measures, the highest number of pre-election legal cases were filed since the 2011 General Elections. According to the civil society organization Kimpact Development Initiative (KDI), as of December 31, 2022, the number of initiated pre-electoral cases reached 1,893, of which at least 386 were still pending. For the same date over 600 cases were appealed to the Court of Appeal, with more than 155 cases appealed further to the Supreme Court.

The large number of court cases resulted in the "final list of candidates" being changed multiple times and right up to election day. In total, 587 new candidates were listed for both state-level or federal elections as a result of court cases. Over six percent of all candidates in the House of Representatives and Senate combined secured their place as their party's nominee because of legal challenges.

⁹. Statement by the Inspector General of Police on March 27, 2023.

Candidates Listed after a Court Order¹⁰

Date of decision	10 Nov	22 Dec	30 Jan	15 Feb	24 Feb	10 Mar	15 Mar	Total	% of Candidates ¹¹
Senate	34	22	8	10	4	0	0	78	7.08
House of Representatives	83	71	22	15	12	0	1	204	6.53
Governorship	1	10	7	4	1	7	2	32	3.80
State House of Assembly	7	122	35	38	25	19	27	273	2.66
Combined Data	125	225	72	67	42	26	30	587	3.82

This situation was exacerbated due to protracted adjudication timeframes. Under the Constitution, the FHC has 180 days for its ruling, while the Court of Appeal and the Supreme Court have 60 days to decide on appeals. With such an arrangement, inevitably, some disputes extended to the immediate proximity of election day, and even beyond. This affects the certainty of who the actual candidate is (or will be on election day), for whom the voters vote, and at the end, to whom the votes will be assigned, and runs contrary to international and regional standards for timely redress of election-related disputes.¹² In addition, some interlocutors expressed a lack of confidence in the judiciary, noting inconsistent or contradictory judgments, especially around elections.

An area that was seen to have potential for extensive post-election litigation was overvoting in polling units, particularly given the Electoral Act's new and more stringent guidelines discarding a polling unit's results for even a single overvote. For example, this led to a prolonged court case over the Gubernatorial election in Osun which saw the Election Tribunal nullify the results announced by INEC based on APC claims of massive overvoting. However, INEC contended that the initial accreditation data obtained by APC was incomplete, and later provided a complete set of accreditation data. The Supreme Court ultimately rejected APC's case and upheld the initial INEC declaration.

ELECTORAL SYSTEM

Nigeria's president is elected by a qualified plurality vote to serve a four-year term. In order to be elected President, the constitution requires that the winning candidate meet two conditions if there are more than two candidates contesting. The first being that the candidate receives a plurality of the votes cast, and the second being that the candidate receives at least a quarter of the vote in two thirds of all states and the Federal Capital Territory (FCT).¹³

In addition to the President of Nigeria, all 109 members of the Senate and all 360 members of the House of Representatives are elected during the general elections. All the members of the legislature are elected by a simple majority and serve four-year terms. The members of the Senate are distributed evenly, with each of the 36 states of Nigeria being divided into three senatorial districts. One Senator is elected from each of the districts in addition to one being elected to represent the FCT. The seats in the House of Representatives are allocated based on population size, with Lagos and Kano states having the highest number of seats and has not been updated since 1999.

Elections for governors as well as state legislatures are held separately following the elections for president and national assembly. In 2023, these elections were held on March 18. Gubernatorial elections for seven of 36 states were not held at this time as the terms of office for the governors of those states had not yet been completed.

10. Based on INEC's decisions. This does not include changes made to the list due to deaths or corrections to a candidates' registration details.

11. Based on the number of candidates as published by INEC in its Briefing for Observers to the 2023 General Elections, p. 13

12. <https://au.int/en/treaties/african-charter-democracy-elections-and-governance>

13. This latter part of this requirement has been subject to fierce legal debate, specifically regarding if a candidate is required to obtain this percentage of the vote in two-thirds of states including the FCT, or a candidate is required to obtain the percentage in two-thirds of the states in addition to the FCT.

Presidential, national assembly, gubernatorial, and state assembly elections in Nigeria are administered by the Independent National Electoral Commission (INEC). INEC includes the Commission and headquarters in Abuja, offices in each of the 36 states and the FCT, and offices in each of the 774 LGAs. The Commission is composed of the Chairperson along with 12 national commissioners. The current Chairperson was appointed in 2015 for a first term which was renewed in 2020. Each of the 36 states and the FCT also has a Resident Electoral Commissioner (REC). The Chairperson, national commissioners, and RECs are all appointed by the President and confirmed by the Senate.

Many stakeholders expressed confidence in INEC prior to the February 25 elections, but some voiced concern about both the independence and impartiality of some of the recent appointees as well as their level of experience with elections. In 2022, several RECs were appointed despite objections from civil society for having partisan connections or questionable backgrounds. The appointment process also raised concerns about the efficiency and cohesiveness of the election administration body as some stakeholders questioned the level of authority the Chair had over RECs whose removal and appointment were dependent upon the President.

While INEC conducted stakeholder engagement activities with political parties, civil society, and other interested parties at national and sub-national levels, some stakeholders expressed frustration with INEC's lack of consistent and open communication about electoral updates and procedures, such as limited press briefings in the lead up to and on election day. Only some of the decisions made during INEC's meetings are made publicly available through press releases. Media are often invited to report on the opening of the Commission's meetings with the 37 RECs, but not the working session. In addition, INEC's failure to make all decisions public weakens the transparency of the preparation and conduct of the elections.

Positively, due in part to advanced funding provided by the Electoral Act 2022, INEC began logistical preparations earlier than in past elections. INEC engaged and trained over 1.2 million ad hoc personnel to work on the 2023 elections. To overcome infrastructure challenges in materials deployment, INEC signed a Memorandum of Understanding (MoU) with the National Union of Road Transport Workers, the National Association of Road Transport Owners, and the Maritime Workers Union of Nigeria in December 2022 to address election-related transport needs. INEC also sought cooperation and

assurances from the Nigerian National Petroleum Corporation (NNPCL) and the Central Bank of Nigeria (CBN) to address the intensifying fuel shortages and the currency crisis which created substantial strain in last-minute preparations. Despite these challenges, INEC projected a consistent message of preparedness for the February 25 elections. However, following the elections, some stakeholders noted that INEC failed to communicate contingencies for challenges that could arise on election day.

In line with section 20(2) of the Electoral Act 2022 to reduce the number of polling units with exceedingly high numbers of registered voters, INEC created an additional 56,899 polling stations for the 2023 elections increasing the total number from 119,947 in 2019 to 176,846 for 2023. Despite the increase in the number of polling stations, imbalances in the distribution of voters across old and new polling units were noted by citizen observers during off-cycle elections in 2022. Thereafter, INEC underwent a process of redistributing voters to address the imbalance issues. However, INEC began this process much later than stakeholders had recommended, and some stakeholders questioned the redistribution exercise as some polling units continued to have several thousand voters while others had zero. According to an analysis by Kimpact Development Initiative (KDI), 5.8 percent of polling units had over 1,000 voters with one having over 10,000 voters. On 13 February 2023, INEC announced that elections would not be held at 240 polling units as voters had not opted to move there due to security concerns which reduced the total number of polling units in which the elections were held to 176,606. While INEC's intentions were positive, the approach initially employed by which new polling stations were established failed to address the overcrowding issue.

ELECTION TECHNOLOGY (BVAS AND IREV)

INEC introduced new technologies to improve administration of the 2023 polls, including BVAS and IReV. The BVAS was used to biometrically verify voters as part of the accreditation process and to electronically transmit a photo of polling unit-level results at the end of the election day to the IReV online portal. Publishing polling unit-level results through IReV was widely anticipated to be a significant improvement to election transparency from the 2019 polls. However, the success of these technologies is dependent on their administration, functionality on a national scale, and public confidence in the systems. While INEC successfully piloted both systems during three off-cycle elections, it never conducted a full nationwide stress test in advance of the February

elections. In January 2023, after the procurement of BVAS machines for the 2023 elections was completed, the BVAS hardware and software was field tested at INEC state offices. Citizen observers Yiaga-Africa were able to observe the field tests in some, but not all, locations, as the exercise was reportedly not intended to be open to the public. Positively, INEC conducted a public mock accreditation exercise on February 4 during which time results and accreditation data were also transmitted to the IReV using the BVAS machines. However, the exercise involved only 436, or less than one-third of one percent, of the polling units in the country and public participation was low. INEC could further enhance transparency and increase public confidence in the use of these technologies by providing opportunities for observation of all aspects of the process, as well as by providing the public with comprehensive information about problems identified during these exercises and efforts to address them before the elections.

VOTER REGISTRATION

A person who goes to a registration center may register to vote in Nigeria provided the person is a Nigerian citizen; is at least 18 years of age; works, resides, or comes from the catchment area of a registration center; and is not legally incapacitated to vote “under any law, rule or regulations in force in Nigeria.” However, the latter limitation is not clearly defined in the law. Ahead of the 2023 general elections, INEC conducted a year-long, continuous voter registration exercise, beginning in June 2021. Voter registration is a multi-step process which includes an optional online pre-registration component, capture of biometric data in-person at a registration center, and retrieval of a permanent voter card (PVC) at a later time. In addition to new voter registration, voters can also request to transfer their place of registration, update their voter record, or request a replacement of a PVC. Some stakeholders noted that the registration process could be burdensome to voters, with multiple trips to registration centers required. In addition, registration centers operated at the LGA and ward level, not at the polling unit level, requiring voters to travel longer distances to register.

The most recent continuous voter registration exercise commenced on June 28, 2021, which saw a notable increase in registration from previous periods, particularly from young people. While the Electoral Act did not require INEC to suspend the voter registration process more than 90 days before an election, voter registration ended on July 31, 2022, more than five months before the general elections, despite calls from civil society and the international community to extend it. At that time, presidential tickets had only just been announced, the

campaign season had not formally commenced, and many students had not been able to register due to the ongoing Academic Staff Union of Universities (ASUU) strike.

Following the close of registration, INEC removed 2,780,756 records with duplicate biometric information or with less than the required number of fingerprints using the Automated Biometric Identification System (ABIS). In line with the new Electoral Act, INEC displayed hard copies of the voter register for each of the country's 8,809 wards from November 12 to 18, 2022 and at local government areas from November 12 to 25, 2022, and published the full register on its website, to allow citizens to verify and correct their information and object to apparent errors in the registry which resulted in the removal of an additional 53,264 records. Deceased or underage persons were removed based on the claims and objections process. However, interlocutors highlighted that the procedures for contesting faulty registrations are too demanding and the burden of proof excessive. While INEC decisions regarding claims and objections could be appealed to the RECs, the law did not provide for judicial review of these decisions. For the 2023 general elections, the final register included 93,469,008 voters of whom 52 percent were men and 48 percent were women. However, many interlocutors expressed concern about the accuracy of the voters list and transparency around the removal of voters and why voters were disproportionately removed from some states. For example, while an average of 22.6 percent of voters were invalidated in each state, in Bayelsa the number was 69.2 percent and in Ebonyi the number was 59.8 percent.¹⁴ Despite calls from many stakeholders, INEC failed to clarify the causes of these regional discrepancies.

The distribution of PVCs, which voters were required to present at polling units in order to vote, proved to be a challenge throughout the process. The final period for the collection of PVCs commenced on December 12, 2022, and ended on February 5, 2023 after two extensions. However, numerous problems with the collection process were reported including INEC not clearly publicizing the collection schedule when it moved from the LGA to the ward level, absent staff, disorganized distribution, unavailable cards, payment demanded for cards, and voters instructed to return at a later time to collect their cards. Despite these challenges, INEC reported that 93.3 percent of registered voters collected their PVCs in time for the 2023 elections with the highest percentage of collection in Bauchi state at 99 percent and the lowest in Osun at 81.5 percent.

This was an increase from 86.6 percent collection in 2019. The number of PVCs collected per polling unit is necessary

14. INEC Infographic, “Completed, Valid, and Invalidated Registration,” CVR Exercise, 28 June 2021 – 31 July 2022.

to determine if over voting occurs on election day as well as to determine the margin of lead principle during the results collation process.¹⁵ However, INEC released this data for the state-level only two days before the elections and polling unit-level data was

POLITICAL PARTY PRIMARIES

The adoption of the Electoral Act 2022 made several changes to the conduct and timelines of political party primaries to promote transparency and ease electoral preparations. The Act enabled consensus primaries for nominating a party's candidates, in addition to direct and indirect primaries, despite prolonged efforts by civil society and other electoral stakeholders to mandate direct primaries only in the legislation. The Act also added greater clarity on the processes and procedures for each mode of party primary. In the case of a direct primary the list of all party members had to be publicly displayed, and in the case of indirect primaries the names of all of the delegates had to be displayed and provided to all aspirants. Should a party adopt a consensus candidate, the candidates removing themselves from the contest needed to provide signed letters of withdrawal from the race. Despite these clarifying procedures, transparency of the party primaries did not largely improve from 2019 as most parties opted for indirect primaries or consensus candidates,

posted on the INEC website late on election day. The timelier release of election-related data would enhance the transparency of the process for future elections.

prevented INEC and citizens observers to monitor the full primary voting process, and used backdoor negotiations to influence candidate selections.

The Act also mandated new timelines for party primaries to be conducted, moving the deadline to 180 days prior to the election date, a substantial increase from the 60 days under the previous framework. Organizing the primaries earlier in the election cycle in theory should have given INEC more time to logistically prepare for the polls, such as printing ballots, and resolving electoral disputes arising from the primaries.

High political party nomination fees are often required by the parties to influence primary outcomes, but also deter many qualified applicants from contesting, particularly women, youth, and persons with disabilities. Below is a summary of the cost of nomination forms per political party in the 2022 primaries:

Category	APC	PDP	SDP	NNPP	PRP	ADC
Presidential	N100m	N40m	N35m	N30m	N10.5m	N25m
Governorship	N50m	N21m	N16m	N11m	N2.265m	N12m
Senate	N20m	N3.5m	N3m	N3m	N1.575m	N2.5m
House of Reps	N10m	N2.5m	N1.7m	N1.25m	N265k	N1.5m
State Assembly	N2m	N600k	N500k	N350k	N105k	N500k

15. The margin of lead principle, as established in the Electoral Act 2022, stipulates that if the total number of PVCs collected for cancelled polling stations in an election exceeds the margin between the two highest vote getters, then the election in those cancelled polling stations must be re-run.

In advance of the 2023 elections, INEC deregistered over 70 political parties, significantly reducing the number of competing parties from previous elections. However, defections, or “cross-carpeting,”¹⁶ between political parties still marked the primaries and continued to impact the political environment through election day. Most notably, presidential candidate Peter Obi defected from the PDP to run under the banner of the LP, which contributed to splits in the leading opposition party. A group of PDP governors from Rivers, Benue, Oyo, Abia, and Enugu commonly referred to as “the G5” also decided to not support their party’s presidential candidate. The primary processes for presidential candidates in particular drove a geographic shift in popular support for the major parties that would substantially shape the campaign.

All Progressives Congress (APC)

The ruling APC party began its indirect presidential primary on May 30, 2022. The race was contested with multiple well-known and popular candidates vying to succeed the term limited Buhari. The contest saw the former Senator and Governor of Lagos state Bola Ahmed Tinubu face the incumbent Vice President Yemi Osinbajo and several other candidates. Over 2,000 delegates from each of the 744 local government areas participated in the convention.

Tinubu won the primary with an overwhelming majority of the votes, owing largely to his status as a political kingmaker within the APC party and Nigerian politics more broadly. The results of the primary are detailed below.

Candidate	Position	Votes
Bola Ahmed Tinubu	Former Senator and Former Governor of Lagos State	1,271
Rotimi Amaechi	Former Minister of Transportation	316
Yemi Osinbajo	Incumbent Vice President	235
Ahmad Lawan	President of the Nigerian Senate	152
Minor Candidates	Multiple	122

Following the primary, Tinubu announced that he had selected Kashim Shettima, a former Governor of Borno state and incumbent Senator, as his running mate. This generated opposition both within and outside of the APC due to the fact that both Tinubu and Shettima are Muslim, breaking an unofficial convention that Nigeria’s two major religions be reflected on presidential tickets.

People’s Democratic Party (PDP)

Nigeria’s main opposition party, the PDP, held its indirect presidential primary on May 28, 2022. The primary pitted multiple wings of the party against one another, in large part because former Vice President Atiku Abubakar who was the party’s nominee in 2019 again sought to be the PDP’s presidential candidate, despite a strong desire to zone the nomination to the south after eight years of a president from the north.

Three days before the primary, one of the main contenders, former Anambra state Governor Peter Obi, withdrew from the race and left the PDP. This removed one of the main competitors to Atiku, and made the contest primarily between himself and the Governor of Rivers state Nyesom Wike.

The two men represented different constituencies of the party, with Atiku being a Muslim from the North East and Wike being a Christian from the South South. Beyond regional differences, the two men represented different generations of the party. Atiku was 76 at the time, served as Vice President for eight years, had run for President six times, and was seen as an establishment figure. Conversely, Wike was 55 and had never run for federal office. Atiku, better resourced and with stronger influence over the party, prevailed in the primary, despite strong grassroots demand for a candidate from the south. Primary results are shown below.

Candidate	Position	Votes
Atiku Abubakar	Former Vice President	371
Nyesom Wike	Governor of Rivers State	237
Bukola Saraki	Former President of the Senate of Nigeria	70
Udom Emmanuel	Governor of Akwa Ibom State	38
Bala Mohammed	Governor of Bauchi State	20

16. The practice of party elites regularly switching parties to secure nominations for elected office.

Despite speculation that Atiku would select Wike as his running mate, the Governor of Delta state Ifeanyi Chukwu Arthur Okowa was selected for the position. Subsequently, numerous efforts were made by Atiku and the PDP leadership to secure Wike's support and unify the party. However, this proved unsuccessful.

Labour Party (LP)

The LP was founded in 2002 but was not a significant player in Nigerian politics prior to the 2023 election cycle. In the 2019 election, the party won 0.02 percent of the vote in the presidential election, no seats in the Senate, and one Seat in the House of Representatives from Benue state.

The prospects of the LP in the 2023 elections greatly changed when the former Governor of Anambra State, Peter Obi, joined the party in late May 2022 after defecting from the PDP. Obi had previously been a contestant for the PDP presidential nomination and was the party's vice-presidential candidate in 2019. Obi argued that his switch to the LP was symbolic of a third choice and offered a new generation of leadership and ideas in comparison to the nominees of the APC and PDP. After joining the party, Obi was selected as the LP's nominee on May 30, 2022, through the consensus model made available through the Electoral Act, 2022. Obi selected Yusuf Datti Baba-Ahmed, a former Senator from Kaduna and a Muslim from the north, to be his running mate.

After Obi became the candidate of the LP in the 2023 election, the party saw a surge of support and membership, particularly among the youth and in the South East, South South, and South West geopolitical zones, where the #ENDSARS movement of 2019-2021 had been strongest. The emergence of the LP as a major contender marked the first election in Nigeria since 1979 where more than two parties had a serious chance of winning the presidency.

New Nigeria People's Party (NNPP)

The NNPP was founded in 2003 but did not gain widespread popularity until the party adopted Mohammed Rabi'u Musa Kwankwaso as their presidential candidate in 2022. Kwankwaso served twice as Governor of Kano State, as well as serving as a Senator and Minister of Defense all under the PDP banner. After defecting from the PDP, he unsuccessfully vied to be the APC candidate for the 2015 elections. Kwankwaso then joined NNPP in 2022 and became the party's presidential candidate after a consensus primary on June 8, 2022. He appointed Lagos-based Pastor Isaac Idahosa as his running mate. Kwankwaso's candidacy gained popularity in the north, particularly in Kano state where he served as Governor.

THE CAMPAIGN

Due to electoral reforms, the campaign period increased from 90 days in 2019 to 150 days in 2023. The longer campaign period potentially allowed voters to become better acquainted with the competing candidates and their policy priorities. However, some experts believe tensions were exacerbated by a longer campaign period, compounded by the fuel crisis and currency shortage. Candidates and parties relied on in-person rallies, door-to-door outreach, as well as online campaigning to mobilize voters. While the presidential race was the highest profile across the country, in several states, gubernatorial campaigning also took center-stage. At the beginning of the campaign period, issues of corruption, security and economic stability were frequently highlighted by contestants, although the Naira crisis dominated the substantive discourse in the last months leading up to the election.

Despite the signing of a Peace Accord by all 18 political parties on September 29 committing to peace in the leadup to the polls, the campaigns were frequently marred by violence between party supporters and use of hate speech and inflammatory language by party leaders on the campaign trail and online. Political contestants often evoked Nigeria's religious, regional, and ethnic fault lines in their rhetoric on the campaign trail, and political discourse rarely focused on policy. Stakeholders and violence monitors noted the destruction of campaign materials, physical and verbal attacks against candidates and their supporters, and assassinations during the pre-election period. Just three days before the elections and hours after a second Peace Accord was signed by the candidates on February 22, gunmen killed Labour Party senatorial candidate for Enugu East Oyibo Chukwu along with five of his supporters. In November 2022, Labour Party Women Leader for Kaduna Victoria Chintex was also killed, part of a troubling trend of political killings during the election cycle.

In numerous instances candidates were restricted from campaigning freely. Many governors prevented certain political rivals from conducting rallies and using the state media, despite the INEC chairman warning them against such behavior and releasing a campaign code of conduct for the presidential election in September 2022. For example, on February 2 in Rivers state, the government cited security reasons for revoking the approval granted for the PDP presidential campaign to use the state-owned stadium. In Kaduna state, the government restricted opposition parties from erecting billboards and using the state media for campaigning. On January 31, a scheduled rally for the APC presidential candidate in Niger state was disrupted by dozens of security operatives.

Despite the mechanisms and legal framework in place, candidates and their supporters were rarely held accountable for committing electoral offenses, such as inciting violence and violating freedoms to assembly. Per the Electoral Act 2022, INEC has the authority to regulate and oversee political parties, and the police have the responsibility to investigate and arrest alleged perpetrators. In practice, however, this separation of authorities and lack of understanding among state-level INEC and security officials about their obligation to hold political parties accountable lead to inaction.

CAMPAIGN FINANCE

Election campaigns in Nigeria are characterized by lavish spending of money, denying participants a level playing field in favor of those who control governments and state resources. The influence of money in Nigerian political processes has also reduced the incentive for political parties to earn voters' confidence through issue-based campaigning and party platforms that respond to citizen priorities. Vote buying is frequently reported in the lead up to election day, despite an established regulatory framework. The Nigeria Constitution and the Electoral Act 2022 provide for key elements of the political and campaign finance system, such as provisions on incomes, expenditures, reporting, institutional oversight, disclosure, and related penalties. The framework includes important elements for effective

oversight, such as reporting on used goods and services, access to source documentation on contributions, and mandatory audits, and has introduced an important disclosure requirement that political parties publish reports of electoral expenses on their official websites. INEC for its part, in order to fulfill its regulatory role, included certain regulations in its 2022 Regulations and Guidelines for Political Parties (Regulations) and released Finances and Election Expenses of Parties, Candidates and Aspirants. These documents, unfortunately, mostly repeated legislative provisions, but gave little guidance as to their practical implementation.

However, parties rarely meet the reporting and disclosure requirements, and INEC has yet to make campaign finance data publicly available in a consistent and accessible way. Implementation of Nigeria's campaign finance regime is often hampered by a lack of resources, and in some cases, political will. Deficiencies in the framework – such as a lack of clarity between party and candidate finances, inadequate fines for exceeding spending limits, and no clearly stated penalties for failure to publish financial reports – weakens both deterrence and transparency mechanisms in practice. Without real oversight and enforcement, campaign finance in Nigeria ahead of the 2023 remained opaque, and political contestants' fundraising and spending largely unaccountable.



The 2023 elections took place in an environment of widespread insecurity. With growing banditry in the North West, persistent violence driven by the Boko Haram insurgency in the North East, the expansion of ISIS into Nigeria’s North Central region, the expansion of farmer-herder violence into southern Nigeria, and the emergence of the IPOB insurgency in the South East, insecurity had reached historic highs in 2022. While insecurity has consistently been a feature of elections in Nigeria, stakeholders agreed that for prior elections it had been more localized.

Considered in its entirety (from January 2022 through April 2023), the 2023 election cycle was more violent than the 2019 election cycle, and in some respects was more violent than the 2015 election cycle, although the 2015 election cycle experienced a higher number of election related fatalities.¹⁷

Election Cycle	LGAs Experiencing Election Violence	Election Violence Incidents	Election Violence Fatalities
2015	134	273	498
2019	187	347	224
2023	274	586	348

Election day 2023 likewise saw more violent incidents occur across more states than in 2019 (at least 46 incidents in 22 states and the FCT, compared to 19 incidents in 10 states in 2019).¹⁸ Not only was the intensity and geographic scale of violence greater than during the 2019 election, but the character of election violence surrounding the 2023 elections was particularly troubling, with a high number of assassinations and attempted assassinations (with at least 30 reported from January 2022 – March 31,

2023),¹⁹ as well as a significant number of attacks on INEC offices, personnel, and materials, which were reported in ten states and the FCT in the lead up to elections. Almost two-thirds of these attacks occurred in the South East region.²⁰

The prevailing insecurity in the lead-up to elections, such as the Boko Haram insurgency, banditry, and IPOB conflict, was relatively muted on both February 25 and March 18. Politically-motivated violence that occurred on election day appeared targeted to support a particular party or candidate. There was little accountability for the role party officials played in election violence in the lead up to elections and on election day. The majority of incidents of electoral violence where the perpetrating party was known were attributed to supporters and operatives of the ruling APC. Fewer, but still a sizable number, were attributed to PDP. Incidents of election violence attributed to other parties such as LP, NNPP, SDP, and APGA were minute in comparison.²¹

Violent disruptions of election processes partially explain lower than expected turnout in some vote rich areas, including Lagos, Kano, and Rivers. Despite being warned repeatedly of the likely use of strategic election violence in key areas, security forces did not deploy appropriately to mitigate these threats. The result was the occurrence of significant election violence in predictable areas, notably in Lagos, where it could and should have been prevented.

CONDUCT OF SECURITY FORCES

Various stakeholders reported that the conduct of security agencies in this election cycle was superior to that seen in previous cycles, with security forces generally deploying on schedule and acting more professionally than in past election cycles. The military services in particular sought to avoid playing any role in elections that could be seen as political and stepped back to let the police handle preparations

17. Analysis of ACLED data filtered to include incidents of election violence (violence involving candidates, political parties, supporters, campaign rallies or activities, or election officials, processes, or infrastructure). Peaceful protests excluded. Periods of comparison are January 1, 2014 – April 30, 2015; January 1, 2018 – April 30, 2019; January 1, 2022 – April 30, 2023.

18. Based on analysis of [ACLED data](#), KDI 2023 Election Day [Report](#), AP, BBC, Blueprint, Premium Times, CKN Nigeria, Daily Trust, Premium Times, Sahara Reporter, HumAngle, Inside Arewa, Daily Independent, The Punch, Daily Trust, Leadership, The Guardian, Vanguard, The Herald, The Sun, The Cable, New Telegraph.

19. Analysis of ACLED data and open-source reporting. See annex for complete list of incidents.

20. ACLED, Blueprint, Daily Champion, Sahara Reporters, Daily Trust, Vanguard, The Punch, Premium Times, HumAngle. In the pre-election period (January 1, 2022 – February 24, 2023), attacks on INEC offices, personnel, and material were reported in Imo, Enugu, Ebonyi, Anambra, Edo, Ogun, Osun, Lagos, Katsina, Gombe, and the FCT. See annex for list of incidents.

21. The IEOM received reports that the National Peace Commission admonished the major parties in January 2023 for direct involvement in numerous election violence incidents, attributing almost 50 incidents to APC, almost 40 incidents to PDP, and fewer than 10 incidents to each of the remaining parties. Long-term conflict monitors, including those deployed by KDI, also reported that the greatest number of election violence incidents were attributed to APC, followed by PDP. Analysis of ACLED data shows a similar trend.

as the lead agency for election-related security per the Electoral Act. In contrast to previous elections, police were by and large not directly involved in election-related offenses such as ballot snatching, with possible exceptions being incidents in Rivers state that as of this report were still being investigated. Additionally, in some states opposition politicians were arrested or threatened with arrest on trumped up charges.

Rather, the primary shortcoming of security agencies, particularly the police, was their frequent passivity in the face of blatant electoral offenses and political violence. In some states, passivity by the security forces, in particular the police, may have been due to politicization and even complicity in the violence. The Electoral Act also contributed to the passivity of security agencies, as it placed the onus on INEC to identify and stop electoral offenses at the polling unit and only calls for the security agencies to play a supporting role. Similarly, the Electoral Act gave INEC the authority to prosecute electoral offenses rather than the police, but various stakeholders reported that INEC showed little initiative and capacity in this regard. Consequently, while the security agencies showed appropriate restraint in some regards, including not directly participating in electoral offenses themselves, their lack of proactiveness also significantly contributed to insecurity and poorly conducted polls on election day(s) as well as impunity for offenders.

While INEC acknowledged security threats to the elections and held numerous national and state level trainings with security forces beforehand, enforcement by INEC and security forces on election day was lacking, and the Inter-Agency Consultative Committee on Election Security (ICCES) failed to function as intended. Though the basic conditions for the security agencies to cooperate on election security were in place before the election, a lack of clarity with regards to the operations of the Committee prevented ICCES from fully executing its mandate. The precise composition and leadership of ICCES was not written into the Electoral Act. This meant that ICCES operated as an ad hoc committee and struggled with bureaucratic disputes over leadership. Furthermore, election-day hotlines were not consolidated. ICCES and security agencies published long lists of various hotlines that citizens could call to report different offenses or security incidents, but many of these lines were not properly manned on election day.

PEACEBUILDING

Despite the general value of public commitments by political parties to reject violence and to hold their members and supporters accountable, there is little evidence that such efforts reduced violence during the 2023 elections. Electoral violence actually increased following the signing of the National Peace Accord in September 2022, which coincided with the start of intense campaigning, and continued to escalate up to and following the signing of the second National Peace Accord in February 2023. Candidates signed such accords as a box-ticking exercise but did little to prevent their aides from engaging in violence or hate speech, let alone work to inculcate peaceful and law-abiding values with the party rank-and-file. The IEOM heard complaints from smaller parties that the Peace Accord signings only served to provide the two major parties with political cover rather than hold them accountable for violence.

GUBERNATORIAL AND STATE ELECTIONS

Concerns about election day violence were heightened for the gubernatorial and state elections, as parties and candidates may have felt politically vulnerable following the results of the presidential and National Assembly elections. Consequently, there was significant political thuggery on March 18, with at least 66 violent incidents reported in 21 states according to violence monitors. Lagos experienced more than a dozen incidents of violent voter suppression, most targeted at Igbo neighborhoods.²²

22. NDI-IRI observer reports, CKN Nigeria, Daily Champion, Premium Times, Daily Independent, Daily Trust, Nigeria Punch, Nigerian Eye.

Nigeria has a vibrant and pluralistic information landscape, with a wide variety of both state-owned and private media outlets, offering citizens a diverse range of information on electoral activities and political contestants. However, media ownership is often politically affiliated, and government influence on information channels, particularly local media, can impact the political discourse. Though radio remains the most important avenue by which Nigerians consume news, the rapid penetration of social media, online portals, and digital messaging services is transforming the electoral information environment, including where and how candidates campaign. The 2023 elections saw Facebook most actively used for campaigning and commentary by the candidates and parties, while party spokespersons and other online influencers with significant followings frequently disseminated messages through Twitter. TikTok also played an increasing role in the elections, especially among young people.

Despite the proliferation of new outlets where Nigerians can seek information, stakeholders raised concerns about limited media access to the leading candidates and their lack of participation in national debates in the leadup to the 2023 elections. News reports often had to rely on quotes from party sources. Such barriers to direct, unfettered and policy-driven communication with the public undermined voters' ability to make an informed choice on election day.

MEDIA LEGAL FRAMEWORK AND REGULATION

Nigeria's Constitution guarantees freedom of expression and the press, and the Electoral Act contained provisions concerning the role of media during an election campaign, including that media should not advantage any political party or candidate, and should allocate time or, in the case of print media, space equally among all parties and candidates. It also specified penalties in case these stipulations were contravened. The National Broadcasting Commission (NBC) was responsible for monitoring compliance with these rules for broadcasters.

However, the media rules were vague and lacking in detail as to how they should be implemented in practice. The NBC's Broadcasting Code, updated in 2019, contained more guidance on the coverage of political news. The NBC replaced the requirement for "equal" coverage with "equitable" coverage in the 2019 edition of the Code when referring to the allocation of airtime among parties and candidates,

given that some parties are much larger and have more activities than others, making it unrealistic to give equal coverage to all. In monitoring political coverage, the NBC applied the Broadcasting Code rather than the Electoral Act. As a consequence, the Electoral Act's provision requiring "equal" airtime for all parties was in practice redundant.

The lack of detail of the regulations regarding media coverage gave the NBC considerable discretion in how to interpret and apply the rules. At various points before and after the February 25 elections, the NBC director-general announced fines on broadcasters for breaches of the Broadcasting Code, as well as issuing warnings about their conduct. While these statements were publicized through the media, neither the statements nor the detailed NBC decisions were published, and there was a lack of clarity as to how many fines had been issued. In early February, the NBC director-general announced fines against two broadcasters, TVC News and Arise TV, for tilted coverage to the detriment of the PDP and the APC respectively. Following the presidential and parliamentary elections, the director-general made two statements, on 27 February and 10 March, in which he warned broadcasters not to give media access to "unpatriotic individuals" who made "subversive, hateful and inciteful utterances" that endangered democracy and threatened Nigeria's existence, or risk being shut down. On 15 March, the director-general announced that the NBC had sanctioned a further 25 broadcasters, including 17 for broadcasting partisan content during the 24-hour pre-election campaign silence stipulated in the Electoral Act, four for divisive comments, and one for disclosing election results prior to INEC.

Numerous interlocutors expressed doubt in the NBC's independence and impartiality, noting that its members were appointed by the president, and that it sometimes makes decisions at the behest of the ruling party. The lack of independence and transparency in broadcast media regulations and enforcement, both real and perceived, raised questions about the fairness of the process.

VIOLENCE AND INTIMIDATION OF JOURNALISTS

Though freedom of expression and fair and equitable media coverage were provided for in Nigeria's legal framework, Nigerian journalists were still at high risk of politically motivated arrest, intimidation, targeted harassment, and violence, and sometimes self-censored to avoid sensitive topics or hostile areas of the country. On election day, several cases of journalists being assaulted by party activists or members of the security forces were recorded, often having their phones taken and images and videos wiped. In a particularly worrying case, the owner of a local media outlet in Bauchi state was detained by police and accused under the penal code of inciting a group of women protesting the state governor. Civil society organizations asserted that he was detained on the orders of the governor.

The Bauchi case was indicative of a worrying pattern that journalists who report on allegations against state governors, or in any way provoke them, were harassed, detained, and sometimes prosecuted, with local media outlets being most vulnerable. Interlocutors noted governors often acted with impunity in terms of abuses of power, using the criminal justice system to persecute journalists that were critical of them. While journalists have the possibility of legal redress, the process is usually long and resource intensive, creating barriers to see it through. Provisions in the penal code, which criminalizes defamation, and the Cybercrimes Act were interpreted broadly, so that they could be used to punish political reporting. In the wake of the March 2023 gubernatorial elections, the Committee to Protect Journalists reported that at least 28 journalists were harassed, attacked, or obstructed from the process while trying to report on the state elections.

DISINFORMATION, MISINFORMATION AND HATE SPEECH

The deliberate spread of disinformation both online and in traditional media around the 2023 elections contributed to voter confusion, sowed doubt in the electoral process, and exacerbated underlying cultural and ethnic tensions. Interlocutors noted that all the major presidential campaigns benefited from the generation of manipulative and discrediting content online. Though the official accounts of party leaders and major candidates often remained above the fray, they relied on spokespersons and – sometimes paid – online influencers and supporters to generate and amplify provocative, misleading, and inflammatory rhetoric.

Meanwhile, closed messaging platforms like WhatsApp and Telegram provided a permissive and largely opaque environment for rumors and divisive narratives to thrive, especially in local languages, which was often exploited by political operatives. Information manipulation tactics and hate speech were present around the presidential elections, but also in the run-up to the March 18 gubernatorial and state assembly elections, where ethnically based content stoked tension and violence, especially in Lagos.

The major presidential candidates were all targets of false information on social networks designed to undermine their credibility, often evoking ethnic, religious, or regional tensions or homophobic narratives. Peter Obi was often characterized as a depraved thug linked to South-East separatist movements like IPOB, while doctored pictures implicated Bola Tinubu in financial scandals. In a highly controversial Twitter thread in February, an APC spokesperson claimed that the PDP's presidential candidate, Abubakar, had met secretly with senior military figures, and speculated that there was an agenda to disrupt the elections, destabilize the country, and provoke a military coup. Claims that Abubakar was gay were also pushed in WhatsApp groups, as well as by the same APC spokesperson on Twitter. There was little accountability for political actors engaging in or amplifying disinformation and divisive narratives before, during or after the elections.

Online manipulation tactics designed to blur the credibility of information sources and trick unknowing users into sharing false content – such as misquoting prominent people or the use of manipulated photos and news stories to mimic the look and name of more trusted sources – were common in the leadup to the elections. Fact-checkers also noted that there was a tendency for false information originating from social networks to penetrate offline media and become entrenched in the political debate. Coordinated behavior – such as flooding online content with partisan or even irrelevant hashtags – was also used to saturate political debates and drown out dissenting voices.

Even more alarming was the emergence of blatant misinformation about the electoral process, such as the proper use of PVCs, the results transmission process, or the cancellation of elections. A doctored audio clip that went viral on the February 25 election day appeared to show Abubakar, his running mate and another political figure plotting to rig the elections with INEC.²³ Also on election day, a prominent social network influencer posted a claim that the INEC server had been breached, and that unauthorized persons were uploading false results. In the febrile atmosphere of the elections, such

23. [Atiku declares audio of chat with Okowa, Tambuwal fake, blames APC, LP - Daily Post Nigeria](#)

posts contributed to eroding public confidence in the electoral process and the results and increasing tensions.

In the face of a flood of disinformation about the electoral process, INEC's communication with the public was limited and reactive. INEC made efforts to counter such narratives, for example, through a WhatsApp group for the INEC press corps. However, following the claims that its server had been breached on election night, INEC didn't issue a statement reassuring people that the challenges with the IReV had been identified, were of a technical nature and not a breach of INEC's systems, until midday on February 26, the day after the elections. In its post-election report, the Centre for Democracy and Development (CDD) asserted that a lack of crisis communication by INEC allowed false allegations of electoral malpractice to go unchecked.

To mitigate the surge of disinformation, there were several Nigerian-based networks and initiatives providing

creative approaches to fact-checking, debunking, and promoting broad media literacy efforts. Three civil society organizations (CSOs), the International Centre for Investigative Reporting (ICIR), Dubawa, and Africa Check established the Nigeria Fact-Checking Coalition, which comprised 12 organizations, including fact-checkers and media outlets.

Dubawa and Africa Check, as well as the Reuters and AFO agencies worked with Meta to identify suspicious and violating posts on Facebook and Instagram, and most media and civic actors viewed the platform as proactive in its approach to responding to disinformation and hate speech around the elections. However other influential platforms, most notably Twitter, pulled back on mitigation efforts, and false or misleading electoral information lingered on the platform throughout the elections despite being flagged by fact-checkers.



WOMEN'S PARTICIPATION

Women faced structural and societal barriers to meaningfully participate in Nigeria's traditionally male-dominated political space. Already ranked among the lowest in the world for the number of women elected officials,²⁴ Nigeria has seen a decline in women's political participation in the federal elections, compared to previous polls. Women continue to be underrepresented as voters, comprising 47.5 percent of registered voters in the 2023 elections, while World Bank census data estimates women are 49.5 percent of the population.²⁵ Not one of Nigeria's 36 governors is a woman, and the North West geopolitical zone has no women in elected office in either the National Assembly or State Assemblies. In early 2022, the National Assembly rejected five constitutional reform bills that promoted women's rights and political empowerment. One proposed reform would have created 111 additional reserved seats for women, while another would have instituted a 35 percent quota for women in leadership roles in political parties.

Women's rights groups have encouraged political parties to support women aspirants and advocated for the executive arm of government to ensure compliance with the 35 percent quota for appointed positions in public offices, as stipulated in the National Gender Policy and the judgment of the Federal High Court in April 2022 ordering enforcement of the policy. The government appealed against a court judgment ordering it to enforce the 35 percent gender quota for appointed positions. However, the IEOM was informed that the government's appeal was lodged out of the time period allowed for appeals and has the potential to be dismissed. As of the publication of this report, this case is still ongoing.

As with previous elections, women represented very few candidates for both the national and state level elections. Women comprised an average of 10.1

percent of candidates from the 2023 electoral cycle, including national and state elections. Furthermore, women were most likely to be nominated by smaller parties, and therefore unlikely to achieve significant political representation. Women and youth often have more chances to stand for smaller parties, where there is less competition for political positions and candidate spots. The deregistration of over 70 parties since 2019 as well as the adoption of consensus-based primaries – which were often controlled by male political leaders – reduced opportunities for women to contest in the elections.

Women represented a mere 9.9 percent of presidential and National Assembly candidates in 2023, a drop from 12 percent in 2019. The only party that nominated a female presidential candidate for the 2023 elections, the Allied People's Movement (APM), abandoned her candidacy just a week before the election, endorsing Atiku Abubakar of the Peoples Democratic Party (PDP) as their preferred presidential candidate. Of the eight parties in the House of Representatives,²⁶ ADC, NNPP, and SDP had no female candidates. Out of the seven parties in the Senate, only APC, LP, and PDP had one female senate candidate each. Women's representation was worse in the north, where five states (Kano, Sokoto, Taraba, Yobe and Zamfara) did not field any women candidates for the Senate, and one state (Jigawa) did not field any women candidates for the House of Representatives.

Women carried only slightly better odds as candidates for the state elections, with women representing 10.6 percent of candidates.²⁷ According to the Nigerian Civil Society Situation Room, 17 states²⁸ had women contesting for governorship seats. In turn, Taraba and Yobe states fielded no women contesting for either governor or deputy governor.²⁹ The below chart shows the breakdown of the 1,174 female candidates in the state elections:

24. In January 2023, the InterParliamentary Union ranked Nigeria 182 out of 190 countries in terms of women's representation in national parliaments—See InterNational Parliamentary Union at <https://data.ipu.org/women-ranking?month=1&year=2023>.

25. "INEC Releases Final List of Presidential, National Assembly Candidates for Polls," *This Day*, <https://www.thisdaylive.com/index.php/2023/01/09/inec-releases-final-list-of-presidential-national-assembly-candidates-for-polls/>

26. The eight parties in the House of Representatives are the ADC, AGPA, APC, LP, NNPP, PDP, SDP, and YPP.

27. Source: INEC Observer Briefing

28. Abia, Adamawa, Akwa Ibom, Benue, Borno, Cross River, Delta, Ebonyi, Enugu, Jigawa, Kano, Kwara, Lagos, Nasarawa, Niger, Oyo, and Zamfara states

29. Nigerian Civil Society Situation Room, <https://twitter.com/SituationRoomNg/status/1636734292167467009?cxt=HHwWgoC9xdfk7LY-tAAAA>

Election	Vacancies	Total Number of candidates	Number of Male Candidates	Percentage Male Candidates	Number of Female candidates	Percentage Female Candidates
Governor	28	420	394	94.0	25	6.0%
Deputy Governor	28	420	320	76.0	100	23.8%
State House of Assembly	993	10,232	9,183	90.0	1,049	10.3%
Total	1,049	11,072	9,897	89.4	1,174	10.6%

Originally, the SDP was fielding Mrs. Ngozika Johnson-Ogbunike, a female candidate for the governorship election, but she surrendered the party structures to the LP and committed to working for the campaign of the LP candidate, Mr. Alex Otti. Even though parties also abandoned male candidates prior to the elections, considering the difficulty women faced in being nominated as candidates on the ballot in the first place, these developments were a blow to the fight for women's political participation in Nigeria.³⁰

Pervasive structural and societal challenges also limited women's political participation. Traditional patriarchy and religious and cultural beliefs perpetuated attitudes about women's inferiority and low capacity to lead. In Rivers state, the female LP candidate for governor, Beatrice Itubo, lost the support of the party structures due to the belief that she did not have a viable chance of winning. Instead, the LP reportedly endorsed the PDP candidate, Siminialaye Fubara. Although the LP national structures intervened and reaffirmed support for her, this impacted her campaign and chances of being elected. Abeni Animasahun, the female SDP deputy governorship candidate in Lagos, stepped down from her campaign entirely and instead endorsed Governor Babajide Sanwo-Olu, the male APC candidate up for re-election.

With regards to INEC, despite being well represented as polling staff, polling agents, and observers for the federal elections, there was particularly low representation of women in senior levels of election management.

In the 2022 primaries, the leading political parties had instituted policies to reduce the financial burden on women aspirants, such as reducing or eliminating fees for candidate nomination forms. However, these measures

sometimes weakened women's standing with party members as they were perceived not to have invested equally in the party or may not have the resources to run an effective campaign. Some women also believe the practice of providing free nomination forms can cause party members to not see them as viable candidates because they pay less. These measures have not lessened the undue burden posed by the other financial costs that candidates are required to cover that are not supported by the political parties.

Women candidates were frequently targets of violence, especially cyberbullying, sexual harassment and assault, and other forms of physical violence, in the process of seeking nomination and as candidates during election campaigns. For example, Aishatu Dahiru Ahmed (aka Binani) the APC governor candidate in Adamawa state, faced resistance from multiple attacks on her campaign events, a smear campaign and hate speech against her candidacy, including misogynist statements such as women cannot handle security issues and accusing men of supporting her of being gay.³¹ Some interlocutors flagged coercion and the use of sexual violence to force women who had won primaries to step down. The negative experiences of female aspirants and candidates reported in 2019, particularly sexual harassment and outright intimidation, may also have deterred some women from contesting in the 2023 elections. Women aspirants also noted that they typically did not have adequate funds to procure security for their campaigns. Fear of violence and insecurity may have also suppressed women voters from going to polling units on election day.

YOUTH PARTICIPATION

Nigeria witnessed a surge in registration of young people in the lead up to the 2023 elections, and youth engaged actively in other aspects of the Nigerian electoral process. According to INEC, voters between the ages of 18 to 34

30. In 2019, all six female presidential candidates eventually withdrew from the election, before election day.

31. Yiaga Africa LTOs in Adamawa, as reported by Yiaga Africa Director of Programs.

represented 76.6 percent³² of new registered voters for the 2023 general elections³³ and 39.7 percent³⁴ of all registered voters in 2023. Young people were engaged as community organizers and voter mobilisers and educators for their peers and communities. INEC Youth Ambassadors attended the National Youth Summit and shared messages for youth to not sell their votes or be involved in electoral violence in the leadup to the elections. Youth also served as polling officials, including over 200,000 members of the National Youth Service Corps. Due to multiple logistical failures and polling delays beyond their control, polling staff, including the National Youth Service Corps, had to manage the vocal frustration and sometimes aggressive behavior by voters.

Despite their engagement, young people faced significant barriers to register to vote. Failure of INEC to extend the timeline beyond June 31, 2022, likely disenfranchised many young people who were not able to register in their places of residence, as the ongoing ASUU strike displaced many students. Prior to the elections, university and polytechnic classes were paused, making it more accessible to allow students to travel to their areas of registration to vote. Students ended up comprising 27.8 percent of voters registered for the 2023 elections.³⁵

Youth have been poorly represented as candidates for elected office, even when they contest in large numbers. Despite the legislative advances from the #NotTooYoungtoRun campaign that lowered the age requirement for standing for elected office,³⁶ there were few youth candidates, especially when considered relative to the substantial percentage of young people on the voter register. Youth candidates declined in the national and state elections, comprising only 28.6 percent, a drop from 34 percent of candidates in 2019.³⁷ Young women faced an especially high degree of underrepresentation, with only 11 percent of youth candidates (ages 25 to 35) for national and state elections being female.

For the federal elections, youth candidates comprised a mere 3.7 percent of candidates under the age of 36.

Comparatively, state elections saw more youth running as candidates, with 12.2 percent of candidates for governor and deputy governor, and 35.6 percent of the candidates for State Houses of Assembly. According to the Nigerian Civil Society Situation Room, 51 youths contested as candidates for governorship or deputy governorship seats in the state elections, in total. In Adamawa, Jigawa, and Ogun, youth had the least representation for the governorship election, as no youth candidates ran for office.³⁸

Youth faced societal and structural barriers to being nominated and running as candidates for elected offices that negatively impacted their abilities to participate as candidates. Adverse perceptions about their capacity to lead in politics and negative stereotypes about their involvement in election-related violence were at the forefront of these limitations. Since youth were less likely to be financially stable, they faced challenges with meeting campaigning costs, including the prohibitive costs of campaigning nomination forms. Even for those that were able to run, some nominated youth candidates were replaced to satisfy interests of their own political parties.³⁹

Despite facing obstacles to political participation, youth remain enthusiastic and galvanized to play an active role in shaping the future of Nigeria. Though the number of youth candidates as a whole (defined as 18 to 35) declined in 2023, there was an increase in Nigerians under 30 years of age who contested according to Yiaga Africa. For example, Ibrahim Mohamed, who at the age of 27 years won the Bunza/Birin Kebbi/ Kaigo seat in Kebbi state, is set to become Nigeria's youngest ever elected lawmaker.

PARTICIPATION OF PERSONS WITH DISABILITIES (PWDs)

Nigeria has about 28 million citizens with at least one documented form of disability,⁴⁰ PWDs have constitutional rights to participate in political spaces in Nigeria through the Discrimination against Persons with

32. INEC, Completed, Valid & Invalid Registration, CVR Exercise

33. These figures from December 2022 also are aligned with the numbers that INEC previously published June 27, 2022. INEC Nigeria (@inecnigeria) / Twitter

34. <https://twitter.com/inecnigeria/status/1628484264961445890>

35. <https://twitter.com/inecnigeria/status/1628484264961445890?cxt=HHwWhMC49fLzxJktAAAA>

36. Ahead of the 2019 polls, the #NotTooYoungtoRun campaign, led by a consortium of Nigerian civil society organizations spearheaded by Yiaga Africa, helped to galvanize young people and resulted in a constitutional amendment that lowered the age requirements for presidential candidates to 35 years, and requirements for federal House of Representatives and state House of Assembly candidates to 25 years.

37. Yiaga Africa Report - Youth Candidacy in Nigeria's 2023 Elections, <https://yiaga.org/youth-candidacy-nigerias-2023-elections>

38. Nigerian Civil Society Situation Room, <https://twitter.com/SituationRoomNg/status/1636734292167467009?cxt=HHwWqoC9xdfk7LYtAAAA>

39. YIAGA-Youth Candidacy in Nigeria's 2023 elections.

40. Nigerian Observer, FG restates commitment to holistic inclusion of 28m PWDs: <https://nigerianobservernews.com/2023/02/fg-restates-commitment-to-holistic-inclusion-of-28m-pwds/>.

Disability Prohibition Act,⁴¹ which provides PWDs the right to “fully participate in politics and public life” and directs the government to promote an environment in which PWDs can engage in public affairs, non-governmental organizations, associations and in the administration of political parties, without discrimination. The Electoral Act of 2022 included provisions that mandated INEC to take reasonable steps to enhance access for PWDs for the 2023 elections.⁴²

Despite these increased mechanisms, the provisions of the Electoral Act were not comprehensively implemented for PWDs to participate in the electoral process. As part of the Electoral Act, INEC collected PWD status during the voter registration exercise and purportedly used Form EC40H at polling stations to track PWD turnout. Both efforts allow INEC to provide more accurate disaggregated information about PWD participation and better target the deployment of assistive devices and provision of on-site polling unit assistance to PWDs. INEC reported 85,362 PWDs registered voters. However, many interlocutors view the PWD voter registration data as limited and not inclusive of the full PWD voting population. Although INEC reportedly worked with organizations for PWDs to supplement the information on the voters roll, some reported that this effort was not comprehensive. In addition, reports from observers following election day noted an inconsistent use of the EC40H form. INEC and CSOs were reported to have conducted voter education efforts targeting marginalized groups including PWDs, in the leadup to the elections.⁴³

Despite improvements in comparison to previous polls, PWD voters were not adequately supported for the elections. INEC did not develop a framework for PWD participation for the 2023 general elections, and used the framework published in 2019.⁴⁴ Given that there was no comprehensive data on the specific needs and locations of PWDs, deployment of assistive devices fell short of the amounts required for polling units for the federal elections which negatively affected PWD voting in the federal elections. In advance of the federal elections, there were reportedly only 6,000 magnifying glasses to

cover Nigeria’s nearly 180,000 polling units. In cases of visually impaired voters, the lack of Braille Ballot Guides compromised the secrecy of the vote as they had to be assisted by another person to mark their ballots when voting. Provisions for PWDs in the elections were limited to those with physical and visible disabilities and did not extend to voters with mental disabilities. Representatives of mental health groups suggested that this omission was a reflection of a society-wide misunderstanding and stigmatization of mental health conditions, and that even the established organizations of PWDs have not mainstreamed mental disabilities in their work.

PWDs were underrepresented in political leadership structures and faced limitations in running as candidates. INEC had taken steps to incorporate more PWD poll workers into its ranks including through a five percent quota recruitment policy.⁴⁵ According to the Inclusive Friends Association, about 66 percent of the polling stations observed, there were at least 4 polling officials, of which about 26 percent are PWDs for the general elections.⁴⁶ Only 40 out of the 15,303 candidates in the 2023 electoral cycle were PWD candidates, including both federal and state elections.⁴⁷ The federal elections saw a mere 31 PWD candidates out of more than 1,000 candidates for the House of Representatives and Senate. According to the Nigerian Civil Society Situation Room, only one PWD candidate contested a gubernatorial election, Liman Ibrahim Muhammad of the ADP in Sokoto State.⁴⁸ Most PWD candidates contested for smaller parties with low chances of being elected, and only a few parties made any meaningful efforts to promote PWDs within their own structures.⁴⁹

PARTICIPATION OF IDPS

Protracted and widespread security crises, compounded by significant floods in the pre-election period, led to the internal displacement of more than 3.2 million people before the election,⁵⁰ for whom universal and equal suffrage remained elusive. According to data from the United Nations International Organization for Migration, there were at least six states with more than 100,000 IDPs

41. Section 30, Discrimination against Persons with Disability Prohibition Act

42. Electoral Act of 2022, Section 54

43. YIAGA-Road to 2023, Tensions, Ungoverned Spaces, Limited Access <https://www.yiaga.org/road-2023-tensions-ungoverned-spaces-limited-access-elections>

44. Framework On Access And Participation of Persons with Disabilities (Pwds) in the Electoral Process, (INEC)

45. INEC’s policy was developed in response to advocacy by Access Nigeria

46. IFA VoteAbility Findings from the 2023 general elections, <https://twitter.com/inclusivefrnds/status/1631218489057857536>

47. Kimpact Development Initiative, Report on the Pre-Election Environment Assessment

48. Nigerian Civil Society Situation Room, <https://twitter.com/SituationRoomNg/status/1636734292167467009?cxt=HHwWgoC9xdfk7LYtAAAA>

49. APC and the PDP have disability desk officers and leaders for PWDs; however, this is not translating into more PWD candidates.

50. Internal Displacement Monitoring Center (2021) <https://www.internal-displacement.org/countries/nigeria>

ahead of the federal elections,⁵¹ which did not count the additional 1.4 million people displaced by flooding.

INEC put in place measures to enable IDPs to participate in the electoral process through a revision of the INEC Framework and Regulations on IDP Voting in advance of the 2023 elections.⁵² The revisions included, among other items, providing for voting in locations other than IDP camps.⁵³ Though the framework contained improvements, the document was vague and assigned discretionary power to local INEC staff. For example, following violence on the evening of the federal election officials of the local government area for Benue State requested for INEC to relocate 48 polling units in three council wards for the gubernatorial elections. The polling units were not relocated because the Benue REC was concerned about the perception of political advantage at polling stations.

While INEC made efforts to improve the inclusion of IDPs this election cycle, INEC did not have a mechanism for collecting data about IDPs on a national scale, even though the IDP framework required all RECs to complete surveys of IDPs in their states prior to the election. Insufficient data makes it difficult for INEC to track IDP voter registration and prepare adequately for participation of IDP voters in the elections. While INEC surveyed IDP voters in some states and revised the framework for their participation, the exact extent that IDPs turned out to vote on election day remains difficult to track. This is partly due to the lack of disaggregated IDP data on the voter register and, in some areas, ever changing settlement patterns. Further, the absence of nationwide civil society groups or champions which focused on the political and electoral participation of IDPs resulted in insufficient attention to these issues.

In addition, IDPs were particularly susceptible to vote buying and pressure to sell their PVCs given political and economic hardship. Scattered IDP communities were destabilized by bandits, kidnapping and communal clashes after the end of the voter registration period and beginning of the collection of PVCs, resulting in further movement by some IDPs who were unable to return to the areas where they were registered, or loss of their registration cards during displacement. In some states, IDPs were able to register afresh or to transfer their registration with the assistance of electoral commission

staff and vote in designated voting centers or at polling units within the general population.

Though IDPs that were not in camps remained largely undocumented, INEC's establishment of IDP voting centers in some states may have helped to facilitate participation in the 2023 elections. IDPs were sensitized to vote through leaders in the camps, prior to election day. INEC worked with volunteers and civil society groups who provided vehicles to take IDPs to their home areas and then back to the camp or their area of residence, for IDPs who voted in their home communities. INEC did not provide arrangements for interstate voting,⁵⁴ despite the Revised Regulations and Framework for Voting by Internally Displaced Persons making this voting provision.⁵⁵

OTHER MARGINALIZED GROUPS

Zoning of candidature based on ethnogeographic identity, while intending to foster inclusion and representation, may result in periodic exclusion for people whose ethnic group is not up for election. This reinforces the perception that candidature in a particular election is for one ethnic group and others are unable to contest. The loose zoning and rotation of the Presidency and Vice Presidency by parties along the ethnogeographic and religious lines of Igbo, Yoruba and Hausa/Fulani, North and South and Christian and Muslim is an example of marginalization of ethnic groups. For example, while campaigning as APC candidate for president, Tinubu said that it was his turn now as a Yoruba to take over from a Fulani and also mocked the presidential electoral prospects of the Igbo.

Political parties, candidates, and their supporters may discourage voters from voting for a candidate on the basis of ethnicity. The Lagos governorship elections highlighted this dynamic, with some suggesting that LP candidate Gbadebo Rhodes-Vivour should not be elected because, while Lagos is claimed as Yoruba territory and he is of Yoruba origin, his wife and mother are Igbos. In Benue, members of ethnic groups such as the Idoma have been protesting political dominance by the Tiv ethnic group, which is the majority ethnic group in the state, and which has held the governorship for 46 years.

51. [Internally Displaced People – UNHCR Nigeria](#)

52. INEC Framework for Voting by Internally Displaced Persons (2022): <https://inecnigeria.org/wp-content/uploads/2019/02/Framework-for-IDP-Voting-.pdf>

53. <https://main.inecnigeria.org/wp-content/uploads/2019/02/Framework-for-IDP-Voting-.pdf>

54. There was no provision for interstate voting established by INEC because of issues determining which polling stations to add votes on and concern there could be vote duplications.

55. INEC Revised Regulations and Framework for Voting by Internally Displaced Persons, page 4.

Nigeria has an expansive and dynamic civil society that pushed for reforms and advocated for transparent, inclusive, and accountable elections. Nigerian watchdog organizations played a significant role in building accountability around the February and March polls, promoting civic participation and inclusion, and driving advocacy and peacebuilding initiatives.

The work of nonpartisan citizen observers in particular helped increase transparency in the elections, deter electoral malfeasance, expose irregularities, and provide citizens with trustworthy information on the integrity of the process, through both long-term and short-term observation. Yiaga Africa, under its #WatchingtheVote project, deployed long-term observers and conducted a PVT of the 2023 presidential and gubernatorial polls, allowing them to provide an accurate assessment of election day processes and an independent verification of official results, which was critical in the public's understanding of the ultimate electoral outcome. Yiaga Africa also sought to pilot an Election Results Analysis Dashboard (ERAD) that would independently aggregate polling station results from INEC's IReV portal. Disability groups such as Inclusive Friends Association (IFA), the Joint National Association of People with Disabilities (JONAPWD), and TAFAfrica observed the electoral process with a specific emphasis on accessibility issues. KDI deployed observers in every state, as well as long-term conflict monitors in key hotspots around the country. The deployment of long-term conflict monitors allowed for increased early warning of election violence risks and facilitated improved mitigation efforts by local security forces.

Overall, INEC accredited almost 200 citizen election monitoring organizations. However, observers noted that the accreditation process was truncated and poorly communicated. INEC only allowed observers three weeks to apply for accreditation and closed the window over a month before election day, when many groups had not yet completed observer recruitment. The process of submitting observer names on the INEC online portal was reportedly cumbersome and caps on the number of credentials per organization made it difficult to adjust for replacements. Some interlocutors have also flagged the presence of "fake" citizen observer groups in the immediate lead-up to election day, that are neither nonpartisan nor

appear to be legitimate civil society organizations. Such efforts may be used to undermine the findings from credible observers or otherwise dilute the political discourse around electoral assessments.

Civil society also played a critical role in inclusion, voter and civic education. The Nigerian Civil Society Situation Room, a group of more than 60 organizations that deploy observers on election day, convened a forum to consolidate and amplify civil society voices and quickly escalate issues in the electoral process to the appropriate stakeholders. Civil society members such as Yiaga Africa, KDI, the Women in Politics Forum, and ActionAid, undertook initiatives to tap into the growing engagement of voters in the political process. These initiatives mobilized and educated voters, created platforms for voters and political actors to discuss and debate issues, with the aim to promote peaceful engagement in the Nigerian electoral process. Civil society also engaged non-traditional actors, such as cultural icons and social media influencers to reach young voters. Civil society implemented the VoteNotFight campaign to encourage youth to desist from violence and focus on voting at polling stations for the elections.

Civic groups and religious organizations worked on conflict mitigation and to ensure inclusive and peaceful elections in the country. The Women in Politics Forum (WIPF) supported women aspirants and candidates by providing publicity for aspirants and campaign training for nominated candidates and hosted national dialogues on preventing violence against women in the upcoming elections. ElectHer and PartnersWestAfrica conducted research on the security of women in elections to promote gender sensitive election planning by security agencies and electoral stakeholders. A number of organizations implemented voter education activities, while media monitors and legal centers have been building media literacy or supporting capacity building of electoral tribunals.

POLLING PROCESSES

Despite significant concerns about an election postponement, on February 25, the presidential and national assembly elections were held as scheduled for the first time in over a decade. However, as in past elections, polling stations opened late, and some very late or not at all, across the country. INEC attributed these delays to the late transport of materials and polling staff as well as to fuel and cash shortages, despite INEC's agreements with the banks and petrol industries to ensure sufficient resources were available for logistics. Additionally, citizen long-term observers noted the arrival of sensitive materials in many LGAs in seven states observed before the election.⁵⁶

According to Yiaga Africa, only 41 percent of polling units in the country had opened by 9:30am, an hour after the scheduled opening of polls, with areas of South-South and South-East most adversely affected. In the South-South zone, only 32 percent of polling units opened by 9:30 am, and only 11 percent were opened by the same time in the South-East. Meanwhile, in the South-West zone, 63 percent of polling units began the accreditation and voting process by 9:30am, 46 percent in both the North-East and North-Central zones, and 44 percent in the North-West zone.⁵⁷ The widespread late openings meant that the polling process was extended, sometimes late into the evening in many areas. Despite repeated calls from observers, INEC failed to offer a convincing explanation for the regional variations in opening time.

Once election materials and polling officials arrived, opening procedures were broadly followed, although some observers noted that opening was rushed so that the polling stations could open quickly to begin voting. The vast majority of polling units had all the necessary materials to administer the elections, although missing ballot box seals, ink pads and insufficient ballots were noted in a few cases. Over one third of the presiding officers were women in the polling units visited by IEOM observers throughout the day. Queues were generally managed well, despite the delays, although many observers noted that polling units were not independently accessible to PWDs. Though most observers reported that voters waited patiently to vote, there were instances where delayed start times sometimes caused voters

to abandon their polling stations in frustration or led to small outbreaks of violence. Observers reported that overcrowding was a problem in polling stations that had been combined or had more than 1,000 registered voters, which was exacerbated by the late openings. Observers reported polling stations were not set up in full accordance with INEC Guidelines in a majority of cases, which often created conditions of crowding around the voting booths and ballot boxes and undermined ballot secrecy and facilitated vote buying.

While the BVAS largely functioned properly, some polling officials struggled to understand how to operate the system and in many cases the BVAS failed to authenticate voters via fingerprints, while the facial recognition feature functioned well. In one instance, mobile polling officials arrived at a polling unit to replace a malfunctioning BVAS, while in at least one case, a malfunctioning BVAS could not be serviced in a timely manner, suspending the voting process for several hours.

Despite seeing some improvements in comparison to previous polls, the availability of assistive voter materials at polling units – such as Braille Ballot Guides, instructive posters, ramps, and magnifying glasses for those with low vision and albinism – was sporadic and inadequate to serve all PWD voters on election day. It is largely unclear to what extent the EC40H forms were utilized by polling officials on election day across the country. In cases of visually impaired voters, the lack of Braille Ballot Guides compromised the secrecy of the vote as they had to be assisted by another person to mark their ballots.

Polling and security officials generally acted professionally throughout the country and followed INEC's election guidelines. Although, in one polling station, security officials were observed helping voters place their ballots in ballot boxes. As in previous elections, many of the polling officials were young people, including over 200,000 members of the National Youth Service Corps (also known as 'corpors'). The INEC Chair said that only members of the Corps should handle the BVAS machines on election day,⁵⁸ indicating the critical role that these young people played in their country's democratic and electoral processes. Observers noted that for the most part the corpors coped with the anxiety and uncertainty associated with election duty in

56. [Yiaga Pre-Election Press Statement](#)

57. <https://yiaga.org/sites/default/files/portfolio/Yiaga%20Africa%20Post%20Election%20Statement%20on%202023%20Presidential%20Election.pdf>

58. INEC visit to the training centre of the Presiding Officers and Assistant Presiding Officers I, II, and III, <https://www.vanguardngr.com/2023/02/only-corpors-members-authorized-to-use-bivas-machines-inec/>

an unstable environment. In some cases, they endured physical aggression and verbal abuse from voters who were aggrieved by the late start to the polls.

Observers noted the presence of party agents from all major political parties, with the APC and PDP being the most visible. Despite these high numbers and parties' commitment to the proper training of their agents, observers frequently witnessed party agents with improper credentials and party agents interfering in the electoral process on Election Day. Party agents in some locations did not have INEC-issued accreditation tags or had more than one party agent present, in contravention of the Electoral Act. One observer witnessed vote buying facilitated by party agents that were checking off the persons who voted for their party.

Most observers reported that officials followed guidance to allow all voters in line to vote, which in most cases extended voting well past the 2:30 pm closing time as a result of the late openings. However, timing and policies around extension were inconsistent, with some units given official extensions and others arbitrarily extending based on the presiding officer's judgment. Ballot counting extended into the night in some locations, necessitating the use of cellphone lights to record results and pack up materials. Most observers noted that polling officials struggled to submit all three election results electronically via the BVAS at the polling unit, with many citing network challenges or inconsistencies with forms uploading. In instances where the results could not be transferred to INEC electronically, polling officials noted results would be transferred to the ward collation center. Despite the sometimes late hours, voters engaged enthusiastically in the ballot counting process and polling officials generally followed procedures by counting ballots transparently in full view of the public. Voters were generally informed of the closing and counting procedures, with a few observers noting that voters insisted that the polling officials transferred the results electronically before proceeding to the ward collation center. However, at a ward collation center in Rivers, observers saw irregularities including direct manipulation of the vote tally forms to disfavor one candidate.

ELECTION DAY SECURITY AND VIOLENCE

NDI/IRI observers noted several incidents of insecurity or violence on election day. In Rivers state, violence involving voters throwing rocks and engaging in verbal abuse in two polling units was witnessed by observers.

One observer team was prevented from observing by security officials at a polling unit in Abuja.

According to civil society violence monitors, news reports and statements from INEC and security forces, election day violence and disruption of the electoral process occurred in at least 22 states and the FCT.⁵⁹ This was more than twice the number of states affected by violent disruptions in 2019. In Abia and Bayelsa states, violent disruptions resulted in suspension of voting in several hundred polling units. Lagos suffered multiple attacks throughout the day, including an attack on a collation center, potentially disenfranchising a large number of voters. According to incomplete numbers reported by INEC, violence contributed to cancellations of at least 947 polling units.⁶⁰

In addition, numerous examples of harassment and violence against journalists by political party activists, police and other security officers were noted on election day. The Centre for Journalism Innovation and Development (CJID), on election day verified 13 attacks on journalists. Several cases were recorded of journalists being assaulted by party activists or members of the security forces, often having their phones taken and images and videos wiped.

RESULTS COLLATION AND MANAGEMENT

Following the completion of the closing and counting process at polling stations, results were collated through a multi-step process. From the polling stations, scanned copies of the EC8A results forms were to be transmitted to the INEC's collation system and uploaded to the IReV while original physical copies were taken to the ward level collation centers. Thereafter, results were taken to the LGA-level collation center. Presidential results were then collated at the state-level collation center before ultimately being brought to the National Collation Center in Abuja where the Chair, who serves as the Returning Officer for the presidential elections, along with the other members of INEC collated the presidential results and declared a winner. Senate and House of Representative results were taken from the LGA-level to their respective collation centers within each state where winners were declared.

The presidential and national assembly elections saw the first nationwide use of the IReV system, which promised to provide near real-time updates as polling unit results were received and overall, more transparency to the

59. Abia, Akway Ibom, Anambra, Bayelsa, Borno, Delta, Ebonyi, Edo, Enugu, the Federal Capital Territory, Gombe, Imo, Kano, Katsina, Kogi, Lagos, Niger, Ogun, Ondo, Osun, Oyo, Rivers, and Taraba.

60. These numbers were coded by KDI, who watched all of the state collation videos to record cancellations. INEC has not published these numbers other than through the video recordings of the collation process. These numbers do not include results for five states which did not submit invalidation figures to the collation center. Nor does it include canceled polling units among the more than 9,000 results missing from the IReV portal.

tabulation process. However, immediately after polls closed, INEC's IReV system was not publicly accessible for several hours, and an absence of communication from INEC on potential technical challenges fueled speculation and concerns about the transparency of the results collation process. Presidential results forms did not arrive until after 10 pm the evening of the elections, with inconsistency regarding whether polling units had all, or only some, of all three forms uploaded (House, Senate, and President) which further eroded public confidence in the process. According to Yiaga Africa, only 14 percent of presidential results forms were posted by 9:00 am on the following day.

On the evening of February 26, approximately one day after the polling process had concluded, INEC released a statement regarding challenges with the IReV which they attributed to "technical hitches related to scaling up the IReV" and that the system was well secured.⁶¹ It later came to light that INEC used an alternate portal to house presidential results before posting them to the IReV. While this may have been done for legitimate reasons, INEC offered delayed and conflicting explanations as to why this was done, at first denying the existence of an alternate portal, then citing technical glitches, and later citing cyber-attacks. This lack of transparency fueled speculation of deliberate malfeasance. In addition, many of the result forms that were successfully uploaded were blurry and difficult to read, which further prevented the public from utilizing the IReV as a tool to verify polling unit-level results.

Results continued to be posted throughout the collation process, with approximately 70 percent presidential results posted, as of 1:15 am on the morning of March 1, at the time the final state results were submitted to the National Collation Center, as observed by the IEOM. Results from some 60,000 polling units were still missing from the IReV when INEC declared Tinubu the winner of the presidential election on March 1, 2023. Presidential results from over 10,000 polling units had yet to be uploaded to the IReV at the time of the gubernatorial and state assembly elections on March 18, three weeks after the February 25 elections and well after official results were announced for the presidential and national assembly elections. As of May 31, 2023, 9,163 presidential results were still missing from the IReV portal.

While INEC commented that some results would not be uploaded due to elections not being held in some locations, the total number of polling stations where elections were not held or were canceled was not reported, rendering the public unable to determine the total expected number of results to be uploaded. INEC's failure to upload all polling unit results, and to report the list of canceled polling units, also raised questions as to whether the number of PVCs collected in canceled polling units exceeded the margin of lead between the two top vote getters, which would require re-running the election in those polling units. While on February 4, INEC Chairman announced that accreditation data recorded by the BVAS would be transmitted to the IReV on election day along with the scanned copies of the results forms, this data was not visible on the IReV.

While the IReV system updated, the National Collation Center was officially opened on February 26, the day after elections, and the collation process continued over three days. Upon arrival, State Collation Officers for the Presidential Elections (SCOPEs) and RECs were received by the collation secretariat, which was located in one part of the collation center room. Thereafter, each SCOPE accompanied by the REC announced the state/FCT results for each candidate along with the number of registered voters, accredited voters, total votes cast, total valid votes, and total rejected ballots. Concurrently, the spreadsheet from which the SCOPE read the results was projected on at least seven screens in the hall.

Positively, accredited observers, party agents, media, and security were able to observe the national collation process. In addition, INEC opened the floor for comments or questions from party agents after each state completed the results presentation process. On the second day of the process, several parties, including PDP and LP, walked out after raising concerns about results from some states as well as the collation process proceeding without all EC8A forms from polling units successfully uploaded to the IReV portal. In addition, parties' requests for the review of results under the provisions of section 65 of the Electoral Act, which provides the Commission with the power to review a declaration or return within seven days if made involuntarily or not in accordance with the legal framework, highlighted a need for clarification of the implementation of this process.

61. Twitter, <https://twitter.com/inecnigeria/status/1629890357335924740>

The tribunals are constitutional bodies established to decide post-election complaints related to the validity of elections. It is also a judicial control mechanism aimed to ensure that a candidate declared elected meets all legal requirements, in particular obtaining the required majority of votes in accordance with the law. Depending on the type of election, petitioners are served by National and State Assembly Election Tribunals, Governorship Election Tribunals or Court of Appeals, acting as the Presidential Election Petition Tribunal (PEPT). In total, 307 judges were appointed to this function, but depending on the number of petitions, more panels and judges can be appointed as needed. Only political parties and candidates have the right to submit a petition. The grounds for questioning elections are also strictly defined and include: a candidate was not qualified to contest, occurrence of corrupt practices or non-compliance with the Electoral Act or a candidate was not elected by a lawful majority of votes. However, the mere fact of non-compliance with the Electoral Act is not enough to invalidate the election. The petitioner, on whom the standard of proof rests, must prove that non-compliance substantially affected the outcome of the election.

As with the pre-electoral dispute cases, the election tribunals have extensive timeframes for deliberation. An election tribunal has 180 days for determination, which can be appealed to the Court of Appeal or the Supreme Court, which have up to 60 days to issue a judgment. In the case of an election for governor, there is a further appeal to the Supreme Court. This can give approximately up to eight months to have a final judgment. This means that the final decisions on the validity of the elections will in many cases be made long after the candidate whose election is in dispute assumes office and in contravention of international and regional standards. Challengers have 21 days from the election/announcement of results to file petitions.

Both PDP and the LP and their candidates decided to challenge the presidential election results through the legal process. Both applied to PEPT to secure access to documents and data held by INEC. The

applicants demanded access to and the right to copies of nearly all possible documents and data, and even to conduct “thumbprint analysis.” This was granted efficiently, on March 3, but INEC submitted a request for varying two parts of the order, arguing that combined access to ballots and accreditation data stored in BVAS devices can reveal the identity of whom the voters voted for. The good faith implementation of PEPT’s order was questioned by both PDP and LP representatives, who complained to the media about not having access to documents needed for their petitions. On March 10, the PDP submitted a motion demanding INEC to comply with PEPT’s order, claiming that the Commission had refused access to documents and data, but withdrew it shortly after meeting with INEC Chairman where it was assured that access would be granted.

Assessing this initial phase, the PEPT worked efficiently, ensuring prompt and substantive deliberations and well-reasoned rulings. The hearings were public and open to all interested parties. Explanatory notes on the content of the petitions, judgements and their reasoning have been published on the website of the Court of Appeal, contributing to transparency, and providing clarifications. Earlier, in 2022, the Court issued the revised Election Judicial Proceedings Practice Directions. The same year, a revised Judicial Electoral Manual was published which contains a collection of references to court cases.

According to data compiled by the KDI, a total 505 petitions were submitted after Presidential and National Assembly elections. Among them 5 presidential, 134 related to senatorial and 366 to the House of Representatives elections. This was a significant increase compared to the 2019 elections, especially considering that 91 parties contested, compared to only 18 in 2023. For both Senate and HoR elections, the percentage of parties and candidates challenging elections in court more than doubled, while for presidential elections it increased nearly sixfold. This demonstrates not only an increasing rejection of electoral outcomes but, subsequently, greater involvement of the judiciary in determining the lawful election of candidates.

Election/petitions questioning election and Candidates.	2019 Elections			2023 Elections		
	Candidates	Submitted Petitions	Petitions per candidates	Candidates	Submitted Petitions	Petitions per candidates
President	73	4	5%	18	5	27%
Senate	1899	105	5%	1101	134	12%
House of Representatives	4680	215	4%	3122	366	11%
Jointly	6652	325	4%	4241	505	11%

Following the February 25 elections, numerous stakeholders expressed a loss of confidence in and dissatisfaction with INEC. This sentiment also resulted in some demonstrations against INEC and calls for the Chair to resign. The Chairman stated that INEC would work to surmount the logistical and deployment challenges faced in the February 25 elections while noting that all staff found to be “negligent” should not participate in the gubernatorial and state assembly elections. Along these lines, INEC suspended RECs in Sokoto and Abia, and INEC representatives reported that the performance of ad-hoc and permanent staff would be reviewed at the state level to identify those who should be replaced with staff drawn from existing reserve lists. INEC’s reported steps to address misconduct and poor performance were positive but limited. In addition, citizen observers, such as Yiaga Africa, underscored the need for INEC to hold all staff accountable for failing to adhere to INEC procedures and regulations in order to serve as both a deterrent and to build public confidence.

In preparation for the gubernatorial and state assembly elections, INEC also planned to reconfigure the BVAS machines used for the accreditation of voters and transmission of results. However, due to an injunction issued by the Court of Appeal on March 3 allowing the LP and PDP to engage in forensic inspection of the BVAS machines and other materials involved in the February 25 elections in preparation for petitioning the election results, INEC was unable to move forward with the reconfiguration process. INEC filed an application with the Court requesting the order to be varied to allow for reconfiguration to move forward while arguing that the accreditation data stored on the machines would be transferred and stored on a cloud server. CSOs expressed concern regarding the preservation of the BVAS data from the February 25 elections during the reconfiguration process as well as the increasingly short timeframe in which INEC had to prepare before the March 11 election day. While on the afternoon of March 8, three days before the elections, the Court ruled that INEC could move forward with the reconfiguration process, INEC proceeded to announce the postponement of the elections by one week to March 18 due to insufficient time to complete the reconfiguration process.

The IEOM deployed a small technical team around the gubernatorial and state assembly elections in Benue, Kaduna, Lagos, and Nasarawa. Citizen election observers reported significant improvements in the opening of polling units compared to the February 25 election, and saw that electoral procedures were broadly followed by polling staff. As experienced during the federal elections, the BVAS machine generally successfully accredited voters without malfunction, although according to citizen observers the system continued to favor facial recognition. In some polling stations observed by the IEOM technical team, polling staff identified voters in the register of voters and inked their fingers before authenticating their identities with the BVAS machine which is contrary to the procedures. In addition, the IEOM noted that in half of the polling stations visited, information about the number of PVCs collected was available when the presiding officer was asked, however, in most polling units this information was not posted or otherwise visibly available to voters and observers.

Vote buying was also observed or reported in some locations, including distribution of food, soft drinks, and alcohol to voters and INEC staff. In Lagos, party agents were also observed to distribute PVCs in one polling unit area as well as to record voter bank account information.

Similar to the February elections, nonpartisan observers and the IEOM reported challenges in the successful transmission of results from the BVAS at the polling unit level on account of network issues but noted the EC60E results form was largely publicly displayed.

In a marked improvement from the February 25 elections, results were published on the IReV in a timely manner. As of 10:00 p.m. on March 18, 75,159 or approximately 42.6 percent of gubernatorial results were published on the IReV. By 8:30 a.m. on March 19, 108,108 or approximately 61 percent of gubernatorial results were published.

ELECTION RESULTS ANALYSIS AND PERSISTENT OPEN DATA CHALLENGES

In the early morning hours of March 1, INEC Chair declared Bola Tinubu of the APC as the winner of the presidential election having received 8,794,726 or the majority of votes. While YIAGA's PVT did not question the overall presidential results, it did provide evidence of significant manipulation of the vote count, in favor of Tinubu, after results had left the polling units in both Imo and Rivers states, which were also some of the areas most adversely impacted by election day delays. This highlights real and longstanding problems of manipulation of election results at sub-national levels and regional disparities in electoral integrity.

Presidential Election By Political Party (as Announced by INEC)⁶²

APC	Bola Tinubu	8,794,726	36.60%
PDP	Atiku Abubakar	6,984,520	29.07%
LP	Peter Obi	6,101,533	25.39%
NNPP	Rabiu Kwankwaso	1,496,687	6.22%
Others		648,474	2.69%
Total		24,025,940	

TURNOUT

Turnout for the presidential and national assembly elections was announced at just 26.7 percent, the lowest in Nigerian history, and an almost 10 percentage point drop from the 2019 elections. Though lower turnout can at least be partially attributed to Nigeria's inflated voters roll which has not undergone regular list maintenance, the turnout rate was still substantially lower than anticipated and a major disappointment to interlocutors.

Many stakeholders pointed to the delayed openings of polling units as a key driver in suppressing turnout. These delays were not evenly distributed across regions. According to data from Yiaga Africa's PVT, opening times were most delayed in the LP strongholds of the South East and South South, while the APC stronghold in the South West enjoyed early voting most consistently.⁶³ Areas of the country that were the most adversely impacted by late openings also saw lower turnout on election day. The South East and South South also saw the lowest turnout in 2019 – along with a similar predominance of delayed openings – indicating broader systemic challenges in the region. However, the delays in the South East in 2023 relative to other regions was more pronounced than in 2019.



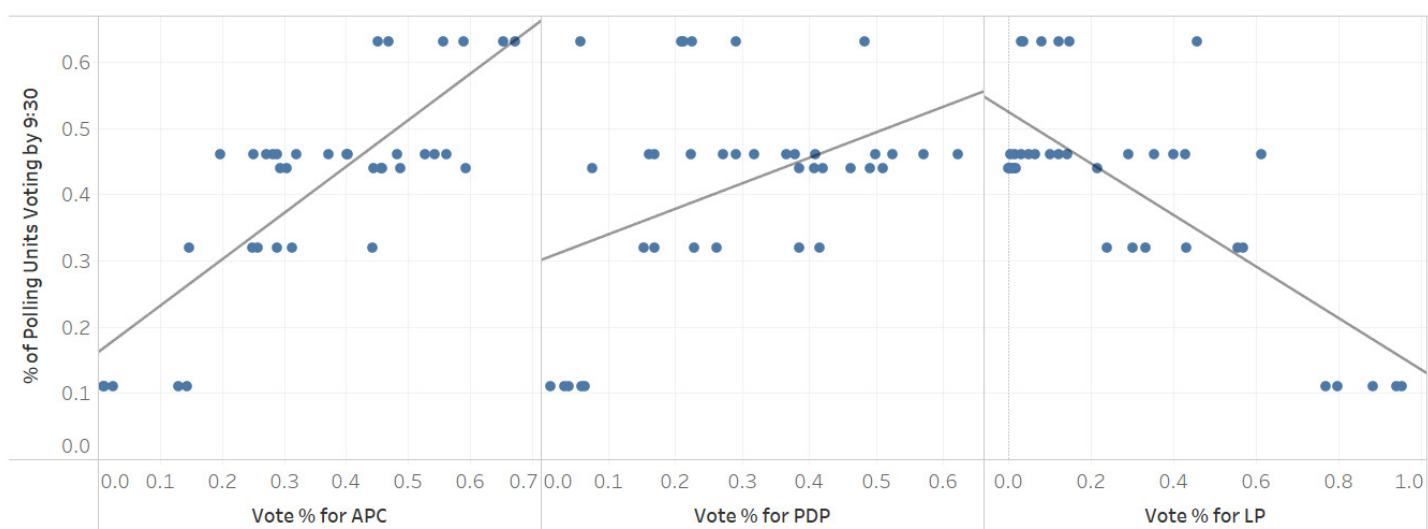
62. Channels Television, INEC Announcement of Presidential Results, https://www.youtube.com/watch?v=a_ZYHTHhrcs

63. [Yiaga Africa Post Election Statement on 2023 Presidential Election.pdf](#)

Delayed Opening and Lower Turnout on Election Day February 25, 2023

Region	Average Turnout by State	Percent of Polling Units Open by 9:30 AM
South East	21%	11%
South South	22%	32%
North East	29%	46%
North Central	31%	46%
North West	31%	44%
South West	31%	63%

Voting Delays and Party Performance



Data sources: Yiaga Africa PVT, INEC (turnout based on PVC collection numbers)

In a break from previous federal elections, INEC announced in advance of the presidential elections that it would determine turnout based on accredited voters over PVCs collected per the specific polling unit (as opposed to number of registered voters). This calculation method would not provide a genuine representation of turnout – essentially treating registered voters without a PVC as an unregistered citizen – and runs the risk of flawed data, as stakeholders have expressed concern with the ability of INEC to provide accurate disaggregated PVC collection figures. PVC collection data by polling unit was posted online late on election day, despite repeated

promises to publish the data before the election, and observers noted that this figure was largely unavailable at polling units, making calculations based on these figures difficult to verify. Ultimately, however, it appears that INEC used registered voters – not PVCs collected – for its turnout calculations, although it did not provide any details as to why.

TRANSPARENCY OF ELECTION DATA

At the time of the drafting of this report, INEC had no official aggregate level results information for the 2023 presidential or national assembly elections on their website, in contravention to Section 68 of the Electoral Act. While the law does not provide a specific timeframe for doing so, timely publishing of detailed results for all levels of the collation process (LGA, state, etc.) for public viewing and verification is consistent with established international election standards. This includes EC60 results forms from other levels of the collation process which, though not legally required to be uploaded, would enhance the transparency of and public confidence in the process.

Though the IReV system was a major step in results transparency from previous elections, the portal does not provide the information in a complete, bulk, or machine analyzable format, which is at odds with basic open data principles. The process of downloading and inputting the data from over 170,000 PDFs in order to check their aggregate amounts is virtually impossible for average citizens, political parties, CSOs, and even media, limiting the scrutiny of the IReV data. In addition, the IReV system required a login and password until several days after election, creating barriers to access for what should be a fully public portal.

Other critical information that would allow for the public and observers to better understand the presidential, national assembly and gubernatorial elections and their outcomes was also often unavailable. The announcement of the presidential results did not include the number of states in which Tinubu obtained over 25 percent of the vote to meet the Constitutional threshold for winning the seat. The number of polling units where elections were canceled on election day or postponed was also not made available, even months after the election. Public statements by INEC are generally not cataloged on their website until well after the fact, making it almost impossible to fact-check decisions and verify information. The lack of primary source information has also limited the ability of the IEOM and other observer missions to conduct extensive analysis of either the presidential, national assembly, or state elections.

SUPPLEMENTARY ELECTIONS AND RESCHEDULED VOTING

INEC conducted additional voting or redid certain processes entirely in certain polling stations both for the federal and state elections. Though announced, the results of the elections that took place at a later date from the majority were not made publicly available by INEC on its website. As of the publication of this report, like the other elections, the results have not been fully uploaded to the IREV. INEC had originally suspended and held rescheduled elections for Enugu East Senatorial District, Esan East/West and Igueben Federal Constituencies.⁶⁴ The Enugu elections, composed of six LGAs and 1630 PUs, were suspended due to the death of the LP candidate.

INEC declared the results of certain elections inconclusive, prompting the electoral body to hold supplementary elections to conclude the voting process. INEC published information about the supplementary state assembly and governorship elections on its website, with the polling units affected organized by state, including details of voter registration and PVCs collected. INEC declared results inconclusive and held the supplementary governorship elections in Adamawa and Kebbi States, five Senatorial districts, 31 House of Representatives constituencies and 58 State Assembly constituencies.⁶⁵ INEC later announced the further suspension of collation and halted results in Adamawa state, given the REC announced the winner as Binani, before the process had concluded.⁶⁶ The REC was subsequently arrested and detained, and the unlawfully announced result declared null and void.

64. INEC press release, <https://twitter.com/inecnigeria/status/1631375665197883410?cxt=HHwWplCxtcXh56MtAAAA>; <https://twitter.com/inecnigeria/status/1636745544264478720?cxt=HHwWgMCzmdlZ8bYtAAAA>

65. "15th April 2023 Supplementary Elections: List of Polling Units by State, Local Government, Registration Area, Registered Voters and PVCs Collected," INEC, https://main.inecnigeria.org/?page_id=12362; <https://twitter.com/inecnigeria/status/1640391906118057984?cxt=HHwWglC-iev-v68MtAAAA>

66. INEC press release, <https://twitter.com/inecnigeria/status/1647640581068279808?cxt=HHwWgMC-gaCYzN0tAAAA>

INCLUSION IN ELECTED CANDIDATES

INEC only announced results of the federal elections from the February 25 election date. As of the publication of this report, INEC has not provided a comprehensive official list of winning candidates. Therefore, this analysis does not include information about any results from the rescheduled and supplementary elections and state elections.

The representation of women candidates continued to decline in 2023, as the number of women in the national

legislature decreased from the 2019 elections. In the national assembly contests, women candidates won two seats out of the 101 seats that were declared from the election day.⁶⁷ The female senators elected are Banigo Ipalibo Harry of the PDP, representing Rivers State, West District, and Kingibe Irete Heebah of the LP, representing the FCT.⁶⁸ In turn, the House of Representatives saw 13 female candidates win, of 326 seats⁶⁹ that were declared from election day.⁷⁰ Female candidates won in Anambra, Bayelsa, Benue, Borno, Delta, Imo, Plateau, Rivers, and Yobe.

Women Elected to House of Representatives

Name	Party	State	Constituency
Orogbu Obiageli	LP	Anambra	Akwa North/Awka South
Nnabuike Chinwe Clara	YPP	Anambra	Orumba North/Orumba South
Gwacham Maureen Chinwe	APGA	Anambra	Oyi/Ayamelum
Ebikake Marie Enenimiette	PDP	Bayelsa	Brass/Nembe
Akume Regina	APC	Benue	Gboko/Tarka
Onuh Onyeche Blessing	APC	Benue	Otukpo/Ohimini
Zainab Gimba	APC	Borno	Bama/Ngala/Kala-Balge
Ibori-Suenu Erhiatake	PDP	Delta	Ethiope East/Ethiope West
Onuoha Miriam Odinaka	APC	Imo	Isiala Mbano/Okigwe Onuimo
Beni Butmaklar	PDP	Plateau	Langtang North/Langtang South
Goodhead Bomba	PDP	Rivers	Akuku Toru/ Asari Toru
Bukar Abba Ibrahim Khadija Waziri	APC	Yobe	Damaturu/ Gujba / Gulani / Tarmuwa
Fatima Talba	APC	Yobe	Nangere/Potiskum

Based on available data and candidate lists,⁷¹ results of the National Assembly elections held on February 25 show that no one under the age of 35 was elected to the Senate.⁷²

67. This figure is out of 109 seats contested for the Senate. However, 8 of these elections were either postponed or declared inconclusive, requiring supplementary elections held at a later date.

68. Twitter, INEC Senate elect list: <https://twitter.com/inecnigeria/status/1633135608309710848?cxt=HHwWgIC8tduLiKotAAAA>

69. This figure is out of 360 seats contested for the House of Representatives. However, 34 of these elections were either postponed or declared inconclusive, requiring supplementary elections held at a later date. These seats do not include the results of the supplementary elections held after the release of the lists of elected candidates from INEC.

70. <https://twitter.com/inecnigeria/status/1633150669744926736/photo/4>

71. Due to multiple court cases, some candidates have changed since the first official list of candidates was published in October. However, the INEC has not yet released a final list of candidates.

72. Yaga Africa Report – Youth Candidacy in Nigeria’s 2023 Elections, <https://yaga.org/youth-candidacy-nigerias-2023-elections>

The Electoral Act 2022 introduced many necessary reforms aimed at increasing transparency in results collation and timely organization of pre-electoral processes; however, significant gaps in the implementation to strengthen Nigeria's democratic institutions remain and the election has fallen short of citizens' legitimate and reasonable expectations. The credibility of the election was further undermined by political parties who generally failed to run issue-based campaigns and resorted to divisive rhetoric, malfeasance, and violence to gain electoral advantage.

The IRI/NDI observation mission offers practical recommendations to build confidence and to enhance transparent, credible, and inclusive electoral processes. Nigerian stakeholders should consider these and other recommendations to strengthen the electoral process and address fundamental challenges to Nigerian democratic institutions.

RECOMMENDATIONS FOR THE GOVERNMENT OF NIGERIA AND THE NATIONAL ASSEMBLY

- Lawmakers should update the Electoral Act 2022 to support absentee processes for citizens unable to be at their registered polling unit on election day, including domestic observers, polling officials, security personnel, and interstate workers.
- Lawmakers and INEC should work together to ensure contingency funding that can inoculate against economic and other unanticipated crises.
- To better hold perpetrators accountable for election violations, especially in the pre-election period, and alleviate the burden on INEC to prosecute offenders, lawmakers should revisit the legal framework to develop clear and well-resourced electoral offense enforcement mechanisms.
- Nigerian lawmakers should prioritize gender quota legislation to increase the representation of women in elected offices.
- Government agencies, such as the National Orientation Agency, should collaborate closely with INEC and religious and civil society to conduct civic education campaigns to encourage voters to accept candidates representing diverse ethnic and religious backgrounds.
- The government should uphold the National Youth Policy⁷³ to have a quota for 25 percent of young people to be appointed to positions in national, state, and local government and a 25 percent representation in elected positions. Additionally, youth should represent 25 percent of election commissioners and senior election staff at the national and state levels of INEC.
- The government should undertake a public consultation process with civil society organizations, media, and other stakeholders to establish a regulatory framework for addressing disinformation that does not impinge on freedom of expression and does not give the scope for abuse by state actors that has been the case with provisions in the Cybercrimes Act.
- The Electoral Act should be amended to include detailed provisions regarding media coverage of election campaigns, including how they should be applied in practice.
- The NBC Act should be amended to underline the organization's independence and explain the precise criteria for its interventions, so as not to unduly circumscribe broadcasters' ability to report accurately on events.
- The NBC should be fully transparent in its rulings, which should be publicly available on its website, including the full reasoning behind its decisions.
- Defamation should be decriminalized to some extent, in order to uphold freedom of expression in practice.
- The constitutional protection of freedom of expression and of the media should be strengthened with legal provisions that protect journalists going about their legitimate work from abuse or violence by state officials.
- Lawmakers should amend the Electoral Act to include the ability for contestants to stand as independents.

73. "National Youth Policy," <https://www.prb.org/wp-content/uploads/2020/06/Nigeria-National-Youth-Policy-2019-2023.pdf>

RECOMMENDATIONS FOR THE INDEPENDENT NATIONAL ELECTORAL COMMISSION

- INEC should agree to civil society's call for an independent, citizen-led, and comprehensive review of the entire 2023 electoral process.
- INEC should ensure all results images from the 2023 presidential election are uploaded to its IReV portal immediately and provide complete polling unit level results on the IReV portal in machine-analyzable and bulk format (such as a CSV file), as well as from all levels of the collation process.
- INEC should immediately publish a complete list of all canceled polling units, along with the reason for cancellation and the total number of PVCs collected for canceled polling units.
- To ensure the transparency of the results collation process, INEC should review the election guidelines and procedures to require that EC40G forms – which contain information about polling units where elections were canceled or not held, as well as the number of PVCs collected at the affected polling units – are made publicly available, along with the results forms.
- INEC should develop realistic timelines and an operational framework that ensure timely opening of polling stations and even distribution of materials across polling units, targeting specific resources to areas with historic patterns of delayed openings.
- INEC should distribute voters more equitably among polling units and consider adjusting the number of poll workers assigned to each polling unit based on registered voters to reduce the time spent waiting in queues and completing ballot sorting and counting processes.
- Poll workers should receive better and recurrent training to ensure that the election procedures are evenly applied across the country, including use of the BVAS.
- INEC should take measures to reduce the burden on voters to register and collect their PVC, including extending timelines, increasing the number of distribution centers, employing mobile units, and targeting outreach to marginalized groups and voters with limited mobility.
- INEC should conduct a thorough and transparent audit of the voters roll, ensuring that there are not multiple and double registrants or underage and deceased persons on the roll, allow for independent verification of the voters roll by nonpartisan citizen observers.
- INEC and security forces should widely publicize and consistently enforce the penalties for committing electoral offenses under the new electoral law, particularly vote buying. INEC and security forces should also communicate to the public the number of arrests, charges, and convictions for the electoral offenses.
- INEC should dedicate resources to enforce campaign finance regulations and make political party disclosures publicly available online and in a timely manner.
- INEC and civil society should expand civic and voter education efforts well in advance of election day to improve the application of procedures and citizens' understanding of the electoral process.
- INEC should make all Commission decisions publicly available and engage in proactive, regular, and transparent communications and outreach to the Nigerian public and relevant stakeholders related to electoral developments, electoral delays, cancellations, electoral data, etc., and make such information immediately available on its website, including all INEC decisions.
- INEC should map polling stations without networks connectivity and provide reliable backups to ensure that all results can be electronically transmitted from the BVAS at the polling unit level and should conduct national stress tests to better anticipate and address challenges that could occur on election day which should be open to observation by relevant stakeholders and the findings shared with the public.
- INEC should expand the existing framework for IDP voting to include clear directions to state officials on recommended ways to respond to different types of internal and settlements, when organizing voting processes.
- Gender quotas should be enforced to improve the representation of women in electoral administration. Appointments to INEC for National Commissioners and Regional Electoral Commissioners and senior electoral staff should meet a minimum 35 percent quota for women in appointed positions in government, as described in the National Gender Policy.⁷⁴

74. "National Gender Policy," <http://wraipanigeria.org/wp-content/uploads/2022/08/NATIONAL-GENDER-POLICY.pdf>

- INEC should dedicate more resources to assistive materials for persons with disabilities and voting centers for IDPs, and for more robust surveys to improve the electoral participation of marginalized groups.
- INEC and organizations for persons with disabilities should embark on mass awareness campaigns to encourage previously registered voters to update their disability status on the register via the INEC online portal or by visiting INEC offices.
- INEC working with civil society and mental health professionals should identify and implement measures to ensure the inclusion and participation of voters with mental disabilities in electoral processes.

RECOMMENDATIONS FOR POLITICAL PARTIES

- Political actors should refrain from unfounded, misleading, or inflammatory narratives regarding the elections, their opponents, or democratic institutions, and hold members of political parties accountable who spread false information or violent and politically destabilizing rhetoric.
- Political parties should hold candidates, party members, and party agents accountable for participating in hate speech or ethnic polarization.
- Parties and candidates should hold accountable leaders and supporters to desist from any acts of violence, before, during and after election and redress through proper legal channels and abide by the outcomes of judicial proceedings.
- Political parties should support female candidates far in advance of the off-cycle gubernatorial elections and party primaries for the 2027 general election cycle, including capacity building, developing, and growing alliances in their parties, and increasing visibility in their communities in Nigeria. Political parties should provide material and financial resources to support women, youth and PWD candidates in Nigeria. They should also develop robust recruitment and training strategies and reform internal democratic procedures to ensure more inclusive candidate lists.
- Political parties fielding candidates in Nigerian elections going forward should institute a disability desk and minimum quota of PWDs in their decision-making structures and candidate lists before any candidates can proceed to run for office.

- Political parties should refrain from engaging in vote buying or vote trading which is explicitly prohibited in the Electoral Act and undermines the credibility of the electoral process.

RECOMMENDATIONS FOR CIVIL SOCIETY

- Civil society should advance community education to promote the capabilities of women as political leaders, as soon as possible in advance of upcoming elections. Civil society should bridge dialogue with political parties and religious leaders, to advocate for the importance of women's' representation in political institutions in Nigeria.
- Civil society should closely coordinate with national commissions and agencies to develop and implement long-term civic and voter education strategies to promote youth political leadership and support aspiring youth candidates to run for office and otherwise participate in the off-cycle gubernatorial elections and 2027 general elections.
- Civil society should establish a working group on promoting the participation of IDPs in future electoral processes. This working group should compile existing data and collect further information on IDP voting rates during elections. Civil society would leverage this mechanism to advocate and promote a more systematic and inclusive approach to IDP voting, going forward for future elections in Nigeria.

RECOMMENDATIONS FOR THE MEDIA

- Media houses should continue to support fact-checking desks and partnerships to mitigate the spread of rumors and false information regarding electoral processes in Nigeria and work with civil society to support the rights of journalists.
- Social media platforms should take aggressive steps to support human rights, civic engagement, and information from credible sources during critical election periods in Nigeria going forward.
- Media, civil society, and social media platforms should coordinate with one another and relevant security and justice bodies to ensure that perpetrators of gender-based violence, including online hate speech and cyberbullying, are held accountable.

RECOMMENDATIONS FOR SECURITY FORCES

- INEC, the police, and the courts should identify and prosecute those responsible for electoral violence or manipulation during the 2023 election.
- Security forces should be more proactive in arresting electoral offenders. The Electoral Act should be amended to clarify that security agencies have the authority to halt electoral offenses at polling units, rather than defer to INEC staff for directions.
- The Police Service Commission, which has responsibility for oversight of the Nigeria Police Force, should impose stronger penalties on police commissioners and officers who engage in partisan behavior surrounding elections, including inexcusable passivity in the face of blatant election offenses.
- The precise composition and leadership of ICCES should be clearly written into the Electoral Act (as it presently is an ad hoc committee with no legal backing) to prevent bureaucratic disputes over leadership moving forward. It would be ideal, in addition to strengthening ICCES at the national level, to replicate the committee on the state level across the country, allowing for some variations in composition and structure based on local factors. This could help make clear to political candidates and parties that their rhetoric and actions are being monitored by security agencies at a local level.
- The security agencies should consider creating a combined national or regional call center that can route reports down to the proper authorities.
- Security agencies must do more to protect journalists, as 2023 saw an increase in attacks on and arrests of journalists over 2019. Police forces in particular should be sensitized regarding the role of the media in elections and the rights of journalists.
- Security agencies should anticipate and proactively deploy appropriate forces to mitigate strategic election violence in locations flagged by security forces, election observers, and CSO to be at high risk of violent voter suppression.

RECOMMENDATIONS FOR THE INTERNATIONAL COMMUNITY

- The international community should sanction and name government and party officials who orchestrated, tolerated, or encouraged electoral violence or manipulation during the 2023 cycle.
- The international community can also incentivize professional behavior within the security agencies by considering election-related conduct when deciding which outfits or officials within the Nigerian security sector should receive specific trainings or other forms of high-level engagement. Officials/outfits that are known to have performed professionally in their election-related responsibilities should be prioritized for such engagements.



IRI and NDI conducted a joint IEOM for the 2023 general elections to demonstrate the international community's continued interest in and support for a peaceful, inclusive, transparent, and accountable election process. The IEOM also aimed to provide Nigerians, including election and government officials and civic organizations, as well as the international community, with an objective, impartial assessment of the electoral process and practical recommendations for improving future elections in the country. IRI and NDI are grateful for the cooperation and support from Nigerians, including election and government officials, candidates, party leaders and members, and representatives of civil society and the media.

The IEOM's methodology was based on comprehensive gathering of information towards fact-based, impartial analysis, findings, and recommendations. The IEOM conducted its activities in accordance with Nigerian law and the Declaration of Principles for International Election Observation (Declaration of Principles),⁷⁵ which establishes the basis for credible international election observation and is endorsed by over 50 intergovernmental and non-governmental organizations. The IEOM's observations were made in accordance with international and regional standards for credible elections, including the African Charter on Democracy, Elections and Governance,⁷⁶ and with reference to Nigeria's legal framework. The IEOM carried out all its activities in accordance with Nigerian laws and regulations.

NDI's and IRI's methodology for assessing elections takes into consideration all aspects of the electoral process. These include: the legal, administrative, and logistical framework for the elections; the pre-election and campaign periods; the voting process; the counting process; the tabulation and announcement of results; the investigation and resolution of complaints; and the formation of a new government. To comprehensively address the pre-election environment, the joint mission conducted one technical assessment and two high-profile pre-election assessments (PEAMs) in June, July, and December 2022, respectively. The technical assessment and PEAMs assessed the political environment and electoral preparations, and provided independent, impartial information and actionable recommendations prior to election day. Notably, the recommendations aimed to boost

citizen confidence in the process and mitigate violence. The pre-election delegations held high-level consultations with a wide array of political and election stakeholders, including INEC, political parties and their candidates, members of the judiciary, civil society representatives, religious leaders, socio-cultural groups, media practitioners, security officials and senior government officials. For each of the PEAMs, a preliminary statement was issued afterwards, detailing the delegation's findings and recommendations.

The technical assessment and first PEAM, from July 13 to 22, 2022, were timed to correspond with off-cycle gubernatorial elections in Ekiti and Osun states. The technical team and delegation traveled to the two states to visit several polling units on election day and met with political and election stakeholders. The first PEAM delegation statement offered 24 recommendations to improve implementation of electoral reforms and help build public confidence in the elections.⁷⁷

From December 5 to 9, 2022, the second PEAM deployed to Abuja to further assess the political environment, electoral preparations, and progress made on previous recommendations from international and citizen observers for Nigeria's elections. The second PEAM statement detailed progression recommendations previously made during the first PEAM as well as challenges that remained and offered 23 additional recommendations that could be practically applicable in the leadup to the presidential and national assembly elections and subsequent state elections.⁷⁸

The IEOM also deployed six thematic experts to Abuja in January 2023 to provide in-depth analyses on key issues – election administration, election security, gender and inclusion, information environment, legal framework, and political parties and campaigning – in advance of the presidential, national assembly and state-level elections. Information gathered by the thematic experts from their research and engagement with political and election stakeholders informed the international delegation's work.

On February 20, 2023, 40 accredited short-term observers (STOs) joined the IRI/NDI mission's core team in Abuja to observe the Presidential and National Assembly elections scheduled for February 25, 2023. The 40 observers were from 19 countries

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

76. The charter is available at <https://au.int/en/treaties/african-charter-democracy-elections-and-governance>

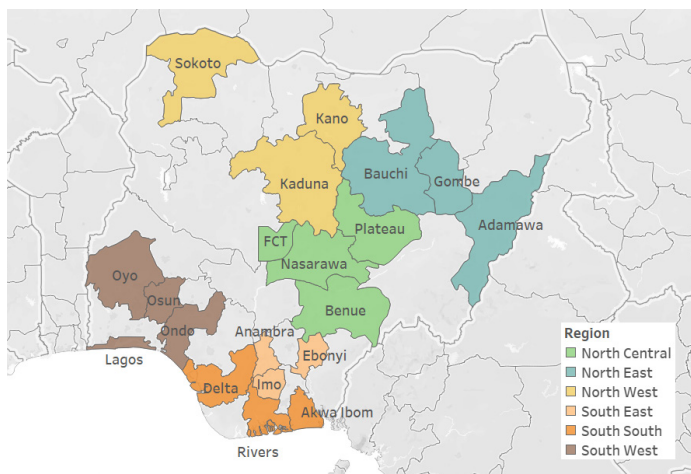
77. The joint IRI/NDI preliminary statement of the first PEAM

78. The joint IRI/NDI preliminary statement for the second PEAM

and included 21 women. The leadership was composed of Her Excellency Dr. Joyce Banda, Former President, Republic of Malawi; Ambassador Mark Green, President and CEO of the Woodrow Wilson International Center for Scholars; Ambassador Johnnie Carson, Senior Advisor at the United States Institute of Peace; Honorable Constance Berry Newman, Nonresident Senior Fellow at the Atlantic Council; Honorable Stacey Abrams, Former House Minority Leader of the Georgia General Assembly; Dana White, Senior Managing Director, Global Strategic Advisory practice at Ankura Consulting. Ambassador Derek Mitchell, President of the National Democratic Institute; and Dr. Daniel Twining, President of the International Republican Institute accompanied the leadership.

On February 23, 2023, observers deployed in two-member teams to the FCT and 19 states across the country spanning all six geopolitical zones. The states where observers deployed for the general election included Adamawa, Anambra, Benue, Delta, Ebonyi, Imo, Kano, Lagos, Plateau, Bauchi, FCT, Nasarawa, Osun, Oyo, Rivers, Kaduna, Sokoto, Akwa Ibom, Ondo, and Gombe.

IOM States by Region



The joint mission selected deployment states based on criteria that included findings from the PEAMs, security indicators to ensure observer safety, coverage across political party strongholds and competitive states, states with histories of election delays or irregularities, and the presence of major IDP populations. From February 24, 2023, observer teams met with state-level political and election stakeholders, including candidates, INEC officials, political party leaders, security agents and civil society representatives.⁷⁹

On and immediately following the election day, the IEOM delegation and core team observed the vote counting, tabulation, transmission, and management process as well as the announcement of election results. The core team remained in Abuja for several weeks after the presidential and national assembly elections to monitor the post-election environment, including the filing of election complaints by aggrieved candidates and parties. The IRI/NDI mission coordinated with citizen observer groups to corroborate its findings. Both NDI and IRI have long-established offices in Abuja and hope to continue supporting the democratization process in Nigeria.



79. The joint IRI/NDI preliminary statement for the February 25, 2023, general 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 June 2022 to May 2023. While many individuals participated in the IEOM'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 IEOM. 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 would like to 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.⁸⁰



80. See Appendix A for a complete list of delegates.

IRI IN NIGERIA

IRI has worked to consolidate democracy in Nigeria since the country's return to civilian rule in 1999. IRI has worked to improve the professionalism, capacity, and internal democracy of political parties through training and capacity building. IRI has also been at the forefront of efforts to improve political inclusion of women and marginalized groups in Nigeria's democratic processes. IRI has been heavily engaged in improving representative democracy and service delivery in Nigeria, connecting constituents with their elected officials. The Institute has observed every election since 1999 and has worked with civil society and security agencies to prevent and mitigate electoral violence.

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 fielded an international observation mission to Nigeria during every national election since the 1999 transition. The Institute has supported local civil society efforts to enhance citizen observation and analysis of electoral processes; increase participation of marginalized populations in elections and political processes; and counter hate speech, misinformation, and disinformation. Since 2011, NDI has supported citizen election observer groups to conduct parallel vote tabulations (PVTs) for two presidential and 19 gubernatorial elections to improve impartial observation, accurate reporting on and recording of election vote totals. The Institute has also provided support to women aspirants to help them run for office or re-election and foster support for increased women's representation in politics.



APPENDIX A - LIST OF NIGERIA IEOM DELEGATES

Joint NDI-IRI International Election Observation Mission

2023 Presidential and National Assembly Elections in Nigeria

OBSERVERS

Leadership

H.E. Dr. Joyce Banda
Former President,
Republic of Malawi
Malawi

Amb. Mark Green
President and CEO,
Woodrow Wilson International Center for Scholars
United States

Amb. Johnnie Carson
Senior Advisor,
United States Institute of Peace
United States

Hon. Constance Berry Newman
Nonresident Senior Fellow,
Atlantic Council
United States

Hon. Stacey Abrams
Former House Minority Leader,
Georgia General Assembly
United States

Ms. Dana White
Global Strategic Advisory Practice,
Ankura Consulting
United States

Amb. Derek Mitchell
President,
National Democratic Institute
United States

Dr. Daniel Twining
President,
International Republican Institute
United States

Delegates

Mr. Gregory Adams
Legislative Director for U.S. Rep. Barbara Lee,
U.S. House of Representatives
United States

Ms. Olga Aivazovska
Head of the Board,
OPORA
Ukraine

Ms. Oumie Batchilly
Founder,
Sahel Films
The Gambia

Ms. Babra Bhebe-Dube
Executive Director,
Election Resource Centre
Zimbabwe

Ms. Maria Brito
Elections Expert
Cabo Verde

Ms. Jennifer Cooke
Director, Institute for African Studies,
The George Washington University
United States

Hon. Dennitah Ghati
Member of Parliament,
Parliament of Kenya
Kenya

Ms. Soleyana S. Gebremichael
Former Director for Communications,
National Election Board of Ethiopia
Ethiopia

Mr. Tomás Husted
Analyst in African Affairs,
Congressional Research Service
United States

Amb. Makila James
Senior Advisor, Africa Center,
United States Institute of Peace
United States

Dr. Woo Chang Kang
Associate Professor,
Korea University
South Korea

Dr. Darren Kew
Executive Director, Center for Peace, Democracy, and
Development
UMass Boston
United States

Mr. Asante Kissi
Consultant,
Centre for Democratic Development
Ghana

Ms. Latifa Maï Moussa
Resident Director for Niger,
National Democratic Institute
Morocco

Hon. Boissie Mbha
Senior Judge,
Supreme Court of Appeals
South Africa

Ms. Zainab Umu Moseray
Electoral Commissioner (Western Area)
National Electoral Commission of Sierra Leone
Sierra Leone

Dr. Jude Mutah
Program Officer for Africa,
National Endowment for Democracy
Cameroon

Mr. Peter Mwanangombe
Program Manager,
Christian Churches Monitoring Group
Zambia

Ms. Farida Nabourema
Executive Director,
The Togolese Civil League
Togo

Mr. Carlos Navarro
Director of International Studies and Projects,
National Electoral Institute
Mexico

Ms. Ann Nderitu
Registrar,
Office of the Registrar of Political Parties
Kenya

Hon. Marieme Soda Ndiaye
Deputy,
National Assembly of the Republic of Senegal
Senegal

Ms. Esther Omam
Executive Director and Founder,
Reach Out Cameroon
Cameroon

Mr. Dave Peterson
Senior Director for Africa Programs,
National Endowment for Democracy
United States

Ms. Melene Rossouw
Executive Director,
Women Lead Movement
South Africa

Ms. Marcella Samba-Sesay
Chairwoman,
National Elections Watch
Sierra Leone

Amb. Robin Renee Sanders
Member of the Board of Directors,
Human Rights Watch
United States

Mr. Joseph "Jimmy" Sankaituah
Resident Program Director for Sierra Leone and The
Gambia,
International Republican Institute
Liberia

Mr. Randy Scheunemann
Vice Chairman, Board of Directors,
International Republican Institute
United States

Mr. Rahul Srivastava
Business Leadership Council Member,
International Republican Institute
United States

Mr. Jon Temin
Vice President of Policy and Programs,
The Truman Project
United States

Mr. Eric Ueland
Commissioner,
United States Commission on International Religious
Freedom
United States
Thematic Analysts

Mr. James Barnett
Election Security Thematic Analyst
United States

Ms. Sandi Gale
Political Parties and Campaigning Thematic Analyst
United Kingdom

Ms. Belinda Musanhu
Gender and Inclusion Thematic Analyst
Zimbabwe

Dr. Peter Palmer
Analyst Coordinator and Information Environment
Thematic Analyst
United Kingdom

Ms. Natasha Rothchild
Election Administration Thematic Analyst
United States

Mr. Slawomir Szyzka
Legal Framework Thematic Analyst
Poland

Technical Assessment (June 2022)

Mr. Richard Klein
Global Director for Elections
National Democratic Institute
United States

Mr. Santiago Stocker
IEOM Director and IRI Nigeria Resident Program Director
International Republican Institute
United States

Ms. Alyssa Rickard
Program Manager for West Africa
International Republican Institute
United States

Ms. Courtney Hess
Program Director for Southern and East Africa
National Democratic Institute
United States

PEAM I (July 2022)

Mr. Frank LaRose
Secretary of State of Ohio
United States

Mr. Albert Kofi Arhin
National Coordinator of Coalition of Domestic Election
Observers (CODEO) and former Director of Operations at
the Ghana Electoral Commission
Ghana

Honorable Dr. Bernadette Lahai
Former Minority Leader of Parliament of Sierra Leone
Sierra Leone

Dr. Christopher Fomunyoh
Senior Associate and Regional Director for Central and
West Africa
National Democratic Institute
United States

Ms. Jenai Cox
Regional Deputy Director for Africa
International Republican Institute
United States

PEAM II (December 2022)

Ambassador Michelle Gavin
Senior Fellow for Africa Policy Studies at the Council on
Foreign Relations
United States

Judge Dhaya Pillay
Commissioner at the Electoral Commission of South
Africa
South Africa

Ms. Ellen Dingani
Programmes Director of the Zimbabwe Election Support
Network
Zimbabwe

Mr. Gregory Kearns
Regional Director for Africa
International Republican Institute
United States

Dr. Sophia Moestrup
Deputy Director for Central and West Africa
National Democratic Institute
United States

APPENDIX B - NDI/IRI PRELIMINARY STATEMENT FOR THE FIRST PEAM



Statement Of The First Joint Ndi/Iri Pre-Election Assessment Mission To Nigeria

July 22, 2022

I. INTRODUCTION

The statement is offered by an international delegation organized jointly by the International Republican Institute (IRI) and the National Democratic Institute (NDI). The delegation visited Nigeria from July 13 to 22, 2022. The goals of the delegation were to:

- Assess the current political and electoral environment in the lead-up to the 2023 general elections;
- Assess preparations for the general elections and offer recommendations to enhance citizen confidence in the process and mitigate the potential for electoral violence; and
- Demonstrate international support for Nigeria's democratic process.

The delegation was composed of: Honorable Frank LaRose, Secretary of State for Ohio; Honorable Dr. Bernadette Lahai, former Minority Leader of the Sierra Leone Parliament; Albert Kofi Arhin, National Coordinator of the Coalition of Domestic Election Observers (CODEO) and former Director of Elections, Registration and Demarcation at the Electoral Commission of Ghana; Dr. Christopher Fomunyoh, Senior Associate for Africa and Regional Director for Central and West Africa at NDI; and Jenai Cox, Regional Deputy Director for Africa at IRI.

The delegation met with a wide array of election stakeholders, including the Independent National Electoral Commission (INEC), National Assembly, political parties, civil society, the media, security forces, academia, and the diplomatic missions. In addition, the delegation traveled to Osun State to meet with electoral stakeholders ahead of the off-cycle gubernatorial election on July 16, 2022, and visited 35 polling units across 10 local government areas (LGAs) on election day to witness the conduct of the election within the framework of preparing for the 2023 general elections. The delegation expresses its deep appreciation to everyone with whom it met for sharing their insights, from which the mission benefited greatly. The delegation conducted its activities in accordance with the laws of Nigeria and the *Declaration of Principles for International Election Observation*, which was signed in 2005 at the United Nations.

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

pre-election assessment delegation later this year and a joint international delegation to observe the 2023 presidential and National Assembly elections.

II. SUMMARY

The 2023 elections present a significant opportunity to consolidate Nigeria’s democracy. The 2022 Electoral Act passed in February enjoys wide stakeholder support and has elevated public confidence in INEC’s commitment to deliver democratic elections in 2023. By receiving funds and organizing party primaries earlier, INEC is better positioned than in past elections to take on the logistical and administrative arrangements necessary to organize elections for 85 million registered voters. The 2022 Ekiti and Osun gubernatorial elections, the first elections held since the electoral law was passed, demonstrated the positive impact of initiatives implemented by INEC since 2019 to improve results transparency, including the introduction of the INEC Result Viewing Portal (IReV) and elimination of voting points.¹ Other improvements include the adoption and proper configuration of the Bimodal Voter Accreditation System (BVAS) for voter accreditation, which has quickened the voting process and reduced tensions in polling units.²

The recent surge in voter registration numbers and increased voter turnout in the 2022 Osun polls, especially among young people, point to a renewed interest in political participation among Nigerians. However, there are questions about whether the 2022 Electoral Act will be fully implemented and whether political parties will take advantage of this increased enthusiasm to engage Nigerians on issues that matter to them. There are also questions about whether these new technologies – IReV and BVAS – will perform at the same level when scaled up for the national elections.

The 2023 elections are a departure from some of the political dynamics that defined previous polls. For the first time since 2007, the presidential election will be an open contest with no incumbent. The ruling All Progressives Congress (APC) selected former Lagos governor Bola Tinubu as its flag bearer. Former Vice President and 2019 presidential candidate Atiku Abubakar will contest on the ticket of the People’s Democratic Party (PDP). However, the emergence of Peter Obi – former Anambra state governor and presidential candidate for the Labour Party (LP) – and Rabiu Kwankwaso – former Kano governor and presidential candidate for the New Nigeria People’s Party (NNPP) – as viable “Third Forces” has excited many young Nigerians. If a third party draws sufficient support, a runoff presidential election could be a real possibility for the first time since the transition to democracy, adding complexity to the 2023 elections.³

While there have been some positive changes since the 2019 elections, stakeholders with whom the delegation met expressed concerns about the direction of the country. Confidence in the government and elections has declined over the past 10 years,⁴ as exemplified by the #EndSARS

¹ IReV is an online portal managed by INEC that allows the public to view photos of polling unit-level results. Polling units were previously separated by voting points per 500-750 registered voters to better manage queues; however, they impeded electoral transparency because the results were not announced per voting point.

² The BVAS are a machine introduced by INEC to electronically accredit voters and transmit results.

³ A runoff election is required when a presidential candidate receiving the most votes does not also receive at least 25 percent of the vote in two-thirds of the states.

⁴ [Nigerians' Confidence in Government Falls to Lowest in Africa \(gallup.com\)](https://www.gallup.com)

movement that gained traction in 2020 to protest security forces abuses.⁵ In addition, insecurity has deepened, spreading to many parts of the country. Extremist and sectarian violence continues to spread, banditry and criminality are endemic, separatist elements are gaining traction, and informal security forces are proliferating. This intensifying violence takes place against a backdrop of increasing religious and regional division permeating the political discourse. If the 2023 polls fail to improve upon past elections, Nigerians may lose faith in the ability of democracy to deliver.

III. NOTABLE IMPROVEMENTS

Electoral Reform. If fully implemented, there is broad consensus among Nigerians that the 2022 Electoral Act will significantly enhance the credibility of electoral processes. The Act clarifies electoral timelines, allows for the use of technology in voting and collation processes, and increases the transparency of results. Other improvements include requiring the election budget to be released to INEC at least one year in advance, granting INEC wide discretionary powers, defining overvoting based on the number of accredited as opposed to number of registered voters, and limiting circumstances under which political parties can substitute candidates.⁶ INEC's initiatives to deregister political parties and increase the number of polling units have also reduced some complexities of voting seen in past elections. Experts noted that the widely supported National Electoral Offenses Commission Bill could pass before the 2023 elections, but there may not be enough time to operationalize the bill before the polls.

Transparency of Election Results. The 2022 Electoral Act mandates INEC to maintain a database of publicly available election results. To comply with this measure and enhance the transparency of results, INEC is now requiring polling unit-level officials to transmit photos of the results posters so that they can be uploaded on the IReV website. The IReV was commended by nearly all stakeholder groups with whom the delegation met because polling unit-level results are made available to the public in real time. Citizen observer groups noted, however, that the photos uploaded to IReV are not always legible, available in due time, or in a format that can be digitally analyzed. Observer groups are also advocating for the expansion of IReV to include images of registration area (RA), LGA, and state level results forms. Stakeholders hope that adding these tools will increase confidence in the credibility of the results; however, concerns remain about whether the IReV will work under the strain of a national election. The delegation also commends INEC for disaggregating voter turnout by the number of permanent voter cards (PVCs) collected and by registered voters for each LGA and polling unit for the Osun election.

Electronic Accreditation of Voters. The 2022 Electoral Act codified INEC's ability to determine technological tools used in the voting process. For the 2023 elections, the BVAS will be used to transmit results electronically and accredit voters by authenticating their identity through fingerprint or facial recognition.⁷ Stakeholders noted to the delegation that the BVAS is an improvement on the SmartCard Readers; however, during the November 2021 Anambra

⁵ The #EndSARS movement started in 2017 in response to human rights abuses and corruption by the Special Anti-Robbery Squad (SARS), an elite unit of the Nigerian Police Force (NPF). It morphed into a broader movement calling for decentralization of policing and government reform.

⁶ Accredited voters refers to the number of voters accredited to vote at polling units on election day.

⁷ INEC is using the same devices to register voters during the CVR.

gubernatorial and February 2022 Federal Capital Territory (FCT) local council elections, observers reported challenges with the machines malfunctioning or failing to authenticate voters' fingerprints.⁸ During the 2022 Ekiti and Osun gubernatorial elections, civil society observed that the BVAS appeared to function better. However, the delegation noticed that the machines are light-sensitive, raising concerns about the ability of BVAS to accredit voters during the night as the facial recognition worked better than the fingerprint function. INEC hopes to conduct more intensive training with National Youth Service Corps members who serve as the ad hoc polling officials on election day to build their confidence in utilizing the BVAS ahead of the 2023 polls.

Electoral Disputes. In 2019, over 800 pre-election litigations contributed to tensions and administrative delays. Most stakeholders with whom the delegation met believe that by holding party primaries earlier, most pre-election cases will be resolved by election day so there will be fewer instances in which the courts will decide election results. According to INEC, disputes arising from the 2022 primaries have fallen by at least 40 percent, thus allowing the Commission to focus efforts on improving elections operations and logistics.

Nigerian experts have raised concerns, however, about whether the courts will receive sufficient funding from the executive branch to pay for lodging, transport, training, and adequate security of tribunal judges. Concerns were also raised by the interlocuteurs that a lack of adequate funding might make some judges susceptible to bribery.

Continuous Voter Registration (CVR). The CVR process for the 2023 election cycle commenced in June 2021. INEC introduced an online pre-registration process that allows applicants to fill out the registration form online and present themselves at a physical registration center to provide their biometric information. Civil society has cited challenges with this process, particularly the burden on citizens to return at a later date to retrieve their permanent voters cards (PVCs). On June 27, 2022, INEC announced that they have received nearly 10.5 million new registration applications, of which 8.6 million have been completed. INEC also received an additional 23.6 million applications for voter transfer, PVC replacement, or voter information updates.⁹ INEC intended to conclude CVR on June 30, but extended the process by 30 days in compliance with a court injunction. Osun has seen the second highest number of new registrants per capita of any state in the country (15 percent).¹⁰ However, it is not guaranteed that Osun's level of turnout will be replicated on a national level without a commensurate availability of voter registration closer to election day.

Promoting Peaceful Elections. As in the 2019 elections, the National Peace Committee (NPC), a body composed of eminent Nigerians under the leadership of former head of state General Abdulsalami Abubakar, plans to bring together political parties and candidates to sign two peace accords, the first in November 2022 and the second in January 2023. The NPC aims to gain the support of political parties for a mechanism that would hold signatories to account for violations of the peace accords. The NPC has plans to continue its partnership with INEC, which was formally established in 2020 after the Kogi and Bayelsa gubernatorial elections, to avoid duplicate peace accords and add weight to the commitments of signatories.

⁸ SmartCard Readers are the machines used in previous elections to accredit voters electronically.

⁹ There were 84 million registered voters for the 2019 elections.

¹⁰ INEC numbers published June 27, 2022. [INEC Nigeria \(@inecnigeria\) / Twitter](https://twitter.com/inecnigeria)

Party Primaries. Stakeholders noted to the delegation that the 2022 primaries were more transparent, inclusive, and peaceful than in the past. Despite persistent incidents of vote buying and interference by some governors, the use of ad hoc as opposed to statutory delegates reduced the influence of party leadership members on the selection of candidates, leading to more transparency in voting and less violence than in 2018. The two major parties also mandated an increase in the representation of marginalized groups in the selection of delegates: the APC required that two out of the five delegates selected per ward be women; and the PDP required that one person with a disability (PWD) per state be a delegate at the national convention. The APC and PDP also elected more women to national party executive positions at the national conventions.

IV. REMAINING CHALLENGES AND CONCERNS

New Polling Units and Distribution of Voters. In accordance with Article 40(2) of the 2022 Electoral Act, INEC noted to the delegation that it plans to increase the number of polling units from approximately 119,973 in 2019 to 176,846 for the 2023 polls. The elimination of voting points has increased the transparency of results. However, instead of transitioning the previous voting points into new polling units, INEC has largely established the new polling units in new locations. Recognizing that moving voters to a new location presents a challenge, INEC has plans only to include new voters or voters who choose to transfer their registration at these new polling units. This approach is unlikely to address the anomaly of overcrowding in existing polling units. For example, in Osun, the delegation noted that this resulted in some instances where overcrowded polling units were located yards from a new polling unit with only a handful of registered voters. Overcrowding at polling units also creates challenges for set-up, crowd management, and ensuring voter privacy.

Polling Unit Layout and Set-up. Polling units should be “controlled spaces” that limit access to only approved individuals and reduce conditions for nefarious behavior. While INEC provides polling officials with a schematic for polling unit set-up, stakeholders noted that polling officials often fail to follow the schematic and utilize the provided tools such as rope to manage access to the polling unit. The design of the voting booths also presents a challenge for ballot secrecy. Additionally, many polling units are situated in locations that make compliance with the established design difficult, as well as not providing accessible locations for PWDs, elderly voters, and pregnant women. The proximity of party agents and voters to the voting booth and ballot box often compromises ballot secrecy and increases risks of vote buying. Observers have noted that security agents rarely proactively contribute to maintaining orderly queues or moving party agents to an appropriate distance.

Intra-party Disputes. Intra-party disputes reportedly contributed to certain parties not meeting the deadlines to organize their primaries and submit candidate lists online to INEC. Intra-party disputes also caused parties to take advantage of a loophole in the electoral law to nominate “placeholder candidates” until the parties could agree on the running mates. Intra-party disputes regularly cause “cross-carpeting,” further weakening parties’ and candidates’ motivation to focus their campaigns on issues as opposed to personalities.¹¹

¹¹ “Cross-carpeting” refers to candidates moving from one party to another.

Party Agents. Stakeholders noted that to date party agents have rarely been held accountable for violations of the 2022 Electoral Act, which contributes to a culture of impunity during the elections. A significant concern raised relates to the accreditation of party agents. While it is positive that INEC now requires party agents to be officially accredited, citizen observers noted to the delegation that some party agents were not wearing proper badges in Osun. In addition, some parties had more than one agent present at the polling unit and some were seen participating in vote buying. These problems could be magnified in a national election where far fewer security forces and observers will be deployed to each state.

Monetization of Politics. High political party nomination fees were required for the 2022 primaries and deterred many qualified aspirants from contesting, particularly women, youth and PWDs. To check undue monetization of the election process, the electoral law mandates political parties to submit their financial reports to INEC at specified intervals. However, INEC has not consistently enforced these provisions, which has made campaigns more susceptible to corruption, undermines equal competition, and stands to further marginalize underrepresented groups in political life. Nigerian experts noted to the delegation that, of the 73 political parties that contested in the 2019 presidential election, only four (not including the APC or PDP) had submitted their financial disclosure forms to INEC as of 2021.

Insecurity. According to data from the Armed Conflict Location and Event Data (ACLED) project, Nigeria experienced more incidents of political violence, conflict, and protest in 2021 than in any other year since data collection began in 1997.¹² In 2021, ACLED recorded almost 10,000 fatalities in Nigeria from conflict and political violence, more than any other country in Africa. Nigeria faces a renewed insurgency by the Indigenous Peoples of Biafra (IPOB) in the country's South-East; escalating farmer-herder violence, which has now spread to the South-West, South-South, and South-East; the re-emergence of Ansaru, a major violent extremist organization in the North-Central and North-West region; and a dramatic increase in banditry, kidnapping, and criminality across the country. It is therefore likely that the 2023 elections will take place in an environment that is more insecure than previous polls.

In response to the expansion of conflict and the government's inability to address many of these security issues, Nigeria has seen a proliferation of informal state security forces, such as *Amotekun* in the South-West and *Ebube Agu* in the South-East. Additionally, the 2020 #EndSARS protest movement revealed a latent potential for mass mobilization, principally among young people in the south. The demands of this movement remain largely unaddressed and the movement could be quickly reactivated in the face of perceived marginalization. Additionally, the more than 150-day old strike by the Academic Staff of Union of Universities (ASUU) threatens to make students vulnerable to recruitment by cults or gangs, and mobilization for political violence surrounding elections.

Election Violence. There is broad consensus among Nigerians that electoral violence in 2023 could affect the credibility of the process. Although voting was generally peaceful on election day in the 2022 Ekiti and Osun off-cycle elections, there were concerning cases of violence reported in the lead up to both elections. Party thugs were involved in many of these incidents,

¹² [ACLED \(acleddata.com\)](https://acleddata.com)

but in Ekiti, the involvement of a few National Union of Road Transport Workers (NURTW) in violence was concerning. Osun also witnessed the widespread vandalism of campaign billboards that appeared to occur with impunity, which can create an environment of fear and intimidation. INEC has committed to participating in trainings with security forces to ensure they better understand the election process and their role on election day and are prepared to effectively handle violence and offenses during elections.

Concerns raised by interlocuteurs about electoral violence during the 2023 elections include: a) the ability/willingness of security forces to deter and mitigate violence around polling units; b) the potential for targeted violence by political party supporters aimed at shutting down polling units in party strongholds; c) lack of impartiality of security forces in dealing with electoral violence; d) the potential for the government to use insecurity as an excuse to prevent, suppress, or delay voting in certain locations; e) the impact that non-electoral security dynamics may play in reducing turnout and/or hampering INEC logistics (in particular, the role of IPOB and its factions in the South-East); f) violence against female candidates and their supporters, and g) the role that informal security units (such as *Amotekun* and *Ebube Agu*) may play in the elections.

Electoral Offenses. The 2022 Electoral Act prescribes stiff penalties for electoral offenses, including vote buying, violence, and disruption of the voting process. For example, the maximum penalty for engaging in vote buying or bribery is 12 months of incarceration and/or a fine of 500,000 Naira (1,000 USD). However, enforcement of these provisions is limited, with very few reported arrests and even fewer (if any) reported charges. There is also confusion about who is responsible for election security. Technically, security falls to INEC, and the Inter-Agency Consultative Committee on Electoral Security (ICCES) plays a coordinating role for all security agencies during elections. In practice, INEC relies on security forces for responding to criminal acts, but security forces noted that they are reluctant to make arrests without explicit direction from INEC presiding officers. The new, stiffer penalties for electoral offenses have not been well-publicized, including during the 2022 Ekiti and Osun gubernatorial elections, where vote buying was witnessed. Lastly, neither INEC nor security forces have publicized numbers of arrests or charges from electoral offenses in the Ekiti or Osun gubernatorial elections, casting doubt among Nigerians about whether there is meaningful enforcement of these provisions.

Gender. Women comprise only 3.6 percent and 7.8 percent of legislators in the House of Representatives and Senate respectively. Not one of Nigeria's 36 governors is a woman, and the North-West geopolitical zone has no women in elected office at any level. In early 2022, the National Assembly rejected five constitutional reform bills that promoted women's rights and political empowerment. These bills were rejected in secret votes, making it impossible for constituents and civil society organizations to hold their representatives accountable. One proposed reform would have created 111 additional reserved seats for women, while another would have instituted a 35 percent quota for women in leadership roles in political parties. Positively, many political parties have instituted policies to reduce the financial burden on women aspirants, such as reducing or eliminating fees for candidate nomination forms. However, these measures alone are insufficient to remove the social and cultural barriers to increased women participation.

Election Funding. Logistical challenges have historically plagued Nigeria’s national elections and contributed to the postponement of the 2011, 2015, and 2019 polls. INEC noted to the delegation that the 2022 Electoral Act and other measures it is undertaking will contribute to overcoming these challenges. While INEC is pleased with the level of funding received thus far, it has not been fully funded by the government as mandated by law. Full funding is essential to ensure logistical preparations can be made as early as possible, especially given global supply chain issues that could delay acquisition of critical materials such as paper. Additionally, the courts have not received full funding from the government for the creation of election tribunals, which requires funds for training, travel and lodging. Lack of adequate funding will significantly impede the ability of judges to perform their duties.

Youth. With surging interest from young people in participating in the election, the voter registration deadline of July 31 could impact prospects for youth participation in the 2023 elections. While INEC needs time to clean the voter register and issue PVCs, closing registration more than six months before the elections threatens to disenfranchise a significant proportion of the population who are only now becoming familiar with the party candidates and interested in participating in the electoral process. Additionally, due to the long running ASUU strike, students have been unable to register for voting in their place of residence. Closing registration before the strike ends could further disenfranchise young people in these elections.

Persons with Disabilities. The 2022 Electoral Act includes new provisions that mandate INEC to take reasonable steps to enhance access for PWDs. The Discrimination Against Persons with Disabilities (Prohibition) Act, 2018 also mandates that public buildings, where many polling units are located, be constructed or modified to ensure accessibility. Advocacy from disabled persons organizations, including under the banner of the Access Nigeria campaign, has led to INEC adopting provisions for accessibility measures such as the use of a Braille ballot guide, magnifying glass and EC40H form in polling units to track voters with disabilities ahead of the 2019 polls. However, these measures are not evenly implemented because polling officials are not adequately trained, assistive tools are insufficiently distributed and data is limited on the specific needs and locations of PWDs. INEC is reviewing its PWD Framework for the 2023 polls and proposing to introduce a new voting cubicle that accommodates people who use wheelchairs.

Internally Displaced Persons (IDPs). Nigeria has at least 3.2 million IDPs, and potentially many more.¹³ The existing framework to guide the specific voting process for IDPs cannot be implemented because it contravenes the law by having IDPs vote in camps that are not necessarily in their place of registration. INEC is currently reviewing its framework for IDP voting in the 2023 elections. Given the record levels of insecurity and displacement, it is critical that INEC update and implement its framework to ensure IDPs are enfranchised universally and equitably across the regions of Nigeria. INEC assured the delegation that it is their intention to promptly and holistically address this issue.

Information Environment. According to a 2021 Afrobarometer survey, 44.8 percent of citizens access news on the radio daily.¹⁴ The same study found that 39.3 percent of Nigerians access news on social media at least a few times a month, while 23 percent do so daily. The Economic

¹³ Internal Displacement Monitoring Center (2021) <https://www.internal-displacement.org/countries/nigeria>

¹⁴ Compared to 22.6 percent on television, 5.5 percent through newspapers, and 22.1 percent through the internet

Community of West African States' Court of Justice ruled during the delegation's visit that the government's seven-month suspension of Twitter from June 2021 to January 2022 was unlawful because it violated freedoms of expression and access to information and the media. Journalists noted to the delegation, however, that they generally operate without major restrictions and feel the environment is more open now than in the leadup to the 2019 elections. Journalists admitted that they often "self-censor" or avoid covering divisive or sensitive topics, to not attract negative attention and scrutiny from regulatory bodies overseeing the media. In May, the International Press Institute reported the arrest of 15 journalists; seven of the incidents related to the political party primary process, raising concerns about press freedom and safety ahead of the 2023 polls.¹⁵

Misinformation, Disinformation and Hate Speech. The increased utilization of the internet, social media, and online messaging platforms have increased the volume and speed at which mis/disinformation spread. Civil society, specifically the Center for Democratic Development West Africa, has identified politically sponsored networks of "cyber warriors" who spread false information and divisive rhetoric. These messages are then amplified through bot networks or shared by media influencers with large followings.¹⁶ For the 2023 elections, Nigerian experts told the delegation that they expect political parties to deploy sophisticated media operations and that some party-affiliated actors may intentionally cloud the information environment with mis/disinformation. Stakeholders are also specifically concerned about the role that hate speech may play in fueling violence and polarization.

V. RECOMMENDATIONS

The actions of electoral stakeholders to prepare for the 2023 polls between now and the end of 2022 are critical to inspiring confidence in the ability of Nigerians to select the candidate of their choice without barriers or hesitations. Therefore, IRI/NDI offer the following actionable recommendations within that timeframe for consideration by stakeholders.

On Election Administration, Civic Participation, and Judicial Matters

1. The Independent National Electoral Commission (INEC) should be allocated its remaining funding to ensure they are able to complete procurement processes, training, and deployment of necessary staff and materials.
2. The courts should be allocated sufficient funding to ensure members of Election Tribunals have the necessary resources for training, transportation, and security.
3. INEC should extend the period for voter registration to capitalize on excitement from the Osun and Ekiti elections and nomination of final presidential and vice presidential candidates.
4. INEC and the security forces should enforce and widely publicize the penalties for committing electoral offenses under the new electoral law, particularly vote buying. INEC and the security forces should also communicate to the public the number of arrests, charges, and convictions for the electoral offenses.
5. In line with accepted international best practices, in addition to posting images of the polling unit-level results forms (EC.8A) on the INEC Result Viewing Portal (IReV),

¹⁵ <https://ipi.media/nigeria-attacks-on-journalists-spike-as-election-season-starts/>.

¹⁶ Hassan, Idayat (2022) "Nigeria's Fake News Ecosystem" Center for Democratic Development West Africa (CDD) <https://cddwestafrica.org/nigers-fake-news-ecosystem-an-overview/>.

- INEC should commit to posting the results' spreadsheets created for each level of collation as well as the Registration Area, local government area and state results forms.
6. INEC should redistribute voters across new and old polling units in the same locales to avoid overcrowding and long queues.
 7. INEC and political parties should invest in robust efforts to ensure that the collection of permanent voter cards (PVCs) by citizens is easily accessible to all registered voters.
 8. INEC should conduct a more robust stress test of its new systems to troubleshoot potential challenges with the BiModal Voter Accreditation System (BVAS) and IReV for the 2023 elections. This includes ensuring that BVAS are able to accredit voters in a broad range of real-life settings and light conditions.
 9. INEC should commit to increasing training for ad-hoc staff on polling unit layout and ballot secrecy and empower presiding officers to more proactively manage party agents' behavior, including requesting assistance from security agents as appropriate.
 10. INEC should take additional measures to enforce requirements for political parties to submit financial reports and monitor campaign expenditures, such as collaborating with the National Broadcasting Commission to track campaign expenditures on media airtime and advertisements.
 11. INEC, political parties and civil society should begin voter education efforts early in the election process. INEC should coordinate with other government agencies responsible for voter education, such as the National Orientation Agency, to inform voters about the election process and encourage collection of PVCs.

On Political Parties

12. Political parties should sign and abide by the first peace accord facilitated by the National Peace Committee in November, which include pledges against violence, vandalism, harassment, hate speech, and vote buying.
13. Political parties should hold candidates, party members, and party agents accountable for participating in vote buying or inducement.
14. Political parties should train their agents on proper polling unit layout, prohibited behavior under the law, and their important roles during the collation process, and ensure that all agents have proper INEC credentials.
15. Political parties and candidates should comply with financial disclosure requirements required by the 2022 Electoral Act.

On Women, Youth, Persons with Disabilities, and Internally Displaced Persons

16. INEC should publish disaggregated data on registered persons with disabilities (PWDs) before elections and invest in collecting data to map the location and type of assistance needed for PWDs, and audit polling unit layouts to ensure compliance with the INEC polling unit schema.
17. INEC should also implement assistive voting cubicles for PWDs. With this adjustment, INEC should consider modifications to the voting cubicles that protect ballot secrecy.
18. Parties should implement their own gender inclusivity commitments as they set up their campaign committees.
19. Political parties should prioritize material and financial resources to women and youth candidates who emerge from the 2022 primaries.

20. INEC should invest in assisting internally displaced persons (IDPs) to transfer their registration area to their new location so that they can vote; update the IDP framework, taking into consideration lessons learned from 2019; implement the surveys of IDP camps required in the framework; and prioritize the sensitization of the new framework with government and polling officials.

On Security

21. INEC and security forces should anticipate and plan for areas where violence may be used to suppress votes / change outcomes.
22. The government should formally address the role that informal security outfits (such as *Amotekun* and *Ebube Agu*) may play in the lead up to and during elections.
23. Security forces should enhance training for security agents on election duty to control crowds peacefully, and support the presiding officer in ensuring appropriate voter and party agent behavior and ballot secrecy.
24. The government should resolve the Academic Staff of Union of Universities strike. This is critical for security, as young people unable to study could be easily recruited into cults, gangs, or other groups that could contribute to electoral violence.

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APPENDIX C - IRI/NDI PRELIMINARY STATEMENT FOR THE SECOND PEAM



STATEMENT OF THE SECOND JOINT NDI/IRI PRE-ELECTION ASSESSMENT MISSION TO NIGERIA *December 9, 2022*

I. INTRODUCTION

From December 4 to 9, 2022, the International Republican Institute (IRI) and the National Democratic Institute (NDI) conducted a second joint pre-election assessment mission to Nigeria as part of the Institutes' observation of Nigeria's 2023 general elections. This mission builds on the first assessment mission which visited Nigeria in July 2022 and issued a [statement](#) with recommendations to enhance the credibility of the elections. This second assessment mission reviewed changes in the electoral environment since July, assessed the status of recommendations offered by the previous delegation, and identified issues that can still be addressed between now and election day to promote an inclusive, transparent, credible, and peaceful process.

The purpose of conducting two pre-election assessment missions in Nigeria is to:

- assess the current political environment and electoral preparations;
- provide independent, impartial findings and practical recommendations to enhance the credibility of the process and citizen confidence in the elections; and
- demonstrate international support for Nigeria's democratic process and the aspirations of the Nigerian people.

The delegation included Ambassador Michelle Gavin, Senior Fellow for Africa Policy Studies at the Council on Foreign Relations; Judge Dhaya Pillay, Commissioner at the Electoral Commission of South Africa; Ellen Dingani, Programmes Director of the Zimbabwe Election Support Network; Gregory Kearns, IRI Director for Africa; and Dr. Sophia Moestrup, NDI Deputy Director for Central and West Africa.

The delegation met with an array of election stakeholders, including the Independent National Electoral Commission (INEC), the National Assembly, the National Orientation Agency, National Youth Service Corps, the National Peace Committee, National Union of Road Transport Workers, civil society, the media, security forces, diplomatic missions, presidential candidates and their campaign teams, as well as representatives of religious and socio-cultural groups. The delegation conducted its activities in accordance with the laws of Nigeria and the *Declaration of Principles for International Election Observation*, which was signed in 2005 at the United Nations. The delegation expresses its deep appreciation to everyone with whom it met for sharing their insights, from which the mission benefited greatly.

NDI and IRI are nonpartisan, nongovernmental, nonprofit organizations that support and strengthen democratic institutions and practices worldwide. Since Nigeria's 1999 transition from military to civilian democratic rule, IRI and NDI have deployed international election observation missions to all general elections in the country. The Institutes have collectively observed more than 200 elections in more than 50 countries over the last 30 years. NDI and IRI will deploy a joint international delegation to observe the 2023 presidential and National Assembly elections.

II. EXECUTIVE SUMMARY

The 2023 elections represent a pivotal moment for Nigeria's democracy. The presidential race will be an open contest as the incumbent is term-limited, and the expanded field of candidates raises the real possibility of a presidential runoff for the first time since the transition to democracy in 1999.¹ Given recent democratic backsliding in other African countries, credible and peaceful elections in the continent's largest democracy would serve as a positive model and showcase Nigerians' commitment to consolidate democratic gains since the transition.

Important electoral reforms enshrined in the Electoral Act 2022 have raised public confidence in INEC's commitment and ability to deliver democratic elections for over 90 million registered voters. The adoption of a new electoral framework in February 2022, one year before the general elections, has facilitated early planning, and the July IRI-NDI pre-election assessment noted significant improvements compared to the 2019 elections. These include earlier disbursement of funds to INEC, enabling timely procurement of election materials, as well as technological innovations to improve the transparency and credibility of the voting process, such as the Bimodal Voter Accreditation System (BVAS)² for voter accreditation and results transmission, and the INEC Result Viewing Portal (IReV).³ A surge in voter registration, especially among young people, with more than 9 million voters newly registered during the continuous voter registration period, points to a renewed interest in political participation among Nigerians.

Despite these improvements, a number of challenges remain to fully implement the new Electoral Act. A major concern affecting most parts of the country is insecurity driven by extremist and sectarian violence, banditry, the rise of separatist elements, and the proliferation of informal security forces. A worrying trend since the NDI-IRI July assessment mission is the significant increase in electoral violence, often targeting INEC facilities, election materials, opposing candidates, party supporters and women leaders. Many interlocutors with whom the delegation met expressed concerns about the continued and pervasive role of money in politics in Nigeria, and the lack of accountability for electoral offenses, including vote buying. If the 2023 elections fail to deliver on citizen expectations of credible and inclusive polls, the confidence of Nigerians in their government and elections, which is already the lowest in Africa,⁴ may further erode, and there are concerns about the potential for significant post-election violence.

¹A runoff election is required when a presidential candidate receiving the most votes does not also receive at least 25 percent of the vote in two-thirds of the states.

²The BVAS is a machine introduced by INEC to electronically accredit voters and transmit results.

³IReV is an online portal managed by INEC that allows the public to view photos of polling unit-level results.

⁴<https://news.gallup.com/poll/393953/nigerians-confidence-government-falls-lowest-africa.aspx>.

III. KEY PROGRESS AND REMAINING ISSUES

The delegation recognizes many positive developments initiated by electoral stakeholders - some of which followed the recommendations of the first IRI-NDI pre-election assessment mission in July 2022 - that have improved the conditions for democratic elections in 2023. However, the delegation also noted challenges that, if left unaddressed, could negatively impact the credibility of the polls and increase the risk of post-election violence. Some of the most significant risks to the electoral process are outside of INEC's control.

Election Administration. The Electoral Act 2022 positions Nigeria to hold its most procedurally sound elections to date, though some challenges remain.

Election Preparations - The Electoral Act stipulates that the election budget be released to INEC at least one year before elections. Interlocutors with whom the delegation met noted that INEC has received approximately 60 percent of its budget for the 2023 general elections. The early release of funds in comparison to the leadup to the 2019 elections has allowed for early commencement of procurement, domestic ballot printing, and deployment of non-sensitive materials. Procurement includes the printing of an extra set of ballots in preparation for a potential runoff election, which must occur no more than 21 days after the first round of polls. INEC is likely to sign a memorandum of understanding (MOU) with the National Union of Road Transport Workers (NURTW) next week. The MOU is expected to address the challenges experienced in 2019, such as timely payment for drivers hired to transport sensitive and non-sensitive election material, and the availability of adequate security personnel, fuel, and training. However, if fuel shortages continue to plague the country during elections, the arrival of materials could be delayed.

Election Technology - The introduction of the BVAS and IReV was hailed by interlocutors as the most important contribution to raising confidence in electoral integrity. The BVAS authenticates voters by verifying their identity through their fingerprints or facial recognition, and is used to transmit results that are uploaded to, and visible on, IReV. Though the BVAS functionality improved during the 2022 Ekiti and Osun gubernatorial elections, stakeholders continued to express concern about how the BVAS will work under the strain of a national election, with upwards of 176,000 polling units uploading election results. The delegation heard reports that some politicians were seeking to discredit the use of BVAS, as a means of sowing doubt about the credibility of the electronic voter accreditation and results transmission processes, in an effort to return to manual processes which are prone to manipulation. On the other hand, if there were to be widespread malfunction of the BVAS machines as occurred with the smart card readers in 2015, it could undermine the perceived legitimacy of the elections and spark violence. Interlocutors also expressed worry about cyber attacks intended to disrupt the voting or results transmission process.

Voter Register - INEC witnessed a surge in voter registration, particularly among young people, and extended the voter registration process from June 30, 2022, to July 31, 2022.⁵ However, INEC decided not to extend registration beyond July 31, 2022, despite calls by civil society and international observers to do so. INEC told the delegation that young people between the ages of 18 and 34 constitute 71 percent of new registrants. In line with the new Electoral Act, INEC

⁵ In November 2022, a federal high court in Abuja ruled that INEC must resume the CVR exercise until 90 days before the election; however, INEC has said it would be impossible to resume voter registration at this point.

displayed hard copies of the voter register for each ward and local government area from November 12 to 25, 2022, and published the full register on its website, to allow citizens to verify and correct their information and object to apparent errors in the registry. INEC took steps to clean the voter register, delisting 2.7 million people from the register due to problems such as double and underage registration, and stated that it will sanction INEC staff who knowingly assisted registrants with improper registrations. The processes for displaying claims, objections, and delisting voters remain opaque, however, leading to concerns about bias during voter roll cleaning.⁶ Interlocutors also highlighted that the procedures for contesting faulty registrations are too demanding and the burden of proof excessive.

Permanent Voters Card (PVC) Collection - Registered voters are required to present a PVC at their polling unit in order to vote on election day. INEC announced that PVC collection for voters newly registered in 2022 will take place from December 12, 2022, to January 22, 2023, at all INEC local government offices. INEC intends to further decentralize PVC collection to the ward level from January 6 to January 15, 2023. However, significant concerns remain about whether PVCs will be distributed in a timely fashion. There are also questions about INEC's ability to replace destroyed or stolen PVCs quickly given the recent attacks and flooding.

Distribution of Voters to Polling Units - INEC has increased the number of polling units from 119,973 in 2019 to 176,846 for the 2023 polls. During the Ekiti and Osun elections, Yiaga Africa and other citizen observers noted an imbalance in the distribution of voters across old and new polling units. Analysis conducted by Kimpact Development Initiative (KDI) determined that polling units in Osun with severe overcrowding experienced lower voter turnout. INEC is now in the process of redistributing voters more evenly across polling units, either in the same location or within a maximum distance of 250 meters from the original location. This redistribution raises questions about the ability of INEC to inform voters of their new polling unit locations ahead of the elections.

Frameworks for Inclusion - Nigeria has about 25 million citizens with at least one form of disability. To enhance the participation of persons with disabilities in the 2023 elections, INEC reiterated its plans to train ad hoc staff on the use of assistive materials, which civil society noted as an issue in previous elections. In response to advocacy by Access Nigeria, INEC adopted a policy requiring that five percent of ad hoc staff be persons with disabilities. Although Inclusive Friends Association (IFA) has shared data on the distribution of voters with disabilities in 12 states with INEC, stakeholders continued to express concerns about the availability of assistive materials, including magnifying glasses and Braille ballot guides, at all polling units where voters with disabilities are registered. Many polling units remain inaccessible for persons with disabilities, hindering their ability to vote independently on election day, and INEC is yet to release a more detailed plan for the inclusion of voters with disabilities.

In September INEC published a framework for the inclusion of internally displaced persons (IDPs) in the electoral process, but it was not followed by a detailed plan, and stakeholders noted to the delegation that it is unclear how IDPs will vote. INEC committed to conduct surveys of internally displaced persons, but only in formal camps. Nigeria has at least 3.2 million IDPs, and at least six states with more than 100,000 IDPs, not counting an additional 1.4 million people displaced by

⁶ INEC report *Completed, Valid, and Invalid Registration 28th June 2021 - July 31st 2022*.

recent flooding. Interlocutors noted during the pre-election assessment mission that the surveys INEC pledged to conduct have not yet been completed. While INEC indicated that registration areas have been created for each camp, it is unclear whether internally displaced persons will have the PVCs enabling them to vote for the presidency in those locations. There are also concerns about political parties attempting to improperly influence the outcome of the election in IDP camps through either vote buying or voter suppression. In closely contested polls like those expected in 2023, protecting the votes of IDPs will be important to the legitimacy of the elections.

Insecurity, Electoral Violence and Voter Suppression. The delegation notes consensus among stakeholders that insecurity is the primary risk factor for the 2023 elections. Nigeria is facing record levels of insecurity in 2022 and conflict has become more geographically widespread and more complex. Increasing banditry and attacks by Boko Haram and Islamic State West Africa Province (ISWAP) in the North East and North West threaten to undermine logistics and strain capacity to secure elections. Continuing conflict between herder militias and farming communities drives displacement and exacerbates sectarian tensions in states that are likely to be key electoral battlegrounds. Secessionist agitation by Indigenous People of Biafra (IPOB)/Eastern Security Network (ESN) in the South East threatens to depress voter turnout. If the election is perceived to be illegitimate, the group could gain significant traction, and potentially become directly involved in post-election violence. The proliferation of informal security elements - such as Amotekun in the South West and Ebube Agu in the South East - further complicates security and increases opportunities for election violence and malfeasance.

In addition to attacks by various violent armed groups, election related violence in Nigeria has increased significantly over the past year. In 2022, the country experienced more than twice the level of election violence experienced during the same period prior to the 2019 elections. Despite most presidential candidates signing the first peace accord facilitated by the National Peace Committee on September 29, 2022, since then there have been at least 50 reported incidents of electoral violence, occurring across 40 local government areas in 24 states.

Attacks on INEC offices occurred in at least four states since the signing of the peace pledge — including an attack on an INEC office in Imo during the delegation’s presence in the country. While INEC indicated that materials destroyed in these recent attacks could be replaced, they noted that it would be much more difficult to replace materials if such attacks continue nearer to election day. Many incidents of election violence witnessed since the signing of the peace accord were egregious, public displays of partisan violence carried out by supporters and operatives of major political parties. The delegation heard widespread concern about the potential for strategic violence to be employed on election day to suppress the vote in strongholds of opposing parties.

Violence against politically active women is similarly a major concern, affecting women’s participation in the electoral process. The Labour Party’s Women Leader in Kaduna was killed on November 28, 2022. Stakeholders noted to the delegation that the few women candidates running, regardless of affiliation, have faced threats, direct assault, and destruction of campaign posters and property.

In November 2022, Inspector-General of Police Usman Baba said the police received reports of state governors using “thugs” and informal security outfits to disrupt campaign activities of opposing parties, and called on governors to remain neutral throughout the electoral process. The

delegation also heard reports of permits for rallies and access to billboards and advertising being denied by state governments of opposing parties. On a positive note, security officials have committed to removing police commissioners in states where their actions are influenced by political bias or corruption, and the delegation was informed that two police commissioners were recently removed for these reasons.

The increase in politically motivated violence has sparked fears that a violent campaign period could be a precursor to significant post-election violence, should the electoral process not be viewed as credible or if losing parties do not accept the outcome. A peace accord planned for the week leading up to the presidential election similar to those signed in 2015 and 2019 would commit the signatories to peacefully accepting the outcome of credible polls. However, the peace pledges risk becoming empty promises unless backed by credible sanctions against instigators of violence.

In this highly polarized context, the conduct of a parallel vote tabulation (PVT) by Yiaga Africa to independently verify the official results, and the deployment of other citizen election observation efforts will contribute to building confidence in the outcome of the elections.

Vote Buying and Other Electoral Offenses. Interlocutors with whom the delegation met continued to raise concerns about vote buying. Stiff penalties for electoral offenses in the Electoral Act 2022 are rarely enforced, with very few reported arrests and charges. Stakeholders noted that the division of responsibilities for identifying, investigating and prosecuting crimes like vote buying between INEC and the police is impractical and often poorly understood. The delegation heard that political parties have already started to buy PVCs in an effort to suppress votes or change outcomes of the election in certain areas. In October 2022, police arrested a perpetrator who had 367 PVCs in his possession in Kano and another who had 101 PVCs in Sokoto.

The Inter-Agency Consultative Committee on Electoral Security (ICCES) has continued to coordinate all agencies involved in providing security during elections. Recently, INEC expanded membership in ICCES to include the Independent Corrupt Practices and Other Related Offences Commission (ICPC) and the Economic and Financial Crimes Commission (EFCC); however, the delegation heard from stakeholders that the roles of the ICPC and EFCC on the committee are not clearly defined. In addition, a National Electoral Offences Commission Bill passed a second reading in the House of Representatives. This bill would establish an Electoral Offences Commission and Electoral Offences Tribunal to investigate and prosecute electoral offenses. Stakeholders are hopeful that the law will be passed before the Christmas recess; however, with less than three months remaining before election day, it appears unlikely that the law can be implemented and enforced during the 2023 elections.

Electoral Disputes. The Electoral Act 2022 improves the timelines for pre-election litigations resulting from the primaries. However, stakeholders noted to the delegation that there are currently about 650 cases pending in which INEC is a party. There continues to be a concern about inconsistent rulings and the exposure of judges to pressure by politicians who “shop for verdicts”, which stirs doubt in the electoral process and heightens intra- and inter-party tensions. In many constituencies, citizens will not know the candidates running until a few weeks before election day due to pending cases concerning candidate nominations. On November 7, 2022 the Chief Justice of Nigeria inaugurated more than 300 judges serving on election petition tribunals, and the judges and their staff have already been trained on the electoral procedures and the Judicial Electoral

Manual, which was updated recently to comply with the new Electoral Act. However, there are still concerns about inadequate funding for the election tribunals, which could make judges more susceptible to bribery.

Campaign Finance. Election campaigns in Nigeria are often characterized by leading parties spending substantial amounts of money and resources for their campaigns. In an effort to curb undue monetization of the electoral process and level the playing field, the Electoral Act 2022 mandates that political parties submit their financial reports to INEC at specified intervals. However, compliance with these provisions continues to be ignored by parties and not enforced by INEC.

Voter Education. Voter education started earlier than in the leadup to the 2019 elections due to the early release of funding to INEC and the timely availability of updated electoral guidelines. Voter education is crucial for the 2023 elections, in part because the BVAS and IReV will be new to most Nigerians. Civil society is playing a critical role in educating voters, supplementing the efforts by the National Orientation Agency (NOA), the organization tasked with voter education as its mandate. NOA is focusing in particular on countering vote buying and raising awareness of mis- and disinformation. Candidate debates organized by media and civil society are unique opportunities for voters to hear about and compare party and candidate platforms. However, not all political parties are participating in debates, hampering their ability to share their platforms with voters in a setting that prioritizes constructive dialogue on issues that Nigerians care about.

Candidacies of Women, Youth and People with Disabilities. Although Nigeria has witnessed a surge in registration of young people, there are still significant barriers for young people and other traditionally marginalized groups to participate in the electoral process as candidates. The overall percentage of women running for elections has declined from 13 percent in 2019 to 8.9 percent in 2023. A disappointing development for Africa's largest democracy, these percentages fall far below the requirement of 35 percent representation for women across all government positions included in Nigeria's National Gender Policy. Youth candidacy has also decreased, from 34 percent in 2019 to 28 percent in 2023. The delegation heard that there are only 31 candidates with disabilities contesting in the elections. There are still significant financial barriers that prevent or limit the participation of candidates who identify as marginalized groups.

Information Environment. Media stakeholders raised concerns about access to the leading candidates and their lack of participation in national debates and other forums for communicating directly with the people. An example of this emerged during the assessment when a leading candidate was absent from the first presidential townhall meeting hosted by Arise TV in partnership with civil society on December 4, 2022. Media practitioners noted instances of intimidation by politicians during their coverage of the campaigns. Politicians have used the media to spread disinformation, sow doubt in the electoral process and exacerbate underlying cultural and ethnic tensions. The delegation also heard that fines have been unevenly levied by the National Broadcasting Commission, often targeting cases where the ruling party was unfavorably portrayed in the media.

IV. NEW AND CONTINUED RECOMMENDATIONS

Two and a half months remain before the elections, interventions to enhance the integrity of the electoral process should be strategic and timely. The delegation is confident that many of the above-mentioned challenges can be addressed in this time frame through coordinated efforts by key stakeholders. Some of the recommendations identified by the NDI and IRI delegation that visited Nigeria in July 2022 have been addressed by the relevant stakeholders. However, several others remain relevant during this final period before election day and are reiterated below, alongside new recommendations offered by the delegation to address new and emerging issues.

Recommendations for the Federal Governments of Nigeria:

1. The Government should complete the disbursement of funds to INEC and the election petition tribunals so they can fulfill their legal responsibilities.
2. The Government should continue messaging to governors and security forces that they must remain impartial throughout the electoral process and provide for a level playing field.

Recommendations for the Independent National Electoral Commission:

3. INEC should clarify how underage voters, double registrations and any other criteria that would result in a voter being removed from the voter roll will be handled. This will increase electoral confidence should large numbers of voters end up being purged from the register.
4. INEC should ensure all voters know the location of their polling unit, particularly those reassigned to polling units different from where they have voted in the past.
5. INEC should publish information on how many citizens claimed their PVCs for each polling unit, to provide an accurate count of the number of voters who could cast votes on election day, as that number will be used to estimate turnout.
6. INEC should conduct national stress tests of the BVAS machines and the IReV system to ensure they are prepared to function effectively on election day across more than 176,000 polling units.
7. INEC should fulfill its responsibility to prosecute violators of the Electoral Act 2022 and increase public communication about its intolerance of electoral offenses.
8. INEC should complete surveys of internally displaced persons camps in all states, and provide clear guidelines on the process by which IDPs, including those not living in IDP camps, will vote in the election.

Recommendations for Political Parties:

9. Candidates and political parties should adhere to the principles in the peace pledges facilitated by the National Peace Committee ahead of the elections, and refrain from engaging in, or encouraging violence against electoral opponents. Political parties should also sign a second peace pledge to renew their commitment to peaceful elections and to sanctioning supporters who commit electoral offenses.
10. All presidential candidates should commit publicly to accept results of credible elections.
11. Grievances arising before, during and after the elections should be channeled through the appropriate legal processes.
12. Parties should desist from vote-buying, voter suppression, hate speech, and ethnic polarization.
13. Political parties should support their women and youth candidates in particular by providing equitable material and financial resources to their campaigns.

Recommendations for Security Forces:

14. Security forces should proactively identify wards at high risk of strategic election violence and focus their resources on these areas.
15. Security forces should arrest perpetrators of electoral offenses, such as vote buying, and seriously investigate attacks on INEC offices.
16. Security forces should ensure effective protection of members of the National Youth Service Corps who act as ad hoc INEC staff on election day, and National Union of Road Transport Workers assigned to transport election materials.

Recommendations for Civil Society:

17. Civil society should educate voters about the Electoral Act 2022 and associated guidelines, new technologies, electoral offenses, and how vote buying compromises the integrity of elections.
18. Civil society should hold responsible persons accountable for ensuring peaceful, transparent and credible elections.

Recommendations for the Media:

19. The media should report impartially, verify information before it is reported, and proactively counter misleading or false narratives around the electoral process or political campaigns.
20. The media should grant fair access to all political parties to air their campaign messages.
21. The media should prioritize inclusive media coverage, featuring the voices of women, young people, persons with disabilities and internally displaced persons as candidates and voters.

Recommendations for the International Community:

22. The various international election observation missions should coordinate with one another to ensure wide coverage on election day, including those regions of the country where concerns about voter suppression and electoral legitimacy are most acute.
23. The international community should consider employing targeted sanctions against government and party officials who orchestrate, tolerate, or encourage electoral violence.

The delegation extends its gratitude once more to the many Nigerians who generously gave their time to inform its efforts. The delegation hopes that the findings and recommendations shared in this statement are strongly considered in the remaining weeks ahead of the February 2023 elections. IRI and NDI will continue to monitor the electoral process and will organize an international election observation mission in February. The Institutes look forward to engaging with stakeholders again at that time.

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PRELIMINARY STATEMENT OF THE JOINT NDI/IRI INTERNATIONAL OBSERVER MISSION TO NIGERIA'S 2023 PRESIDENTIAL AND LEGISLATIVE ELECTIONS

February 27, 2023

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 25, 2023 presidential and National Assembly elections. The 40-person delegation, with members from 20 countries, was led by Her Excellency Dr. Joyce Banda, former President of the Republic of Malawi. She was joined by Ambassador Mark Green, President and CEO of the Woodrow Wilson International Center for Scholars and former administrator of the United States Agency for International Development; NDI Board Member Ambassador Johnnie Carson, former Assistant Secretary of State for African Affairs at the U.S. Department of State; IRI Board Member Constance Berry Newman, former Assistant Secretary of State for African Affairs at the U.S. Department of State; NDI Board Member Stacey Abrams, American political leader, lawyer, and voting rights activist; and IRI Board Member Dana White, former Assistant to the U.S. Secretary of Defense for Public Affairs. NDI President, Ambassador Derek Mitchell, and IRI President, Dr. Daniel Twining, also participated in the mission. The mission visited Nigeria from February 20 to 27, 2023, and deployed observer teams to 20 states covering all six geopolitical zones and the Federal Capital Territory (FCT).

Through this mission, NDI and IRI seek to reflect the international community's interest in and support for democratic electoral processes in Nigeria. This statement is meant to provide an accurate and impartial report on the election process to date; and offer practical recommendations to improve future elections. It builds on the findings of joint IRI/NDI pre-election assessments conducted in July and December 2022 and reports submitted by six Abuja-based thematic technical experts.

The mission conducted its activities in accordance with Nigerian law and the Declaration of Principles for International Election Observation and collaborated closely with other international and regional observer missions that endorse the Declaration, while coordinating with impartial and independent citizen observer organizations. The mission is grateful for the hospitality and cooperation it received from all Nigerians with whom it met, especially voters, government officials, members of the Independent National Electoral Commission (INEC) and polling officials, party members, citizen election observers, and civic activists.

Executive Summary

The Electoral Act 2022 introduced much-needed reforms aimed at increasing transparency in results collation and timely organization of pre-electoral processes; however, the elections still fell well short of Nigerian citizens' legitimate and reasonable expectations. Failures of logistics, challenges with voter registration and voter card distribution, inadequate communication by INEC, lack of transparency in the

publication of election data, and unchecked political violence before and during the elections overshadowed incremental administrative gains achieved in the pre-election period, and impeded a substantial number of citizens from participating in voting. Ongoing currency and fuel shortages also imposed excessive burdens on voters and election officials while marginalized groups, especially women, continued to face barriers to seeking and obtaining political office.

On election day, logistical failings caused late openings across the country, creating tensions, and the secrecy of the ballot was compromised in some polling units given overcrowding. Although the application of new electoral technology aimed to increase integrity and efficiency on election day, challenges in the electronic transfer of results and their upload to a public portal in a timely manner continues to undermine citizen confidence at a crucial moment of the process. These logistical challenges, together with the scale of electoral insecurity, were foreseeable and avoidable. Failure to address these issues prior to election day was a missed opportunity. Moreover, voters' trust in the process has been considerably shaken by INEC's lack of transparency about the cause and extent of election day challenges. The combined effect of these problems disenfranchised Nigerian voters in many parts of the country, although the scope and scale is currently unknown.

Despite these real and troubling issues, Nigerians once again demonstrated their commitment to the democratic process. Voters displayed extraordinary resilience and resolve to have their voices heard through the ballot, often waiting for several hours due to logistical shortcomings. In particular, youth engagement was noteworthy, with significant increases in youth registrants on the voter roll, and National Youth Service Corps members once again serving as poll workers across the country. The election management body, INEC, administered a nationwide election according to the electoral calendar and in the majority of polling units despite widespread insecurity and severe currency and fuel shortages.

As the nation awaits the results of the electoral process, and with only two weeks until the March gubernatorial elections, we urge all political actors and their supporters to remain calm and exercise restraint. INEC, the government, political actors, and civil society should continue to work together and redouble efforts to deliver on citizen expectations for transparent and inclusive elections in order to ensure that electoral outcomes are a credible expression of the will of voters. The mission calls on the international community to continue to stand with the people of Nigeria in their efforts to deepen and strengthen their democratic institutions and practices.

The IRI/NDI mission stresses that this statement is preliminary in nature. As voting continued past February 25 in some polling units and results continue to be collated, the mission calls on: INEC to be more proactive and responsive to stakeholder inquiries and to release official results in a timely and transparent manner; Nigerian political parties and candidates to cooperate in good faith with INEC; political leaders to adhere fully to the February 2023 Peace Accord and respect the will of the Nigerian people as expressed through the ballot box; and the appropriate agencies to conduct a full investigation of allegations of election violations and the prosecution of perpetrators. The mission recognizes that, ultimately, it is the people of Nigeria who will determine the credibility of their 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

The 2023 presidential election was an open contest with no incumbent in the race, and the emergence of third party candidates disrupted the traditional two-party contest and created opportunities for enhanced political debate that excited many young Nigerians. Candidates also competed for 109 Senatorial and 360 House of Representative seats. The elections were a national test for the Electoral Act 2022, one of the most substantive election reform packages in the country's recent history and an achievement of advocacy

from Nigerian civil society and reform-minded legislators. However, the 2023 elections took place under a deteriorating security situation, as the country was grappling with incidents of violent extremism in the North East, armed banditry in the North West, intercommunal conflict in North Central, and threats of secession from the states in the South East. Also, in the months leading up to election day, the country faced an economic crisis and fuel shortages that complicated electoral preparations.

Legal Framework

The Electoral Act of February 2022 established a more robust framework to enhance electoral integrity. It contained several innovations, including significantly extending electoral timelines, securing advanced funding for INEC, the use of electronic technology in voting and transmission of results, increasing results transparency, and introducing additional mechanisms for their verification. The Act also limits the ability for political parties to substitute candidates after the nomination period has closed, and mandates INEC to take reasonable steps to reduce barriers for persons with disabilities (PWDs) and other vulnerable individuals to vote.

However, the Act contains notable gaps, and several proposed electoral amendments remained unfulfilled at the time of the elections. These include bills to create an Electoral Offenses Tribunal, permit independent candidacy, diaspora voting, and strengthen provisions on the formation of political parties. In addition, legislation aimed at expanding women's representation in elected office failed to pass the National Assembly in 2022. Nigeria also has no legislative provisions to allow for persons deployed on election duty to vote, affecting over one million officials on election duty. The timeframes for petitions and appeals adjudication in the legal framework are considered long by many Nigerians, compromising the right for timely adjudication. While the Act shifted the deadline for submitting lists of candidates to earlier in the electoral process, candidate selection continues to generate protracted legal disputes that potentially hindered campaign and electoral preparations.

The new reforms prescribe stiff penalties for electoral offenses, including vote buying, violence, and disruption of the voting process; however, responsibility for enforcing these provisions is not clear among the various stakeholders involved. In the absence of an Electoral Offenses Tribunal to address abuses by political parties and introduce incentives for citizens to comply with the law, accountability for violators has not significantly improved since the 2019 general elections. Many Nigerians with whom the delegation met expressed frustration about ongoing impunity related to electoral offenses, and a lack of responsibility regarding enforcement.

Election Administration

Nigeria has 176,846 polling units, and its current infrastructure and economic challenges create daunting conditions for election administration. While most stakeholders expressed confidence in the work of INEC in the lead up to the election, some stakeholders expressed frustration with INEC's lack of consistent and open communication about electoral updates and procedures. Few INEC decisions were made publicly available on their website, and press briefings in the immediate lead-up to, and on election day, were limited.

Positively, due in part to advanced funding provided by the Electoral Act 2022, INEC began logistical preparations earlier than in past elections. According to INEC, a total of 1,265,227 people were engaged to work on the 2023 elections and additional staff were recruited to address challenges with the voter accreditation technology. To overcome infrastructure challenges in materials deployment, INEC signed a Memorandum of Understanding with the National Union of Road Transport Workers, the National Association of Road Transport Owners, and the Maritime Workers Union of Nigeria in December 2022. However INEC noted that the intensifying currency crisis and fuel shortages created substantial strain in last-minute preparations. To address historical challenges with overcrowding, INEC increased the number of polling units and redistributed voters; however, citizen observers noted an imbalance in the distribution

of voters across old and new polling units and some large discrepancies in polling unit size. Some observer groups noted that if INEC's decision to redistribute voters had come earlier, it would have been more effectively implemented.

Election Technology. INEC introduced new technologies to improve administration of the 2023 polls including the Bimodal Voter Accreditation System (BVAS) and INEC Results Viewing Portal (IReV). The BVAS biometrically verifies voters and electronically transmits a photo of polling unit-level results to the IReV online portal. Publishing polling unit-level results through IReV is one of the major improvements to election transparency since the 2019 polls. However, the success of these technologies depends on their administration, functionality on a national scale, and public confidence in the systems. While INEC piloted both systems during three off-cycle elections, it never conducted a full nationwide stress test in advance of the February elections. In addition, though the state pilots saw increased speed of results announcement, there were challenges such as IReV images that were blank, blurry, or for the wrong polling unit. The photos are not conducive to aggregate analysis since the process for downloading, transcribing and tabulating individual forms is time and resource intensive, making the system transparent but not necessarily verifiable.

Voter Registration and PVC Collection. Voter registration in Nigeria is a burdensome process, requiring citizens to register and then separately collect their Permanent Voters Card (PVC) in order to vote on election day. Despite this, INEC witnessed a surge in interest and extended registration from June 30 to July 31, 2022. Though voters who came of age in the seven months leading up to the election were disenfranchised, young people between the ages of 18 and 34 constituted over 76 percent of new registrants. INEC also took steps to clean the voter register, delisting over 2.7 million people from the register due to problems such as double and underage registration and incomplete fingerprints. However, the processes for displaying claims, objections, and delisting voters were opaque and too demanding on citizens, leading to concerns about bias during voter roll cleaning, which disproportionately removed voters from some regions at much higher.

The distribution of PVCs has been a particular challenge. Though INEC twice extended the deadline to collect PVCs until February 5, it announced that nearly seven percent of PVCs had not been collected by registered voters prior to election day, and disaggregated data on PVC collection by polling unit - which is used to determine turnout and margin of lead information - was made available very late in the process. Challenges to the collection process noted by civil society activists and other stakeholders included INEC staff asking for payment in exchange for PVCs, disorganized distribution, absent INEC staff, unavailable cards, and voters told to return later in February to pick up their cards.

Political Parties and the Campaigns

Party factionalism was a major problem for the 2023 elections as parties continue to center on personalities, not ideologies. Defections associated with the 2023 elections were more consequential than in the past and increased the likelihood of a run-off for the first time in Nigeria's history. Most notably, presidential candidate Peter Obi defected from the People's Democratic Party (PDP) to run under the banner of the Labour Party.

Party Primaries. The 2022 Electoral Act enables political parties to conduct primaries through direct and indirect voting or by consensus 180 days before election day. However, transparency of the party primaries did not largely improve from 2019 as most parties opted for indirect nominations or voting-by-consensus, preventing INEC and citizen observers from monitoring the full primary voting process. The high price of nomination forms alone limited the number of candidates able to viably compete in the primaries, including those representing marginalized groups. Intra-party conflicts that arose from the primaries continued to play out in the courts and during the campaigns as INEC and various party factions challenged the final party lists.

The Campaigns. The campaign period increased from 90 days in 2019 to 150 days in 2023, which allowed voters to become better acquainted with the competing candidates and their policy priorities. At the same time, the longer time for campaigns may have contributed to tensions mounting to higher levels in the pre-election period, according to some interlocutors. Despite 18 political parties signing a Peace Accord on September 29, 2022 committing them to peace in the leadup to the polls, the campaigns were frequently marred by violence between party supporters and use of hate speech and inflammatory language by party leaders on the campaign trail and online. Within 36 hours of a second Peace Accord signed on February 22, gunmen killed Labour Party senatorial candidate for Enugu East Oyibo Chukwu along with five of his supporters; New Nigeria People's Party (NNPP) supporters were attacked in a violent riot in Kano resulting in several fatalities; and an All Progressives Grand Alliance (APGA) ward chairman was assassinated in Ebonyi state. Some violence was fueled by the candidates evoking Nigeria's religious, regional and ethnic fault lines in their rhetoric during the campaigns. Despite the mechanisms and legal framework in place, candidates and their supporters were rarely held accountable for committing electoral offenses, including inciting violence. This environment of impunity allowed election violence to surge in the lead up to voting. Peace Accords do not appear to be sensitized down to the grass-roots level and parties did not take actions that would lead party members to feel bound by a meaningful pledge to non-violence.

Candidates were restricted in numerous instances from campaigning freely. Many governors prevented certain political rivals from conducting rallies and using the state media, despite INEC releasing a campaign code of conduct for the presidential election in September 2022 and condemning undue interference by governors during the campaigns.

Campaigns in Nigeria are incredibly costly affairs, and vote buying was frequently reported in the lead up to election day. Parties rarely meet the reporting and disclosure requirements of existing campaign finance legislation, and campaign finance data is not publicly available in a consistent and accessible way. Without real enforcement of the legal framework, campaign finance in Nigeria ahead of the 2023 elections remained opaque, and political contestants' fundraising and spending largely unaccountable.

Information Environment

Media Landscape. Though radio remains the most important method by which Nigerians consume news, the rapid penetration of social media, online portals, and digital messaging services is transforming the electoral information environment, including where and how candidates campaign. Despite the proliferation of new outlets where Nigerians can seek information, stakeholders raised concerns about limited media access to the leading candidates and their lack of participation in national debates in the leadup to the 2023 elections. Such barriers to direct, unfettered and policy-driven communication with the public can undermine voters' ability to make an informed choice on election day. In addition, Nigerian journalists are still at high risk of politically-motivated arrest, intimidation, targeted harassment, and violence, and sometimes self-censor to avoid sensitive topics or hostile areas of the country.

Misinformation, Disinformation, and Hate Speech. The spread of disinformation both online and in traditional media around the 2023 elections contributed to voter confusion, sowed doubt in the electoral process and exacerbated underlying cultural and ethnic tensions. Interlocutors noted that all the major presidential campaigns have benefited from the generation of manipulative and discrediting content online, and political actors have been implicated in hiring cadres of users and influencers to generate and amplify messages. Closed messaging platforms like WhatsApp and Telegram provide a permissive and largely opaque environment for rumors and divisive narratives to thrive, especially in local languages, and political operatives have been known to plant content on otherwise non-political groups and channels. Fact-checkers also noted that there was a tendency for false information originating from social networks to leak into offline media, and become entrenched in the political debate. Even more alarming is the

emergence of blatant misinformation about the voting process, such as the use of PVCs or how voting, counting and results transmission will function on election day. Closer to election day, many campaigns pushed absolutist narratives of victory, implying that any loss would be a result of electoral fraud. These information trends may threaten public confidence in the BVAS, the perceived independence of INEC and the acceptance of the electoral results.

To curb these risks, there are several Nigerian-based networks and initiatives providing creative approaches to fact-checking, debunking, and broad media literacy efforts. However, there remains little accountability for political actors engaging in or amplifying disinformation and divisive narratives. In advance of the 2023 elections, the National Information Technology Development Agency (NITDA) and the National Broadcasting Commission have sought to expand regulation of online content and platforms, including a recently released “Code of Practice.” While the government believes these measures will help safeguard Nigerians and promote accountability for online platforms, civil society and media actors expressed concern that the government could use these regulations to censor content or block platforms. Though some platforms like Meta have taken proactive approaches to respond to disinformation and hate speech around the elections, others have pulled back on mitigation efforts, or face significant challenges in moderating content in Nigeria’s non-English languages.

Electoral Security

Election-related violence significantly marred the pre-election period. According to analysis of Armed Conflict Location & Event Data (ACLED) Project data, in 2022 there were almost twice as many acts of violence compared to the same period before the 2019 elections. The trend continued in January 2023 where records of election violence were higher than any previous month.

From April 2022 through election day, there were at least eighteen reported assassinations or assassination attempts against candidates and party leaders, including targets from all major parties. In at least 11 separate states and the FCT, a rash of attacks on INEC facilities, voter registration events, and personnel were reported in the pre-election period, with the highest concentration of attacks in Imo and Enugu (in the South East) and Osun (in the South West). Such attacks could have impacted voter participation in certain regions and raised serious concerns about the ability of INEC to hold elections in affected areas, especially given the destruction of voting material such as PVCs.

Election violence was exacerbated by intra-party disputes in the primaries, shifting political landscapes, the rise in armed actors, the emergence of new informal security elements in Nigeria, and persistent failure to hold perpetrators to account. Groups like Indigenous People of Biafra (IPOB) and its factions reportedly attacked INEC facilities, election officials, and political party candidates and officials across the South East. Informal security elements engaged directly in election violence, including attacks on candidates. The rise in non-state armed groups contributed to a greater “fog of war”, making it easier for political actors to employ such groups to conduct attacks in such a way as to create a degree of plausible deniability as to who was responsible. Despite significant efforts by Nigerian civil society actors to counter violence through efforts such as the youth-led Vote Not Fight campaign and the National Peace Accords, candidates and political party leaders have failed to lead by example and impunity for electoral offenses remains a major hurdle.

Electoral Inclusion

Women. Women in Nigeria remain woefully underrepresented at all levels of government and faced both structural and societal barriers to fully and meaningfully participate in the 2023 polls. Already ranked the lowest in Africa for the number of women in political office, the number of women elected has declined since 2015; in 2023 women represented less than 10 percent of presidential and National Assembly candidates, a drop from 12 percent in 2019. The national leadership of the only party that nominated a female presidential candidate for the 2023 elections - the Allied People’s Movement (APM) - withdrew its

support for her candidature just a week before the election, endorsing another male presidential candidate. In early 2022, the National Assembly rejected five constitutional reform bills aimed at promoting women's rights and political empowerment. One proposed reform would have created 111 additional reserved seats for women, while another would have instituted a 35 percent quota for women in leadership roles in political parties. The preponderance of money in political campaigns in Nigeria creates significant disadvantages for women candidates who typically lack the funds to effectively compete against their male counterparts. In addition, women aspirants were frequently the targets of violence, especially cyberbullying, sexual harassment and assault, and other forms of physical violence, which potentially derailed their campaigns or prevented them from running for office entirely.

Youth: Youth are enthusiastic and galvanized to play an active role in shaping the future of Nigeria, but still face barriers to participate in elections. Surges in youth voter registration rates ahead of the 2023 elections, on the heels of recent youth-led social movements like #EndSARS, reflect a frustration among young people with the political status quo. Political parties, recognizing that the outcome of the election hinged on these new voters, increased their outreach to young people, including on social media. Despite major advocacy successes, such as the #NotTooYoungtoRun campaign before the 2019 elections which amended the constitution to lower age requirements for national offices, the percentage of youth candidates in these elections decreased, from 34 percent in 2019 to 28 percent in 2023. Positively, university and polytechnic classes were paused in the immediate electoral period, allowing students to travel to their areas of registration to vote.

Persons with Disabilities. Ongoing advocacy efforts and the passage of the Electoral Act 2022 has enhanced voting provisions for PWDs, however consistent and comprehensive implementation of such measures remains a challenge. As part of the new Act, INEC collected PWD status as part of the voter registration exercise and purportedly used Form EC40H at polling units to track PWD turnout. Both efforts would allow the INEC to provide more accurate disaggregated information about PWD participation and better target the deployment of assistive devices and on-site polling unit assistance to PWD. However it is unclear to what extent the EC40H forms were utilized by polling officials on election day. Although INEC reportedly worked with PWD organizations to supplement the information on the voters roll, many interlocutors view the PWD voter registration data as limited and not inclusive of the full PWD voting population. Without comprehensive data on the specific needs and locations of PWDs, the distribution of assistive voting tools – such as Braille ballot guides, ramps, and magnifying glasses for those with albinism and low vision – was inadequate on election day to serve all voters with disabilities. In advance of the February elections, there were reportedly only 6,000 magnifying glasses to cover Nigeria's nearly 180,000 polling units. Though INEC has also taken steps to incorporate more poll workers with disabilities into its ranks – including through a five percent quota recruitment policy – PWDs are still underrepresented politically, with few parties making efforts to promote PWDs within their structures.

Internally Displaced Persons (IDPs). Protracted and widespread security crises have led to the internal displacement of some 3.2 million people for whom universal and equal suffrage remains elusive. Despite INEC's steps to survey IDP voters in some states and develop a framework for their participation, interlocutors reported that efforts to ensure the distribution of PVCs in IDP camps and to facilitate the transfer of IDP voter registration to their new area failed. In addition, IDPs were particularly susceptible to vote buying, intimidation, and pressure to sell PVCs. Although IDPs that were not in camps remain largely undocumented, INEC's establishment of IDP voting centers in some states may have helped facilitate their participation in the 2023 elections.

Election Observation and Civic Engagement

Nigerian watchdog organizations played a significant role in building accountability around the February polls, promoting civic participation and inclusion, and driving advocacy and peacebuilding initiatives.

Nonpartisan civic organizations provided long-and short-term observation of the electoral process, including Yiaga-Africa which is conducting a parallel vote tabulation (PVT). Disability groups such as Inclusive Friends Association (IFA), the Joint National Association of People with Disabilities (JONAPWD) and TAF Africa also observed the process with a specific emphasis on accessibility issues. Kimpact Development Initiative (KDI) deployed observers in every state, as well as long term conflict monitors in key hotspots around the country. Overall, INEC accredited almost 200 citizen election monitoring organizations. However, observers noted that the accreditation process was too short and poorly communicated. For instance, INEC only allowed observers three weeks to apply for accreditation and closed the window over a month before election day, when many groups had not yet completed observer recruitment. The process of submitting observer names on the INEC online portal was reportedly cumbersome and caps on the number of credentials per organization made it difficult to adjust for replacements. Some interlocutors also flagged the presence of “fake” citizen observer groups in the immediate lead-up to election day that were neither nonpartisan nor appeared to be legitimate civil society organizations. The presence of such observer groups may be used to undermine the findings from credible observers or otherwise dilute the political discourse around electoral assessments.

III. Election Day Findings

On February 25, voters cast separate ballots for the presidency and members of the Senate and House of Representatives. To be elected, a presidential candidate must receive a plurality of the votes and more than 25 percent of the votes in at least 24 states and the Federal Capital Territory. A run-off is organized if this threshold is not met by any of the candidates. The candidates eligible for a runoff are the candidate with the greatest number of votes, and the candidate with a majority of votes in the greatest number of states. The mission did not observe a statistically representative sample of polling units in Nigeria, so the below findings reflect broad trends from a select number of polling units that the observers visited. The mission coordinated with citizen observer groups to corroborate its findings.

Set-up and Opening. Polling units opened late across the country on account of the late transport of materials and polling staff. According to Yiaga Africa, only 41 percent of polling units in the country had opened by 9:30am, an hour after the scheduled opening of polls, with areas of South South and South East most adversely affected. Though most observers reported that voters waited patiently, there were instances where delayed start times sometimes caused voters to abandon their polling units in frustration or led to small outbreaks of violence. As required by the INEC Guidelines, in the majority of polling units observed, there were a minimum of four polling officials when they eventually arrived.

Opening procedures were broadly followed, although some observers noted that opening was rushed so that the units could open quickly to begin voting. The vast majority of polling units had all the necessary materials to administer the elections, although missing ballot box seals, ink pads and insufficient ballots were noted in a few cases. The availability of assistive voter materials at polling units - such as Braille Ballot Guides, instructive posters and magnifying glasses - was sporadic. Only some polling units had EC40.H forms to track PWD voters. Over one third of the presiding officers were women in the polling units visited by observers throughout the day.

Voting. Queues were generally managed well as citizens waited patiently to vote despite the delays, although many observers noted that polling units were not independently accessible to PWDs. Polling and security officials generally acted professionally throughout the country and followed INEC’s election guidelines. Although, in one polling unit, security officials were helping voters place their ballots in ballot boxes. Observers reported that overcrowding was a problem in polling units that had been combined or had more than 1,000 registered voters, which was exacerbated by the late openings. Observers noted the presence of party agents from all major political parties, with the All Progressives Congress (APC) and PDP the most visible. However, party agents in many locations did not have INEC-issued accreditation

tags. In some cases, parties had more than one party agent present, in contravention of the Electoral Act. Polling units generally were not set up according to the Guidelines, which often created conditions of crowding around the voting booths and ballot boxes and undermined ballot secrecy. One observer witnessed vote buying facilitated by party agents that were checking off the persons who voted for their party.

Observers noted that the BVAS largely functioned properly, although some polling officials struggled to understand how to operate the system and in many cases the BVAS failed to authenticate voters via fingerprints, while the facial recognition feature functioned well. In one instance, mobile polling officials arrived at a polling unit to replace a malfunctioning BVAS, while in at least one case, a malfunctioning BVAS could not be serviced in a timely manner, suspending the voting process for several hours.

Closing and Counting. Most observers reported that officials followed guidance to allow all voters in line to vote, which in some cases extended voting well past the 2:30 pm closing time as a result of the late openings. However, timing and policies around extension were inconsistent, with some units given official extensions and others arbitrarily extending based on the Presiding Officer's judgment. Ballot counting extended into the night in some locations, necessitating the use of cellphone lights to record results and pack up materials. Observers noted that in polling units with more than 1,000 registered voters, sorting and counting ballots moved slowly. In one instance where only 202 ballots were cast, sorting, counting, and results transmission took approximately three hours. Most observers noted that polling officials struggled to submit all three election results electronically via the BVAS. In instances where the results could not be transferred to INEC electronically, polling officials noted that the BVAS was not connected to a network and therefore results would be transferred to the ward collation center manually. Despite delays, voters engaged enthusiastically in the ballot counting process and polling officials generally followed procedures by counting ballots transparently in full view of the public. Voters were generally informed of the closing and counting procedures, with a few observers noting that voters insisted that the polling officials transferred the results electronically before proceeding to the ward collation center.

Election Day Violence and Critical Incidents. One observer team was prevented from observing by security officials at a polling unit in Abuja. In Rivers state, violence involving voters throwing rocks and engaging in verbal abuse in two polling units was witnessed by observers. At one polling unit in Abuja, observers were confronted by angry citizens who reported that their polling unit never opened. According to civil society violence monitors and news reports, election day violence and disruption of the electoral process occurred in at least 18 states (including the Federal Capital Territory)¹. In Abia and Bayelsa states, violent disruptions resulted in suspension of voting in several hundred polling units. Lagos suffered multiple attacks throughout the day, including an attack on a collation center, potentially disenfranchising a large number of voters. At a ward collation center in Rivers, observers saw irregularities including direct manipulation of the vote tally forms to disfavor one candidate.

Collation Process. Immediately after polls closed, INEC's IReV system was not publicly accessible, and the absence of communication from INEC on potential technical challenges fueled speculation and rising concerns about the transparency of the results collation process. Presidential results forms slowly began to arrive at approximately 10 pm the evening of the elections, with inconsistency regarding whether polling units had all, or only some, of all three forms uploaded (House, Senate, and President). However many forms were highly pixelated and difficult to read. At the time of publication of this statement, approximately 30 percent of presidential results forms available on the portal. In a break from previous

¹ Based on news reports, implementing partner reports, security consultant reports, and statements by INEC and security forces. States with reported violent disruption of election processes include Abia, Anambra, Bayelsa, Borno, Delta, Edo, Enugu, Gombe, Imo, Katsina, Kogi, Lagos, Niger, Ondo, Ogun, Osun, and Oyo.

national elections, INEC announced it would determine turnout for the 2023 elections based on accredited voters over PVCs collected per the specific polling unit (as opposed to number of registered voters). INEC's method for calculation does not provide a genuine representation of turnout – essentially treating registered voters without a PVC as an unregistered citizen – and also runs the risk of flawed data, as stakeholders have expressed concern with the ability of INEC to provide accurate disaggregated PVC collection figures. PVC collection data by polling unit was posted online late on election day, despite repeated promises to publish the data before the election, and observers noted that this figure was largely unavailable at polling units, making calculations based on these figures difficult to verify.

IV. Recommendations

In the spirit of international cooperation, the IRI/NDI delegation offers the following 27 practical recommendations to build confidence in the upcoming polls in the short-term - ahead of the March gubernatorial and state elections - and to enhance transparent, credible and inclusive electoral processes in the long-term. These recommendations are made in good faith to mitigate the potential for voter disenfranchisement, protect Nigeria's democracy, and support and amplify the voices of Nigerian citizens as they work to deepen and strengthen their democratic institutions and practices.

Improving Election Administration

- INEC should develop realistic timelines and an operational framework that ensure timely opening of polling stations and even distribution of materials across polling units, targeting specific resources to areas with historic patterns of delayed openings.
- INEC should distribute voters more equitably among polling units and consider adjusting the number of poll workers assigned to each polling unit based on registered voters to reduce the time spent waiting in queues and completing ballot sorting and counting processes.
- Poll workers should receive better and recurrent training to ensure that the election procedures are evenly applied across the country, including use of the BVAS.
- INEC should engage in proactive, regular and transparent communications and outreach to the Nigerian public and relevant stakeholders related to electoral developments, electoral delays, cancellations, etc, and make such information immediately available on its website.
- INEC should consider redesigning the voting cubicle to guarantee ballot secrecy and enhance accessibility to PWDs.
- Lawmakers and INEC should work together to ensure contingency funding that can inoculate against economic and other unanticipated crises.

Increasing Transparency and Building Confidence in Results

- INEC should ensure results images are uploaded to its IReV portal immediately as they are received, and provide complete and timely polling unit level results on the IReV portal in a machine-analyzable and bulk format (such as a CSV file), as well as the local government area (LGA) and state results forms.
- INEC should address network connectivity limitations to ensure that all results can be electronically transmitted from the BVAS at the polling unit level, and should conduct national stress tests to better anticipate and address challenges that could occur on election day.
- INEC should post polling unit level PVC data well before elections and in an open data format, to ensure transparency on information necessary to verify turnout and re-runs in cases of cancellation.

Expanding Voter Registration

- INEC should take measures to reduce the burden on voters to register and collect their PVC, including extending timelines, increasing the number of distribution centers, employing mobile units, and targeting outreach to marginalized groups and voters with limited mobility.
- INEC should conduct a thorough and transparent audit of the voters roll, ensuring that there are not multiple and double registrants or underage and deceased persons on the roll.

Enhancing Accountability in Campaigns

- The National Assembly should prioritize passage of the bill that would establish the Electoral Offenses Tribunal to better hold perpetrators accountable for electoral violations and alleviate the burden on INEC to prosecute offenders.
- INEC and security forces should widely publicize and consistently enforce the penalties for committing electoral offenses under the new electoral law, particularly vote buying. INEC and security forces should also communicate to the public the number of arrests, charges, and convictions for the electoral offenses.
- INEC should dedicate resources to enforce campaign finance regulations, and make political party disclosures publicly available online and in a timely manner.
- Political parties should hold candidates, party members, and party agents accountable for participating in vote buying or inducement, hate speech or ethnic polarization.

Ensuring Inclusive Elections

- INEC should dedicate more resources to assistive materials and voting centers for IDPs, and for more robust surveys to improve the electoral participation of marginalized groups.
- Lawmakers should consider updating the Electoral Act 2022 to support absentee voting for voters that are not able to be at their registered polling unit on election day, such as observers, polling officials, security personnel and out-of-state workers.
- Lawmakers should prioritize gender quota legislation to increase the representation of women in elected offices.
- Political parties should provide material and financial resources to support women, youth and PWD candidates, develop robust recruitment and training strategies, and reform internal democratic procedures to ensure more inclusive candidate lists.

Reducing Election Violence

- Political actors should fully adhere to their Peace Accord commitments, including seeking redress of electoral complaints that may arise through proper legal channels and abide by the outcomes of judicial proceedings.
- Parties and candidates should hold accountable supporters to desist from any acts of violence, particularly during and after the tabulation and announcement of results.
- Security forces should prioritize enforcement in areas likely to be targets of strategic election violence.
- The international community should publicly sanction government and party officials who orchestrate, tolerate, or encourage electoral violence.

Improving the Electoral Information Environment

- Political actors should refrain from unfounded, misleading, or inflammatory narratives regarding the electoral process, and hold accountable those party members who spread false information or violent rhetoric that could destabilize the political environment.

- Social media platforms should take more aggressive steps to support human rights, civic engagement and credible information during critical election periods.
- Nigerian media houses should continue to support fact-checking desks and partnerships to mitigate rumors and false information regarding electoral processes.
- INEC and civil society should expand civic and voter education efforts well in advance of election day to improve the application of procedures and citizens' understanding of 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 collectively observed more than 200 elections in more than 70 countries over the last 30 years.

The joint NDI/IRI observation mission for the February 25 elections built upon two IRI/NDI pre-election assessment missions conducted in July and December 2022. 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.

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APPENDIX E - ASSASSINATIONS AND ATTEMPTED ASSASSINATIONS OF CANDIDATES AND PARTY OFFICIALS JANUARY 22 - APRIL 2023

Data Source: Open source reporting, long term election observation, ACLED

Date	State	Incident
1/27/2022	Benue	On 27 January 2022, unidentified armed individuals shot at the vehicle of a former legislator who was traveling to Naka (Gwer West, Benue) and attempted to assassinate him. The victim was on his way to his defection from PDP to APC ceremony.
4/11/2022	Osun	On 11 April 2022, suspected assassins killed the APC chairman of Atakumosa East in his house at Ogagan/ Igangan (Atakumosa West, Osun). The victim's wife and son were wounded in the attack; the reason for the attack is unknown.
4/15/2022	Rivers	On 15 April 2022, suspected assassins invaded the home of an APC governorship aspirant in Port Harcourt (Port Harcourt, Rivers). The room presumed by the assailants to be the target's was broken into, and the hard drive of the CCTV recorder was taken away.
4/16/2022	Enugu	On 16 April 2022, armed individuals shot and wounded a PDP aspirant for a position in the Enugu state house of Assembly at Amechi (Enugu South, Enugu). The victim was trailed to a filling station and shot multiple times by the assailants suspected to be assassins.
4/19/2022	Plateau	On 19 April 2022, gunmen ambushed the convoy of a House of Representatives member in Miango (Bassa, Plateau). Two persons who were leaders in the PDP, and were on a motorcycle, first encountered the ambush and were killed; the lawmaker's car was battered with bullets, he and his family and other members of the convoy escaped.
4/27/2022	Kano	On 27 April 2022, armed individuals suspected to be assassins attacked the residence of an APC chieftain, wounded a gatekeeper, and bound the others in the Nasarawa area of Kano (Kano Municipal, Kano). The assailants did not gain access into the house; the police were alerted by neighbors. The chieftain is also a gubernatorial aspirant in Jigawa state and he was not in the house at the time of the attack, other sources report that the gatekeeper was shot and wounded.
5/15/2022	Akwai Ibom	On 15 May 2022, armed individuals suspected to be assassins killed a PDP chieftain and former chairman of the party in his local government at his residence in Ekparakwa (Oruk Anam, Akwa Ibom). The assailants shot sporadically to scare other residents and attempted to abduct the victim, they were chased by youths in the area before they shot the victim, fled and left an SUV behind. Sources report that the attack was politically motivated and related to the victim's stand against some contenders for the House of Assembly race in the area.
7/5/2022	Rivers	On 5 July 2022, an unidentified armed group killed a policeman during an attempt to assassinate the deputy governorship candidate of the APC at the GRA axis of Port Harcourt (Port Harcourt, Rivers).

7/22/2022	Bayelsa	On 22 July 2022, an unidentified armed group wearing masks and military camouflage killed a PDP member in Yenagoa (Yenagoa, Bayelsa). Sources report that the attack is connected to a communal crisis in the victim's community where the paramount ruler and community development chairman were also assassinated [coded separately]. The youths of area attempted to create a blockade to slow down the escape of the assailants and it resulted in pandemonium, the assailants fled.
7/23/2022	Delta	Around 23 July 2022 (between 23 - 24 July), an unidentified armed group shot and killed a member of the APC who is also an aide of the deputy senate president at his residence in Decima area of Sapele (Sapele, Delta). Some sources claim that the assailants were suspected assassins, others report that they were possibly armed robbers who had invaded the area
9/21/2022	Nasarawa	On 21 September 2022, an unidentified armed group of about nine assailants attempted to assassinate and wounded an NNPP candidate for Nassarawa state house of assembly while he was on his way from Doma town (Doma, Nassarawa). The victim was also a former APC member and a commissioner.
11/1/2022	Kaduna	On 1 November 2022, a Kaduna militia ambushed and killed the PDP ward chairman in Idon (Kajuru, Kaduna).
12/16/2022	Imo	On 16 December 2022, an unidentified armed group suspected to be assassins killed the LP candidate for Onuimo LGA when they invaded his residence and shot for over two hours and set the house ablaze and a motorcycle ablaze. Location coded to Okwe (Onuimo, Imo) the LGA headquarters, the victim was found with machete cuts.
2/2/2023	Ebonyi	On 2 February 2023, suspected Ebube Agu operatives ambushed the convoy of the APGA gubernatorial candidate, wounded his police orderly who later died and two others at Okpoto (Ishielu, Ebonyi). The driver of the APGA candidate was killed, his backup Hilux van was set ablaze and at least five persons were missing. The state commander of Ebube Agu denied the attack.
2/3/2023	Kaduna	On 3 February 2023, an unidentified armed group suspected to be assassins killed two persons when they attacked the residence of LP House of Representatives candidate for Lere federal constituency at Gure village (Lere, Kaduna). The candidate was away from his house.
2/5/2023	Cross River	On 5 February 2023, an unidentified armed group suspected to be assassins invaded the house of a PDP chieftain at (Akpabuyo, Cross River) coded to Ikot Nakanda. The chieftain and his family were not at home, the gate keeper was beat up and stabbed multiple times, the assailants who were armed with machetes, sticks and firearms also vandalized properties. The PDP claimed that the APC was responsible for the attack.
2/5/2023	Cross River	On 5 February 2023, an unidentified armed group ambushed the convoy of the PRP governorship candidate in Cross River at Betem axis (Biase, Cross River). Two persons were killed and four others were wounded, the candidate who is also a former minister survived. Some sources report that 3 persons were killed, a large number of others were abducted and the car of murdered victims was mistaken to have been that of the governorship candidate, others report that four persons were also abducted and several others were wounded.

2/9/2023	Rivers	On 9 February 2023, an unidentified armed group suspected to be assassins who were dressed in police uniforms shot at car of the Rivers state director-general of the PDP presidential campaign in Port Harcourt (Port Harcourt, Rivers) when he went to inspect the venue of the PDP's rally. The victim claimed that the rally venue was set ablaze and that the assailants were policemen who arrived the venue with police vehicles that were attached to the state governor. The governor denied the claims and accused the supporters of Atiku of spreading propaganda.
2/22/2023	Enugu	On 22 February 2023, an unidentified armed group killed the LP senatorial candidate for Enugu East senatorial district and five others at Amechi Awkunanaw (Enugu South, Enugu). The victims were shot at while in the candidate's car and set on fire.
2/23/2023	Imo	On 23 February 2023, an unidentified armed group suspected to be assassins engaged in an armed clash with the security detail (assumed Police) who were attached to the convoy of the APC House of Representatives candidate for Okigwe South federal constituency at Alike, near Okata (Ihitte Uboma, Imo) as they were returning from a campaign rally. The assailants ambushed the candidate's convoy which some state government appointees were part of and shot at the cars, there were no casualties.
2/24/2023	Rivers	On 24 February 2023, an unidentified armed group suspected to be assassins were repelled by security operatives when they exploded dynamites at the home of a former commissioner in Opobo Town (Opobo, Rivers). One of the assailants was killed, the target's home was bombed. The target is an ally of the presidential candidate of the PDP.
2/25/2023	Ondo	On 25 February 2023, a policeman shot and killed a PDP politician popularly called 'Oluomo' at the INEC collation center in Idanre (Idanre, Ondo). The victim's family claimed that he was killed by a soldier.
2/25/2023	Ebonyi	On 25 February 2023, an unidentified armed group suspected to have a political affiliation killed a PDP chieftain in Ndiogbu-Ndieze (Izzi, Ebonyi) coded to Iboko.
2/27/2023	Ebonyi	On 27 February 2023, an unidentified armed group killed the traditional ruler of Umuezeaka (Ezza North, Ebonyi) at his residence and his children fled into hiding. The state government claimed that the gubernatorial candidate of APGA was responsible for the attack and that the victim was killed over his refusal to support the party, the accused candidate denied the claims and insisted that it was a desperate move to tarnish his image.
3/11/2023	Ebonyi	On 11 March 2023, an unidentified armed group killed the councilor representing Echara Ward 2 at Okposi (Ezza North, Ebonyi). The victim was attacked as he was returning from his shop, the assailants shot him and set his body ablaze together with his car. Both the APC and PDP accused one another of being responsible for the attack.
3/16/2023	Zamfara	On 16 March 2023, the Zamfara anti-thuggery committee wounded scores of policemen when they ambushed the convoy of the Zamfara state PDP gubernatorial candidate in Gusau (Gusau, Zamfara). The wounded policemen were escorts on the convoy; other sources report that one policeman was wounded, the candidate's media office claimed that the attack was unprovoked and an assassination attempt.

3/18/2023	Rivers	On 18 March 2023, an unidentified armed group killed the campaign director of the APC in Ahoada West LGA after he was abducted while casting his vote at Ibagwa polling unit 2, ward 10 (Ahoada West, Rivers) coded to Akinima. The persons who abducted the victim were dressed in police uniforms and he was abducted for attempting to stop the assailants from snatching election materials, his body was found later that day riddled with bullets.
3/18/2023	Ebonyi	On 18 March 2023, an unidentified armed group killed the Ezza North LGA chairman of the PDP and wounded three INEC officials in Omege ward (Ezza North, Ebonyi) coded to Ebiaji. The officials were moved to a hospital, other sources report that the chairman was traced and abducted hours after he was threatened by the assailants who beat him to death and dumped his body. The APGA candidate claimed that the APC deployed an armed group dressed in fake police and military uniforms to different polling units.
3/18/2023	Ebonyi	On 18 March 2023, an unidentified armed group shot and killed a PDP chieftain when they attacked a polling unit in Onicha LGA (Ebonyi).
4/11/2023	Delta	On 11 April 2023, an unidentified armed group suspected to be assassins killed a chieftain of the APC at his country home in Agbarho (Ughelli North, Delta). The victim was the chairman of an APC support group called the Achievers Group, other sources report that he was killed due to his support for the APC presidential candidate.

APPENDIX F - ATTACKS ON INEC FACILITIES, MATERIALS, AND PERSONNEL PRIOR TO FEBRUARY 25, 2023

Data Source: Open source reporting, long term election observation, ACLED

Date	State	Incident
2/23/2022	Enugu	On 23 February 2022, an unidentified armed group attacked an INEC polling unit and killed five persons in Amagunze (Nkanu East, Enugu). The assailants destroyed electoral materials, chased away voters and injured an unspecified number of persons.
2/26/2022	Imo	On 26 February 2022, individuals abducted an unspecified number of INEC ad-hoc staff during the State House of Assembly by-elections in Ngor Okpala LGA (Imo), coded to Umuneke Ngor. The abductees made distress calls and claimed their abductors were forcing them to manipulate election results.
4/11/2022	Katsina	On 11 April 2022, a group invaded the KTSIEC office, overpowered security personnel (presumed police officers) and took away electoral materials in Bakori (Bakori, Katsina). The electoral materials were set ablaze.
4/14/2022	Imo	On 14 April 2022, armed individuals numbering up to 12 attacked some INEC adhoc staff who were registering voters in Nkwo Ihitte market (Ihitte Uboma, Imo). The INEC officer in charge of the registration process was killed, two other staff were missing.
6/9/2022	Lagos	On 9 June 2022, a mob armed with clubs, machetes and sticks invaded the venue of voters registration attempted to disrupt the process in Igbede (Ojo, Lagos). The mob also attempted to take away INEC machines but were overpowered by the Igbo traders at the venue. The police claimed the attack was not related to the ethnicity of the traders.
6/23/2022	Osun	On 23 June 2022, a mob in their numbers disrupted the collection of permanent voters card in Ward 1, 3 and 7, Ilesha West LGA (Osun) coded to Ilesha and also invaded the PDP secretariat and wounded 3 people.
7/3/2022	Enugu	On 3 July 2022, a mob overpowered security forces at an INEC office and set the office ablaze at Enugu-Ezike (Igbo Eze North, Enugu). 748 ballot boxes, 240 voting cubicles, office furniture and equipment were destroyed.
7/14/2022	Enugu	On 14 July 2022, an unidentified armed group attacked officials of INEC at a voter registration center in Umuopu (Igbo Eze North, Enugu). Two voter registration machines were damaged by the assailants who shot sporadically into the air and caused a stampede which led to the injury of at least two persons, other personal items like mobile phones were lost. The attack led to the suspension of voter registration in the area.
7/17/2022	Osun	On 17 July 2022 (as reported), unidentified people invaded a polling station in Atakumosa (Atakumosa West, Osun), coded to Osu, and injured an INEC ad-hoc staff member during a voting exercise.

7/29/2022	Lagos	On 29 July 2022, a mob of about 50 rioters invaded a catholic church where a continuous voter registration exercise was going on, disrupted the process and took away registration machines and destroyed INEC materials at Ijesha-Tedo (Surulere, Lagos). A source reported that the rioters claimed that the persons there would not be allowed to register because they will not vote for their preferred candidate. The police claimed that INEC staff were deployed to another location and not the church premises, and were not attacked by a mob were taken away by policemen to a police station and later released to the right location.
9/19/2022	Enugu	On September 19 2002, arsonists set the INEC office at Awgu Local Government Area of Enugu State ablaze on Sunday.
9/28/2022	Anambra	On 28 September 2022, an unidentified armed group killed a staff of INEC whom they abducted, the victim's body was found along Isu-Aniocha-Urum road (Awka North, Anambra) on 29 September.
11/10/2022	Osun	On 10 November 2022, a group of unidentified hoodlums attacked INEC facility at Ede South Local Government of Osun state and set the facility ablaze
11/10/2022	Ogun	On 10 November 2022, an unidentified group attacked INEC facility in Abeokuta, Ogun state and set the facility ablaze and destroyed all the commissions movable assets at the Abeokuta South local government
11/27/2022	Ebonyi	On 27 November 2022, an identified group of individuals set ablaze INEC facility at Izzi LGA of Ebonyi state Southeast Nigeria, destroying ballot boxes, voting cubicles, and yet to be determined quantities of PVC among other things destroyed at the facilities
12/1/2022	Imo	On December 1 2022, an INEC building, which is undergoing extensive renovation following an earlier attack, was vandalized and partially set ablaze
12/4/2022	Imo	On 4 December 2022, suspected hoodlums attacked INEC facility in Oru West Local Government Area of Imon state destroying office furniture and fittings at the main conference hall of the facility.
12/12/2022	Imo	On 12 December 2022, suspected hoodlums attacked the INEC state headquarters at Owerri Imo state capital, and burnt down part of the facility, killing one Police office at the process, while three hoodlums were also killed by the security personnel.
12/20/2022	Imo	On December 20 2022, eight windows were smashed, and burglary proofs removed from an INEC building. Fortunately, the attackers could not access the building. Movable and immovable equipment as well as other materials were not removed or vandalized.
1/6/2023	Edo	On January 6, 2023, some group of hoodlums disrupted the collection of PVC in Ward 1 and 9 of Ikpoba Okha LGA of Edo state
1/15/2023	Enugu	On January 15, 2023, unknown gunmen attacked INEC facility in Enugu South LGA, destroying the facility gate, killing one police officer on duty while the second officer sustained gunshots injuries

2/1/2023	Anambra	On February 1, 2023, unknown hoodlums attacked INEC facility in Ojoto community of Idemili South LGA of Anambra state, detonating IEDs and petroleum bomb at the facility, destroying furnitures, and none-sensitive materials recently delivered in readiness for the general election, the items lost includes 729 ballot boxes, 243 voting cubicles, 256 election bags, 11 megaphones and 1 electric power generator
2/16/2023	Anambra	On 16 February 2023, an unidentified armed group was repelled by joint security operatives (police and military forces) when they attacked a training at Ukpok (Nnewi South, Anambra) where INEC staff and ad hoc staff including NYSC members were preparing for the elections. There were no casualties, joint security patrols in the area were intensified.
2/24/2023	Gombe	On 24 February 2023, an unidentified armed group of at least three attacked and robbed INEC ad-hoc staff in Tudun Wada (Akko, Gombe) where they were camped. Three persons sustained machete cuts, others had varying degrees of injuries. Policemen arrived after the assailants had left.



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