

NIGERIA

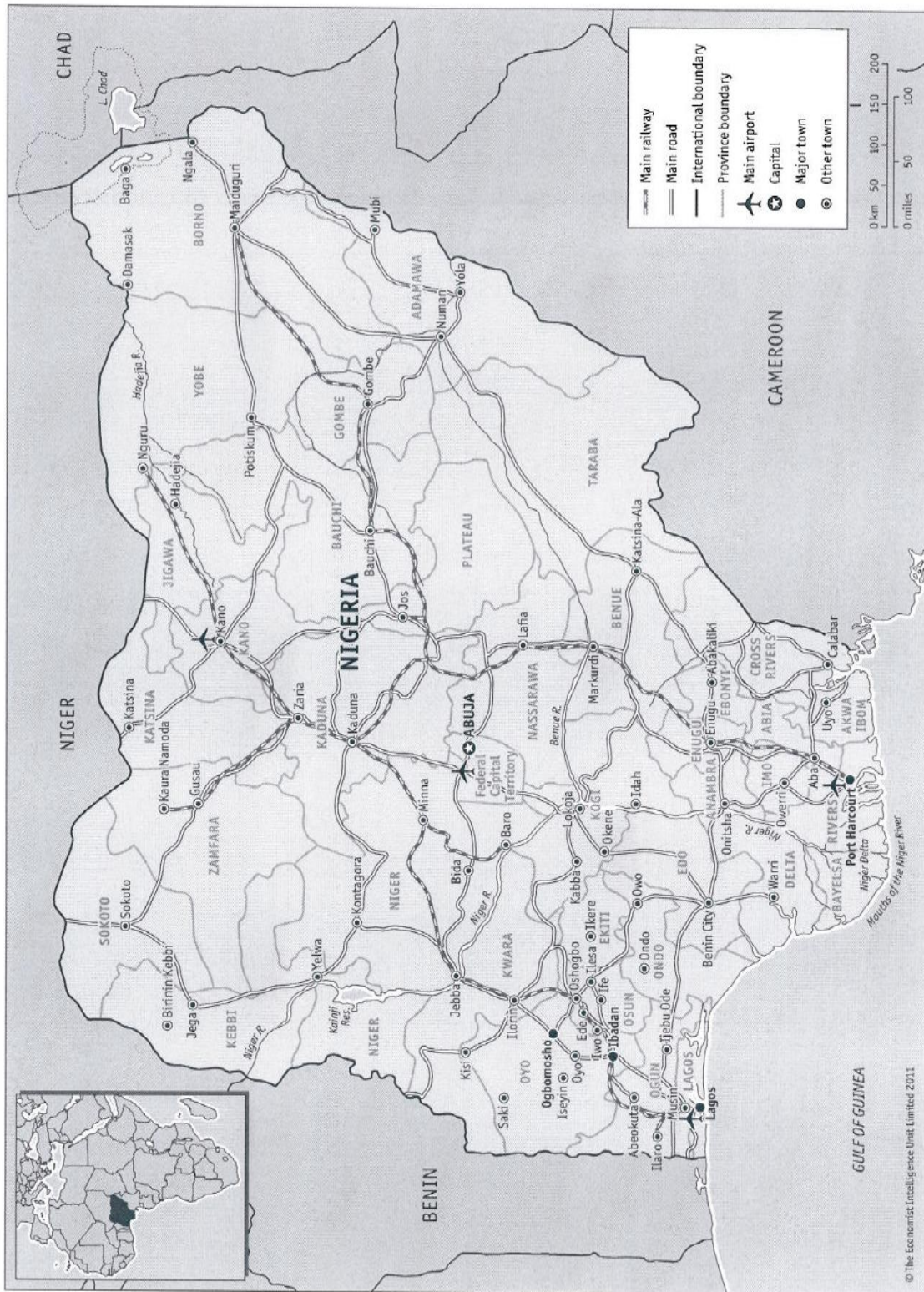
GENERAL ELECTIONS

23 February 2019



The Commonwealth

MAP OF NIGERIA



Source: Economist Intelligence Unit

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**Letter of Transmittal: Nigeria General Elections
23 February 2019**



The Commonwealth

26 February 2019

Dear Secretary-General,

I am pleased to forward to you the Final Report of the Commonwealth Observer Group, which you constituted to observe Nigeria's Presidential and National Assembly Elections that were held on 23 February 2019.

These were the sixth elections that the Commonwealth has been invited to observe in Nigeria since 1999. Electoral reform is a continuous process, building on successes and addressing weaknesses. Our collective view is that there were considerable organisational, logistical and technical difficulties with these elections, which we trust that the Independent National Electoral Commission (INEC) and other national stakeholders will wish to address.

For the most part, Nigerians had the opportunity to express their will and exercise their franchise. Whilst the environment was tense, overall, fundamental freedoms of association, expression, assembly and movement was generally respected.

We acknowledge the professionalism, hard work and diligence of the INEC, its ad hoc staff, and all other supporting agencies, who and their considerable efforts in delivering these elections. This was a very significant undertaking.

We depart Nigeria with a sense that the people of Nigeria have demonstrated patience and commitment to their democracy.

Our Report contains our recommendations which we hope will be helpful to the Independent National Electoral Commission and other stakeholders in strengthening Nigeria's democracy.

A handwritten signature in black ink, which appears to read 'Jakaya Kikwete'. The signature is fluid and cursive.

HE Dr Jakaya Kikwete
Former President of the United Republic of Tanzania
Chairman



Dr Emmanuel Akwetey



Mr Prosper Bani



Dr Lesley Clark



Ms Elizabeth Donnelly



Ms Linda Duffield, CMG



Mr Gary Dunn



Mr Orrette Fisher



Mr Omar Jallow



Dr Eric Kwa



Mr Musa Mwenye



Ms Joy Napier



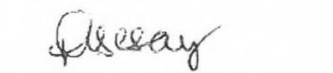
Ms Crystal Orderson



Dr Shahabuddin Yaqoob Quraishi



Mr Ernest Sagaga



Ms Marcella Samba-Sesay



Adv Notemba Tjipueja



Ms Jedidah Waruhiu

Executive Summary

The Commonwealth Observer Group for the 16 February 2019 Presidential and National Assembly elections, later rescheduled to 23 February, was present in Nigeria from 8 to 27 February 2019. The Group's arrival was preceded by an Advance Observer Team, which was in the country from 29 January 2019.

In carrying out its Terms of Reference, the Group assessed the various aspects of the electoral process against the national, regional, Commonwealth and international standards for democratic elections that Nigeria has committed itself to. In order to build a comprehensive picture of the conduct of the process, the Group met a range of national stakeholders which included, among others, the Independent National Electoral Commission (INEC) of Nigeria, political parties, the media and civil society, including women and youth groups. The Group also met Commonwealth High Commissioners, as well as other citizen and international observer missions.

The Group deployed across Nigeria from 13 February 2019, covering Benin City, Enugu, Ibadan, Jos, Kaduna, Kano, Lagos, Port Harcourt and the Federal Capital Territory Abuja (the Deployment Plan is at **Annex II**). Observers met key stakeholders at their areas of deployment and also observed INEC preparations ahead of Election Day.

The Group's consultations, as well as its observations ahead of and on Election Day, informed the Group's assessment of the electoral process. Electoral reform is a continuous process, building on what has worked successfully and addressing weaknesses. In our assessment, there were considerable organisational, logistical and technical difficulties in these elections. The recommendations of this report provide some suggestions which INEC may wish to consider to improve the conduct of future elections.

We acknowledge the professionalism of INEC, its ad hoc staff and all other supporting agencies, who dedicated considerable efforts in delivering these elections. We commend the Nigerian voters who have demonstrated patience, resilience and commitment to their democracy.

While the environment was tense and there were instances of violence, overall, fundamental freedoms of association, expression, assembly and movement were generally respected. Our overall conclusion is that the voting, closing and counting processes at polling units were transparent and offered Nigerians, for the most part, the opportunity to express their will and exercise their franchise.

We are mindful that the outcome of the Presidential election was before the courts at the time of writing this report, and express hope that this will be concluded successfully to allow the country to move forward.

We highlight below our specific recommendations. These recommendations are offered in a positive spirit of contributing to the deepening of democracy and strengthening of the electoral processes in Nigeria. We hope they will be helpful to INEC and other stakeholders.

Recommendations

The Commonwealth Observer Group recommends:

Electoral Framework and Election Administration

- A comprehensive and independent review should be carried out on the operational and logistical difficulties which led to the postponement of the elections and the problems that occurred on Election Day. This might include an assessment of whether INEC's wide-ranging functions are imposing too great a burden on the Commission.
- Progressive reforms to strengthen the electoral process, including those contained in the Electoral Amendment Bill (2018), which was passed by the outgoing National Assembly but not enacted, should be revisited by the National Assembly and national leaders following the 2019 elections.

Participation and Inclusion

Women

- The government should fully implement all existing gender policies to increase the political participation and representation of women, and consideration should be given to implementing the measures proposed in the Women Participation in Elective Office Support Bill 2018.
- The government is encouraged to be more supportive of efforts of women's organisations to increase women's participation in politics and leadership.
- Political parties should increase the number of women in leadership and decision-making roles within their party, as well as the number of women candidates nominated for election. Political parties should also support them to access campaign funds.

Youth

- Political parties should adopt measures to increase the number of young people in leadership and decision-making roles within their party.
- Civil society organisations should implement programmes throughout the election cycle, in partnership with INEC, to educate first-time voters and build youth confidence in the democratic process.
- Youth involvement in and buy-in to peace accords should be sought, precluding involvement in electoral violence/thuggery/turf conflict.

People with Disabilities (PWDs)

- All stakeholders are urged to fully implement the provisions of the Discrimination Against Persons with Disabilities (Prohibition) Act 2018 to ensure equal treatment and participation of PWDs, and also provide disaggregated data on PWDs to support electoral planning.
- INEC and security agencies should review the transportation restrictions on Election Day to allow PWDs the right to travel to and from their polling unit.
- The Group urges INEC to do more to tailor voter education programmes to meet the needs of PWDs and provide more comprehensive training for its officials on disability.

The Campaign and the Media

- All political parties must take greater responsibility for public messaging to ensure that there is zero tolerance of violence and hate speech. Greater effort is needed to moderate the tone of the campaign, including enforcing penalties against those engaging in hate speech and inflammatory language, in compliance with the Electoral Act and INEC's updated Code of Conduct for Political Parties.
- Political parties should adopt more issue-based, as opposed to personality-dominated, campaigns in future elections.
- INEC should enforce its regulatory role on campaign financing to ensure greater transparency, accountability and a level playing field for all political parties and candidates.
- Consideration should be given to further promote equal access to publicly owned electronic media.
- Fact-checking initiatives and investigative journalism capacity should be supported and developed further by government agencies, media organisations and civil society to counter fake news.

Voting, Counting and Results

- Improved facilities for the storage, organisation and distribution of materials at all levels should be provided for INEC to deliver on schedule. Equally, improved transport arrangements, including on Election Day, need to be ensured.
- In light of technical difficulties with Smart Card Readers (SCRs), INEC should build in adequate maintenance capacity and have sufficient reserve SCRs, along with technical support, to be deployed at short notice.

- The location and layout of polling units need to be improved to ensure adequate space for all participants, and to safeguard the secrecy of the ballot, in line with INEC's guidelines. Locating polling units within buildings, where possible, to protect officials and voters from the elements, and to improve access by the elderly and PWDs, should be considered. This would also enable advance layout of the polling unit.
- The capacity of polling officials should be enhanced through training and retraining. Greater attention to their welfare, improved supervision and lines of communication would strengthen performance.
- Political parties must ensure that their polling agents are properly accredited, fully trained on electoral procedures and operate in a manner consistent with all election regulations.
- In light of the fires that occurred ahead of elections, INEC needs to strengthen the security of its offices.
- Ways should be found to enable polling officials, security staff and other essential workers to vote.
- INEC should identify ways to speed up the collation process and provide prompt announcement of results in order to reduce tension in the post-election environment.

Chapter 1

INTRODUCTION

The Commonwealth Secretary-General, the Rt Hon. Patricia Scotland QC, constituted an Observer Group for the 16 February 2019 Presidential and National Assembly elections, following the invitation from the Independent National Electoral Commission (INEC) to observe the General Elections. The Presidential and National Assembly elections were initially scheduled to be held on 16 February 2019, while the Governorship, State Assembly and Federal Capital Territory (FCT) Area Council elections were scheduled to be held on 2 March 2019. On 16 February 2019, the Chairperson of INEC announced that due to logistical and operational challenges, the Presidential and National Assembly elections would be postponed to 23 February 2019 and the Governorship, State Assembly and FCT Areal Council elections would be held on 9 March 2019.

The Observer Group was led by Dr Jakaya Mrisho Kikwete, former President of the United Republic of Tanzania, and comprised 18 eminent persons. A nine-person staff team from the Commonwealth Secretariat supported the Observer Group. A full list of members can be found in **Annex I**.

In line with usual practice, the Commonwealth Secretary-General deployed a pre-election Assessment Mission to Nigeria to evaluate the prevailing situation and the pre-electoral environment, ensure that the Observer Group would be free to pursue its mandate, and to confirm that there would be broad support in Nigeria for the presence of Commonwealth Observers prior to her final decision on whether to constitute a Commonwealth Observer Group. The Assessment Team was in the country from 7 to 11 October 2018. The Assessment Mission obtained assurances that there would indeed be a broad welcome for Commonwealth Observers. However, due to the ongoing insurgency in the North-East of Nigeria, it concluded that conditions did not exist for observation in that geopolitical zone.

Terms of Reference

The Terms of Reference for the Observer Group were as follows:

- The Group is established by the Commonwealth Secretary-General at the invitation of the Chairperson of INEC. The Group is to consider the various factors impinging on the credibility of the electoral process as a whole.
- It will determine in its own judgement whether the elections have been conducted according to the standards for democratic elections to which Nigeria has committed itself, with reference to national election-related legislation and relevant regional, Commonwealth and other international commitments.

- The Group is to act impartially and independently. It has no executive role; its function is not to supervise, but to observe the process as a whole and to form a judgement accordingly. It would also be free to propose to the authorities concerned such action on institutional, procedural and other matters as would assist the holding of such elections.
- The Group is to submit its report to the Commonwealth Secretary-General, who will forward it to the Government of Nigeria, INEC, political parties taking part in the elections and thereafter to all Commonwealth governments.

Activities

An Advance Observer Team arrived in Nigeria on 29 January 2019, ahead of the full Observer Group, which was present from 8 to 27 February 2019.

The Commonwealth Observer Group received briefings from INEC, some presidential candidates, political party representatives, Commonwealth High Commissioners, the National Human Rights Commission, civil society groups, youth representatives, the media, national, regional and international observer missions.

The Chairperson of the Observer Group issued an Arrival Statement on 11 February 2019 (**Annex IV**).

The Observer Group deployed across Nigeria from 13 February 2019. The Group divided itself into teams that covered Benin City, Enugu, Ibadan, Kaduna, Lagos, Kano, Port Harcourt, Jos and the Federal Capital Territory Abuja. In their areas of deployment, the teams liaised with police, local election officials, civil society groups and party officials. They also observed the arrival and the early stages of the distribution of sensitive and non-sensitive materials. In addition, teams met and co-ordinated with other national, regional and international observers in their respective areas to build a comprehensive picture of the conduct of the process.

However, on 16 February 2019, the Chairperson of INEC announced the postponement of the elections to 23 February 2019. The teams that were deployed returned to Abuja on 16 and 17 February 2019.

Following the postponement of the elections, heads of international observer missions, namely, the Economic Community of West African States (ECOWAS), African Union (AU), European Union (EU), National Democratic Institute (NDI) and the Commonwealth Observer Group issued a Joint Statement (**Annex VI**) on 16 February calling on all Nigerians to remain calm and supportive of the electoral process as INEC sought to implement the new timeline.

The teams were redeployed on 21 February 2019. On the day of the election, the teams visited a range of polling units in their respective areas to observe the accreditation, voting and counting processes.

On the basis of the Group's findings concerning the conduct of the Presidential and National Assembly elections, the Chairperson issued an Interim Statement on 25 February 2019 (Annex V). The Group's Report was completed in Abuja prior to departure on 27 February 2019 for transmission to the Commonwealth Secretary-General.

Chapter 2

POLITICAL BACKGROUND

Introduction

Nigeria became independent on 1 October 1960. Following independence, Nigeria's civilian rule was interrupted by recurring military coups. In 1999, a new Constitution was adopted and a civilian government was subsequently formed. Since then, Nigeria has continued to consolidate its democracy.

Nigeria, with a population of approximately 200 million (UN estimates 2019), has a federal structure of 36 states and the Federal Capital Territory (FCT) of Abuja. Each state has an elected Governor and elected State Assembly, in addition to the bicameral National Assembly at the federal level. Elections for all of these bodies, as well as the presidency, take place every four years. There are 774 Local Government Areas, elections for which are held separately.

The following sections focus on developments from 1999, when the country returned to constitutional democracy, leading up to the 23 February 2019 Presidential and National Assembly elections.

The 1999 elections and return to democracy

General Abdulsalami A Abubakar became Head of State following the death of General Sani Abacha in June 1998. Thereafter, he announced a detailed plan for the restoration of a democratic, civilian government by 29 May 1999. He established the Independent National Electoral Commission (INEC), which announced a timetable for elections, beginning with local elections on 5 December 1998 and culminating in Presidential elections on 27 February 1999.

The Presidential election of 27 February 1999 was won by Olusegun Obasanjo of the Peoples Democratic Party (PDP), with 62 per cent of the vote. Domestic and international observers, including a Commonwealth Observer Group led by Sir Ketumile Masire, witnessed irregularities in the elections, but judged that the result broadly reflected the will of the Nigerian people.

The 2003 elections

In the first Presidential elections organised under a civilian administration on 19 April 2003, President Olusegun Obasanjo was re-elected with 61.9 per cent of the vote. His closest challenger, General Muhammadu Buhari of the All Nigeria Peoples Party (ANPP), obtained 31.2 per cent of the vote.

A Commonwealth Observer Group, headed by former Tanzanian Prime Minister and former Secretary-General of the Organisation of African Unity (OAU), Dr Salim Ahmed Salim, was present for the above elections. The Group concluded that '...in most of

Nigeria, despite significant challenges, a genuine and largely successful effort was made to enable the people to vote freely and that in most of the country conditions were such as to enable the will of the people to be expressed. However, there were parts of Nigeria in which many Nigerians were denied the right to participate in an authentic democratic process’.

The 2007 elections

The PDP’s Umaru Yar’Adua, and his running mate Goodluck Jonathan, won the 2007 elections with 70 per cent of the vote. General Muhammadu Buhari of the ANPP came second with 18.65 per cent and Alhaji Abubakar of the Action Congress (AC) secured 7.25 per cent. The PDP increased its majority in both the House of Representatives and the Senate. Umaru Yar’Adua was sworn in as President on 29 May 2007.

Following the elections, General Muhammadu Buhari and Alhaji Abubakar filed petitions to have the results of the Presidential election invalidated due to alleged fraud, but the electoral tribunal rejected the petitions. They then appealed to the Supreme Court, which ruled that Umaru Yar’Adua had been duly elected President of Nigeria. A significant number of Governorship elections were, however, successfully challenged in the courts, resulting in around a dozen being overturned after the April 2007 elections.

Polling was marred by serious electoral malpractices, which resulted in violence. Domestic and international observers widely criticised the polls as deeply flawed. In its report, the Commonwealth Observer Group, led by former Tanzanian Prime Minister, Justice Joseph Warioba, noted that the elections ‘were also a crucial test for the country’s young democracy, an opportunity to build on the experiences of the 1999 and 2003 elections. In the event, that opportunity to take a major step forward was missed... our overall impression of these elections is that, in organisational terms, they fell short of the standards Nigeria had achieved in 2003, and certainly well below the standards for democratic elections to which Nigeria has committed itself. We believe that there were impediments in the ability of voters to express their will fully, freely and fairly’.

The 2011 elections

President Umaru Yar’Adua died in office on 5 May 2010. Goodluck Jonathan succeeded formally to the presidency and took the Oath of Office on 6 May 2010.

President Goodluck Jonathan declared his intention to run for the 2011 elections. The advocates of an unwritten zoning agreement (whereby political office rotates between the North and the South as a way of managing the politics of a multi-ethnic and multi-religious Nigeria) were opposed to President Goodluck Jonathan’s candidacy. They argued that as former President Umaru Yar’Adua (a Northerner) had not completed his term before his demise and could have been expected to serve another four-year term, the presidency should again fall to the North (President Goodluck Jonathan is from the South). Within this context, a group of influential Northern Nigerian politicians from the PDP supported former Vice-President, Atiku Abubakar (a Northerner), as their consensus candidate to challenge President

Goodluck Jonathan. However, President Goodluck Jonathan emerged as the PDP candidate.

The National Assembly elections and Presidential elections were scheduled for 2 April and 9 April 2011, respectively. However, the National Assembly elections were aborted soon after midday on 2 April, as some sensitive election materials, including results sheets and ballot papers, had not reached all polling stations. They were subsequently rescheduled for 4 April, but later postponed for a second time to 9 April. The Presidential elections were postponed to 16 April.

Goodluck Jonathan won the election with 58.9 per cent of the vote; General Muhammadu Buhari came second with 31.98 per cent. In the National Assembly, the PDP won 205 seats in the House of Representatives and 73 seats in the Senate.

The Commonwealth Observer Group led by former President of Botswana, Festus Mogae, noted that ‘the 2011 elections marked a genuine celebration of democracy in Africa’s most populous country and a key member of the Commonwealth. As a consequence, previously held notions that Nigeria can only hold flawed elections are now being discarded and the country can now shake off that stigma and redeem its image. Notwithstanding the organisational deficiencies that resulted in the 2 April National Assembly elections being aborted after they had started, and in spite of persistent procedural inconsistencies and technical shortcomings, the elections for the National Assembly and the Presidency were both credible and creditable and reflected the will of the Nigerian people’.

However, about 800 people were killed when demonstrations against the outcome turned into violent clashes with security forces in Plateau, Bauchi, Katsina, Kano and Kaduna states.

The 2015 elections

In the 28 March 2015 elections, the PDP faced a major political challenge for the first time from a united opposition, the All Progressives Congress (APC). The APC was an alliance of three major opposition parties: the Congress for Progressive Change (CPC), Action Congress of Nigeria (ACN), All Nigeria People’s Party (ANPP) and a faction of the All Progressives Grand Alliance (APGA).

Ahead of the 2015 elections, members of both the PDP and the APC crossed the floor to the opposing party.

In March 2014, a lawsuit was filed, challenging President Goodluck Jonathan’s eligibility to run for office in 2015. As President Goodluck Jonathan had taken his first Oath of Office in May 2010 following the death of President Umaru Yar’Adua and a second Oath of Office in May 2011 following his election, plaintiffs argued that it would be a breach of the constitutional two-term limits for presidents, if he ran again in 2015. However, the court ruled that President Jonathan had the right to contest the elections.

A similar suit had been filed in October 2013 and the Abuja High Court ruled similarly that the President could stand for the 2015 elections.

The elections were postponed by six weeks for security reasons.

In the 2015 Presidential elections, General Muhammadu Buhari of the APC won with 53.9 per cent of the vote against Goodluck Jonathan's 29.4 per cent of the vote. The Commonwealth Observer Group led by the former President of Malawi, Dr Bakili Muluzi, concluded that: 'The 28 March 2015 elections mark an important step forward for democracy in Africa's most populous country and a key member of the Commonwealth. Notwithstanding the organisational and technical deficiencies, the conduct of the Presidential and National Assembly elections was generally peaceful and transparent'.

Following the election, Goodluck Jonathan conceded defeat and there was a peaceful transfer of power to an opposition party for the first time in Nigeria's history. This and the conduct of the electoral process raised the bar for the 2019 elections.

Build up to the 2019 elections

Since 2015, concerns around security, economic hardship, recession, increasing unemployment and anti-corruption efforts have been the main challenges dominating public discourse.

This period also saw a huge increase in the number of registered political parties and candidates. The 2019 Presidential and National Assembly elections, scheduled for 23 February 2019, were keenly contested. There were 91 registered political parties and 73 presidential candidates. However, the main contenders remained the ruling APC and the main opposition PDP, as was the case in 2015, with Muhammadu Buhari (APC) facing former Vice-President Atiku Abubakar (PDP). Both President Muhammadu Buhari and Atiku Abubakar are Fulani Muslims from Northern Nigeria. Both campaigned on the economy, security and anti-corruption efforts.

Ahead of the elections, the following issues came to the fore and provided the context within which the elections were held:

Politics and political parties

A new Coalition of United Political Parties (CUPP), formed in 2018 and comprising 30 opposition parties, adopted Atiku Abubakar of the PDP as its candidate for the 2019 elections. There had been internal divisions within both the main parties. (The APC split, with the emergence of a new faction called the Reformed-APC which later joined CUPP). Candidates from both parties defected to the opposing side, often as a consequence of being unsuccessful in party primaries.

There was a perception that intra-party, rather than inter-party, conflict was dominating political discourse; this was the reverse of what transpired in 2015. There was fierce competition during party primaries. In some instances, it was alleged that party primaries were not conducted according to the rules and regulations, raising concerns about internal party democracy and integrity of the party primaries. This led to several court cases and the annulment of some party primaries - for example, in Zamfara and Rivers states. We noted that there were a large number of cases

before the courts (more than 640) challenging primaries and other issues relating to the elections.

As previously noted, there was a proliferation of parties and candidates for the 2019 elections, with few restrictions on what was required to register a party.

Ahead of the 2019 elections, the National Assembly sought to pass a bill reversing the sequencing of Presidential, National Assembly, Governorship and State Assembly elections. However, this was subsequently overruled by the Federal High Court on the grounds that scheduling elections was the responsibility of INEC under the Constitution.

Security

In addition to the long-standing conflict with Boko Haram in the North East, there were growing clashes between cattle herders and settled farmers throughout Northern Nigeria and the Middle-Belt. While these clashes were primarily over access to grazing land, the conflict had been politicised - particularly along religious and ethnic lines. It is reported that more than 1,000 Nigerians died in 2018 due to herder/farmer conflict and inter-religious clashes. Long-standing inter-communal conflicts flared up violently, with substantial loss of life. In addition, a growing number of kidnappings, armed robbery, thuggery and banditry contributed to an environment of fear and insecurity in some parts of the country. Police and security efforts were stepped up across the country in response, especially ahead of the elections.

Economy

Nigeria is Africa's largest economy by gross domestic product (GDP); however, according to the World Poverty Clock, 87 million Nigerians live in extreme poverty, representing 46.7 per cent of the population. The economy entered a deep recession in 2016, with high unemployment particularly among the youth (36.5 per cent). Growth returned one year later in 2017. With more than half the population aged under 25 and many of them eligible to vote for the first time, the economy and unemployment were key concerns across the country. Within this context, money in politics remained a concern, with widespread allegations against the major parties of vote-buying and inducements to influence the elections.

Other electoral issues

Since 2015, INEC has introduced several measures to the voting process, including the adoption of simultaneous accreditation and voting, improvements to the secrecy of the ballot and the introduction of continuous voter registration. Most interlocutors with whom the Observer Group interacted noted that INEC had become stronger as an institution and made improvements in the electoral process.

Some political parties raised concerns about the neutrality of INEC, in particular relating to one of the Commissioners and her potential role in the collation process. The Chair of INEC stated that this Commissioner was not responsible for the collation of the results and that, constitutionally, he was the chief returning officer.

The National Assembly had made four attempts since 2015 to amend the Electoral Act to enhance the integrity of the electoral process, including making use of the Smart Card Reader a legal requirement. These amendments did not receive presidential assent, most recently in December 2018, because of the proximity to the elections.

In the run-up to the 2019 elections, the Chief Justice of Nigeria was suspended by the President for failing to fully declare assets, and an Acting Chief Justice was appointed. The timing of the suspension led to concerns that this was politically motivated and could impact on subsequent electoral petitions. Others saw it as part of anti-corruption efforts. Both the suspension of the Chief Justice and the appointment of the Acting Chief Justice were subject to legal challenge at the time of writing this report. An Acting Inspector General of Police (IGP) was appointed prior to the Group's arrival; this was generally welcomed.

National Peace Accord

The National Peace Committee, led by General Abdulsalami A Abubakar, former Head of State of Nigeria, organised the signing of a National Peace Accord on 11 December 2018 by all political parties to encourage the holding of peaceful and transparent elections. While the APC presidential candidate and a number of other candidates signed the National Peace Accord, the presidential candidate for the PDP and some opposition parties did not attend.

The National Peace Committee convened a further event on 13 February 2019, with the participation of international partners to sign a new National Peace Accord. The Commonwealth Secretary-General delivered a goodwill message at the ceremony. This National Peace Accord was signed by both the APC and PDP and other political parties, committing the presidential candidates and political parties to the prevention of violence and acceptance of the election results.

Postponement of the elections

The Chairperson of INEC announced the rescheduling of the elections by a week at around 02:30am on Election Day due to logistical and operational challenges. The Presidential and National Assembly elections were postponed to 23 February 2019. The Governorship, State Assembly and FCT Area Council elections were postponed to 9 March 2019. The INEC Chairperson held a press conference on 16 February 2019 to brief the various stakeholders about the postponement. INEC also briefed the heads of observer missions about this development.

It was against the above-cited political background that the 2019 elections took place.

Chapter 3

THE ELECTORAL FRAMEWORK AND ELECTION ADMINISTRATION

Legal framework for elections

The legal framework, which governs the Presidential and National Assembly elections in Nigeria, comprises:

- The 1999 Constitution (as amended); and
- The Electoral Act 2010 (as amended).

The Independent National Electoral Commission (INEC) which was established under Article 153 (1) of the Constitution, has also issued guidelines and procedures - including *INEC Regulations and Guidelines for the Conduct of Elections* (2019), a *Manual for Election Officials* (2019), *Framework for Voting by Internally Displaced Persons (IDPs)* (December 2018), *Regulations for Voting by Internally Displaced Persons (IDPs)* (December 2018), *Code of Conduct for Election Officials* (2014), *INEC Guidelines for Election Observation* (2018), and a *Code of Conduct for Political Parties* (2018) - to guide their conduct before, during and after the elections.

In accordance with its international obligations, Nigeria has signed and ratified key international instruments relating to the conduct of elections, including the UN Declaration of Human Rights; International Covenant on Civil and Political Rights; Convention on the Elimination of All Forms of Discrimination against Women; International Convention on the Elimination of All Forms of Racial Discrimination; African Charter on Human and People's Rights; African Charter on Democracy, Elections and Governance; and the ECOWAS Protocol on Democracy and Good Governance. Nigeria is also party to the Commonwealth Charter.

Electoral system

The executive power of the Federation of Nigeria is vested in the President, who is the Head of State, the Chief Executive of the Federation and Commander-in-Chief of the Armed Forces of the Federation. The President is elected for a four-year term of office and serves a maximum of two terms.

The Federation is regarded as one constituency for the purposes of an election to the office of President. Regulation 1(a) of the Regulations and Guidelines for the Conduct of Elections issued by INEC provides that elections shall be held on the third Saturday in February of any general election year.

The National Assembly for the Federation consists of a Senate and a House of Representatives, in which the legislative powers of the Federation are vested. The Senate has a total of 109 members, elected from single member constituencies, and

the House of Representatives has 360 members, also elected from single-member constituencies. Members of both houses of the National Assembly are elected for a four-year mandate.

The electoral constituencies for the House of Representatives per state vary to reflect the variances in population size. The number of Senatorial districts, however, is fixed at three per state plus one for the Federal Capital Territory (FCT), Abuja.

Two conditions have to be satisfied for a candidate to be duly elected: the candidate must have the highest number of votes cast at the election; and must have at least one-quarter of the votes cast at the election of at least two-thirds of all 36 states in the Federation and the Federal Capital Territory, Abuja.

If a presidential candidate is not duly elected in accordance with the constitutional requirements, then the two leading candidates contest a run-off within seven days of the result of the first election. If in the run-off neither candidate secures the required one-quarter of the votes cast in two-thirds of the states and the FCT, then a second run-off is held. Whichever candidate secures the most votes in the second run-off wins the election.

The electoral system used for both Houses of the National Assembly is the first-past-the-post (FPTP) electoral system.

Election administration

The Independent National Electoral Commission (INEC) comprises a Chairperson, who shall be the Chief Electoral Commissioner, and 12 National Electoral Commissioners, who are appointed by the President. They must be non-partisan and persons of unquestionable integrity. Resident Electoral Commissioners for each state of the Federation and the FCT are also appointed by the President and shall have the same qualifications as the National Electoral Commissioners.

The Chairperson and Commissioners of the INEC can only be removed from office by the President with the support of a two-thirds majority of the Senate on the grounds of inability to discharge the functions of the office arising from infirmity of mind or body, or for misconduct or any other cause.

The INEC is empowered under the Constitution to organise, undertake and supervise all elections to the offices of the President and Vice-President, the Governor and Deputy Governor of State, membership of the Senate, the House or Representatives and the House of Assembly of each State of the Federation. Its other key functions include:

- registration of political parties;
- monitoring the organisation and operation of the political parties, their finances, conventions, congresses and party primaries, auditing their funds and accounts, monitoring political campaigns, and providing rules and regulations which govern the political parties;

- maintaining on a continuous basis a National Register of Voters;
- establishing rules and regulations for the election campaign;
- conducting voter and civic education;
- fixing dates for elections; and
- delimiting constituencies.

Part VIII of the Electoral Act 2010 sets out electoral offences and gives INEC the power to prosecute offenders for such offences.

Postponement of election

Under the Electoral Act 2010 (as amended) Section 26(1), INEC is empowered to postpone an election if there is reason to believe that a serious breach of the peace is likely or if it is impossible to conduct an election as a result of natural disasters or other emergencies.

The Presidential and National Assembly elections, which were scheduled for 16 February 2019, were rescheduled for Saturday 23 February 2019. In a statement delivered to stakeholders on 16 February 2019, the Chairperson of INEC, Professor Mahmood Yakubu, set out the reasons for the rescheduling of elections. Primarily, in the judgment of the Commission, the magnitude of the operational and logistical challenges faced by INEC in deploying human resources and materials did not make it feasible for the elections to take place on 16 February.

Electoral reforms

In October 2018, the National Assembly passed, for the fourth time, amendments to the Electoral Act. The amendments made provision for the use of Smart Card Readers in the Electoral Act, electronic transmission of results and the capping of election expenses. To become law, the amendments required presidential assent; however, in December 2018, the President declined to assent to the Electoral Act Amendment Bill on the grounds that it was presented too close to elections and would create some uncertainty about the applicable legislation to govern the electoral process. The President had previously declined to assent to the Bill on three other occasions.

Notwithstanding the presidential assent not being granted, INEC implemented several reforms to the electoral process through a revision of its Regulations and Guidelines for the Conduct of Elections (2019). Key reforms introduced included the adoption of simultaneous accreditation and voting, which would obviate the need for voters to come to the polling station twice.

Other reforms made specific provisions that no person would be allowed to vote at any polling unit other than the one at which the voter's name appeared in the Register of Voters, and that such a vote would only be allowed after presentation of the voter's permanent voter's card (PVC), to be verified by the Smart Card Reader (SCR) or as otherwise determined by the Commission.

In addition, the Revised Regulations and Guidelines made provision for the creation of separate voting queues for men and women, where the religion or culture of the locality in which the voting was taking place did not permit the interaction of men

and women. Presiding Officers would also create separate queues for people with disabilities (PWDs), visibly pregnant women and the aged. Both of these initiatives are progressive and voter-friendly.

In a measure to preserve the secrecy of the vote and to deter vote-buying, Section 11(v) of the Revised Regulations and Guidelines prohibits voters from carrying cell phones or any photographic devices into voting cubicles. Overall, the regular legal framework provides the basic conditions for genuine competitive elections.

The Not Too Young Run movement sought to reduce, if not remove, the age requirement for running for elective office in Nigeria. The ultimate goal of the movement was to promote increased youth participation in the political process. The age qualification for presidential candidates was lowered to 35 years on 31 May 2018, when the President assented the Not Too Young to Run Bill. The age qualification for the Senate remained at 35, while that for the House of Representatives was reduced from 35 to 25 under the Not Too Young to Run Act 2018.

Voter eligibility and registration

To be eligible to vote in an election a person must be a citizen of Nigeria, at least 18 years of age, ordinarily resident in, working in, or originating from the area covered by the registration centre, and registered to vote. Voter registration is continuous and stops not less than 90 days before an election. Every voter who is registered to vote at an election of a member of the National Assembly is also entitled to vote at an election to the office of President.

For this election, the final number of registered voters was 84,004,084, of whom 14,283,734 had been added to the register since 31 August 2018. As of 16 February 2019, about 3.41 million permanent voter cards had not been collected from INEC offices.

Candidate eligibility and nomination

To qualify for election to the office of the President, a person must be a citizen of Nigeria by birth, must have attained the age of 35 years, must be a member of a political party and must be sponsored by that political party. He or she must be educated up to at least School Certificate level or its equivalent.

There were 73 candidates for election to the office of President for the 2019 elections. Six women stood as presidential candidates. This was an improvement from the 2015 elections, when one woman stood as a presidential candidate.

To qualify as a candidate for election to the National Assembly, a person must be a citizen of Nigeria, must have attained the age of 35 years for the Senate and 25 years for the House of Representatives, and must have been educated up to at least School Certificate level or its equivalent. The candidate should also be a member of a political party and should be sponsored by that party.

In the 2019 elections, a total of 6,584 candidates from 91 political parties contested the 469 seats in the National Assembly. There were 1,904 candidates contesting the

109 seats in the Senate and 4,680 candidates contesting the 360 seats in the House of Representatives.

Election petitions and appeals

An election petition and an appeal arising therefrom is given an accelerated hearing and takes precedence over all other cases or matters before an Election Tribunal or Court. Only a candidate in an election or a political party which participated in the election can file an election petition. A petition disputing the election of a successful candidate as President must be filed in the Court of Appeal. A petition against the election of a member to the National Assembly is filed in one of the National and State Houses of Assembly Election Tribunals, which are established under Part III of the Constitution.

Members of the Tribunals are appointed by the President of the Court of Appeal in consultation with the Judge of the State, the Grand Kadi of the Sharia Court of Appeal of the State, or the President of the Customary Court of Appeal of the State. The Chair of a Tribunal is to be a Judge of the High Court and the other four members are appointed from among Judges of the High Court, Kadis of a Sharia Court of Appeal, Judges of a Customary Court of Appeal or other members of the judiciary not below the rank of a Chief Magistrate.

An election petition must be filed within 21 days after the date of the declaration of results of the elections. The judgment of an election tribunal or court must be delivered in writing within 180 days from the date of the filing of the petition and any appeal against a decision of the tribunal or court is to be heard and disposed of within 90 days from the date of the delivery of judgment of the tribunal or court.

In the period leading up to the 2019 elections, 640 challenges and petitions relating to the electoral process were filed in court in which INEC was a respondent.

Recommendations

- The Commonwealth Observer Group is of the view that there should be a comprehensive and independent review of the operational and logistical problems which led to the postponement of the elections, and remedies implemented. This might include an assessment of whether INEC's wide-ranging functions are imposing too great a burden on the Commission.
- Progressive reforms to strengthen the electoral process, including those contained in the Electoral Amendment Bill (2018), which was passed by the outgoing National Assembly but not enacted, should be revisited by political parties following the 2019 elections.

Chapter 4

PARTICIPATION AND INCLUSION

Nigeria has signed a number of regional and international instruments and commitments relevant to the conduct of elections. These instruments provide the framework for good governance, citizen participation, gender equality and women's empowerment, and inclusion of youth, internally displaced persons (IDPs) and persons with disabilities (PWDs), as a means of achieving sustainable democracy.

This chapter examines the participation and status of marginalised groups of women, youth, PWDs and IDPs in the electoral process and their representation in political decision-making. It details how the government, the Independent National Electoral Commission (INEC) and civil society organisations (CSOs) were working to strengthen their participation and inclusion in Nigeria's democracy.

At the time of writing, Nigeria had recently introduced legislation to strengthen the participation of youth, PWDs and IDPs. However, the National Assembly failed to enact the law that would have introduced a quota system to increase women's political representation.

Women

In order to ensure sustainable democracy and good governance, it is imperative that women are given fair, equal and unrestricted access to participate in elections and political decision-making. Nigeria had made limited progress in achieving this goal, despite the concerted efforts of civil society and women's groups.

Government policies and legislation¹

The National Assembly developed a Gender Strategy in 2014 which included an objective to enhance the passage of laws and policies that would enable increased participation of women in public life. Strategies included the use of quotas that would benefit both women and men and ensure that no gender would constitute more than 70 per cent of the membership of the National Assembly, and the enactment of Affirmative Action (AA) provisions in the Constitution for the enhancement of women's political participation.

The Nigerian 2020 Vision also included a Gender Policy to promote gender equality and empower women by setting up advocacy programmes to strengthen political support for women.

At the time of this report, these government policies were yet to have a significant effect in increasing women's political participation. The House of Representatives,

¹ Policy and Legal Advocacy Centre (PLAC) (2018), 'Women's Political Representation in Nigeria: Why Progress is slow and What can be done to Fast-track it'.

at its plenary session in January 2019, held the second reading of the Women Participation in Election Support Bill 2018, seeking to prescribe quotas for women to be elected into the Senate, House of Representatives, State House of Assembly and Area Councils; however, its passage was deferred to allow for further consultations to be undertaken.

Women's political representation

As of 2019, Nigeria was ranked 181st out of 188 countries in terms of female representation in parliament, with 20 (5.6%) women Members of Parliament in the House of Representatives and seven (6.5%) in the Senate.² At the 2015 election, 270 women candidates ran for election to the House of Representatives, comprising 15.2 per cent of all candidates. In 2019, the percentage of women candidates fell to 12.3 per cent, although the number of women candidates increased to 569. The Senate revealed a similar picture. In 2015, 128 women contested the election, comprising 17.2 per cent of candidates. In 2019, 233 women ran for the Senate, but represented only 12.6 per cent of candidates.³ In 2015, only one (7.1%) woman candidate contested the presidency, compared to six (8.2%) women in 2019.

Barriers to women's political participation

Research and consultations with civil society indicated that the major constraints to female participation in governance and leadership included lack of financial resources to compete with men on an equal basis, the influence of the patriarchy, lack of support by political parties, religious beliefs, security and gender-based violence.⁴

Campaign financing

The Group noted that INEC had introduced measures to regulate the financing of candidates and political parties to avoid the undue influence of great wealth and special interests, misuse of state resources, vote-buying and other forms of electoral misconduct. It highlighted that one of the major factors which has continually affected women's campaigns has been the problem of effectively raising funds.

Role of political parties

The Group further noted that women experience significant difficulty in gaining party nomination as candidates, particularly for the major political parties, the PDP and APC. The PDP constitution ensures that women have representatives on its executive and working committees, while the APC constitution requires consideration of gender balance.

² Inter-Parliamentary Union (2019), available at: <http://archive.ipu.org/wmn-e/classif.htm>.

³ Women's Situation Room.

⁴ The Nigerian Women Trust Fund, *Resource Mobilisation Strategies for Women's Effective Political Participation, Institutionalising Anti-Corruption and Accountability in Nigeria*.

However, these limited provisions within political parties to support women had little impact at the crucial primary election stage, which determines the party's candidate for elective positions. The Women in Politics Forum indicated that corruption and changes in party affiliations resulted in women being replaced by men, even when they did win the primary contest.

Violence against women

Civil society organisations directly observed cases of violence against women during party rallies in several states across Nigeria including Benue, Kogi, Borno, Katsina, Abia and Imo. They also observed hate speech against women during the election process.

Increasing women's political participation

A number of women's groups, CSOs and institutions were actively involved in a range of programmes, with donor support, to address the barriers facing women and support them as voters and candidates to increase their participation and political and parliamentary representation.

For example, the Nigerian Women's Trust Fund and Women in Politics Forum organised a Women's Aspirants Summit, which was held in June 2018 to advance women's political participation. It was attended by 1,125 participants, with the aim of empowering women with knowledge and skills to campaign in the 2019 elections.

The Women's Situation Room Nigeria, the Women's International League for Freedom and Peace and the Nigerian Women's Trust Fund all had volunteers observing and monitoring the conduct of the elections.

Youth

Young people aged 18 to 35 years comprised 51 per cent of total registered voters.⁵ Nigeria's past five elections were noted for low levels of youth participation as candidates. However, civil society reported that youth participation in all elective offices had significantly increased. For the Senate, in 2015, 10 per cent of candidates were youth. In 2019, 13.5 per cent were youth. For the House of Representatives, 18 per cent of candidates for 2015 were youth, compared to 27.4 per cent in 2019. In the State House of Assembly in 2015, 29 per cent of candidates were youth, while in 2019, youth candidates increased to 41.8 per cent.⁶ The increase in youth candidates could be attributed to the passage of the Not Too Young To Run Act in 2018.

Notable efforts were made by INEC to increase youth engagement and participation.⁷ The Group also noted that ad hoc INEC staff was composed largely of youth drawn from the National Youth Service Corps (NYSC). Concerns were, however, raised

⁵ Youth comprised 51.11 per cent of registered voters (INEC Registered Voters List).

⁶ YIAGA (Youth Initiative for Advocacy, Growth and Advancement) Africa.

⁷ INEC Youth Ambassador Programme Youth Strategy Development Framework, Youth Vote Count Campus Outreach.

regarding levels of training, accommodation and compensation. Furthermore, these essential workers were excluded from voting.

Despite significant legislative amendments, the institutional frameworks of the dominant parties prevented the upward mobility of young people. Some of the barriers cited included exorbitant nomination fees,⁸ the high costs of running a campaign, and the prevalence of a traditional narrative promoting agedness as a prerequisite for leadership. The Group noted high levels of youth participation in active canvassing for votes on behalf of older candidates, as opposed to creating space for their participation.

The Group also noted reports of youth as perpetrators and victims of election violence. Youth were being used as thugs to perpetrate political violence. High unemployment rates among youth made them susceptible to political bribery, incitement and vote-buying.

The use of incendiary language by party leaders/candidates at political rallies and gatherings correlated to youth involvement in 'turf conflicts', vandalism and destruction of property belonging to political parties/candidates and INEC facilities. Campaigns like '*Vote Not Fight: Election No Be War*' promoted constructive youth participation in Nigeria's political processes and mitigated incidents of violence. The success of the campaign was largely as a result of the partnership with security, INEC and CSOs.

People with disabilities (PWDs)

In January 2019, the Government of Nigeria signed into law the Discrimination Against Persons with Disabilities (Prohibition) Act 2018 to ensure the full integration of PWDs into society, establishing the National Commission for People with Disabilities and giving the Commission responsibility for their social, economic and civil rights.

Fifteen per cent of Nigeria's population are PWD.⁹ For the 2019 elections, a number of policy and legislative provisions were implemented to enhance the participation of PWDs in the electoral process. Section 14 of Nigeria's 2010 Electoral Act makes provisions for special measures for PWDs. The INEC Framework on Access and Participation of PWDs aims at inclusion and the reduction of barriers PWDs face as voters, aspirants, candidates and staff within the Commission.

Notably, 2019 was the first time that the visually impaired were afforded the opportunity to vote independently through the use of a braille ballot jacket. As referenced, provisions were made for magnifying glasses, sign language translation and a priority queue for PWDs. All ad hoc staff received a checklist that focused on identifying and assisting PWDs. Sign language interpretation was also available at polling units.

⁸ Although it was noted that APC and PDP provided a 50 per cent reduction in nomination fees.

⁹ The World Health Organization's 2011 *World Disability Report*. The Center for Disability and Development Innovations (CeDDI; 2016) estimated the approximate number of disabled people in the country at 25 million.

Concerns were raised that the blanket restrictions on the movement of vehicles on Election Day potentially limited some PWDs' ability to access polling units.

INEC accredited a number of PWD-focused organisations as observers.

Consultations with the Joint National Association of Persons with Disability (JNAPWD), noted that INEC had made significant progress in inclusion and engagement of PWDs. The CSOs cited national consultation exercises and the creation of a Disability Framework as positive developments post-2015. However, it was noted that although INEC had a disability desk officer in each of the 36 states, none of these officers were themselves a PWD. Concerns were also expressed about the extent of training of security officers to protect PWDs.

With regards to inclusion as candidates, it was noted that despite the existence of structures within APC to address the inclusion of PWDs, smaller political parties were statistically more accepting of PWDs as candidates. Only six PWDs stood as candidates at all levels.

Internally displaced persons (IDPs)

The 2010 Electoral Act as amended states: 'in the event of an emergency affecting an election, the Commission shall, as far as possible, ensure that persons displaced as a result of the emergency are not disenfranchised'.¹⁰

At the time of writing, IDPs in Nigeria existed as a result of the Boko Haram insurgency, extended military operations in the fight against insurgents, environmental hazards and real estate development projects. Other factors included violence between farmers and herders over land and water resources, ethno-religious conflicts, post-election violence, banditry and boundary/communal disputes. The Internal Displacement Monitoring Centre (IDMC) and the Norwegian Refugee Council (NRC) estimated that there were 3.3 million displaced persons in Nigeria.¹¹ UNICEF recorded the presence of IDPs in eight north eastern states: Adamwa, Bauchi, Borno, the Federal Capital Territory (FCT), Gombe, Nasarawa, Taraba and Yobe.¹²

INEC acknowledged that displacement was much wider and millions of citizens were not residing in the places they originally registered. INEC established a multi-agency Technical Committee on IDP Voting (IDP-VC) for the State of Emergency (SOE) states. In December 2018, INEC created a framework for voting by IDPs in 15 states to manage the conduct of IDP voting operations, accompanied by related Regulations and Guidelines.¹³ Within this framework, intra-state IDPs would have been able to participate in all elections categories when and where applicable, while inter-state IDPs would have been able to only participate in Presidential elections, in order to limit the challenges associated with political perception and suspicion over

¹⁰ Section 26(1) of the 2015 Electoral Act (as amended).

¹¹ Campbell, J, 'Internally Displaced Continue to Grow in 2016', Council on Foreign Relations, available at: <https://cfr.org>.

¹² UNICEF (August 2015)

¹³ Independent National Electoral Commission (INEC) Framework for Voting by Internally Displaced Persons (IDPs), available at: <https://www.inecnigeria.org/wp-content/uploads/2019/02/FRAMEWORK-FOR-IDP-VOTING-.pdf>

transmission of results across state borders and constituency boundaries.¹⁴ The framework also allowed for the creation of additional polling points at IDP centres. The Group commended INEC's efforts to ensure voting by IDPs.

Civil society organisations (CSOs)

To a large extent, democratic progress in Nigeria has been shaped by the roles that civil society actors - organisations, institutions, groups and individuals - have played in past electoral processes. It was evident from the records that their advocacy, civic education, watchdog roles and actions in the 2019 electoral process mobilised the citizen electorate. They have spurred the political leaders and institutions of the state to enact laws to promote political inclusion and undertake administrative reforms to expand participation.

In the forthcoming elections, diverse mechanisms were deployed by civil society organisations to protect the integrity of the electoral process and the credibility of its outcomes. The number of civil society situation rooms set up to monitor the elections, provide critical analyses and undertake Parallel Voter Tabulation had increased significantly compared to 2015. Collective action through the use of common advocacy and election monitoring platforms had also increased, encouraging the co-ordination of civil society electoral programmes and behaviour.

A sample of the organisations involved include the following: 'The Church Must Vote' used the pulpit to mobilise Christians to actively participate in the elections; BUDGIT Foundation educated the public and campaigned against vote selling and buying in 15 states across Nigeria; CLEEN Foundation monitored security threats and the conduct of the security forces in the electoral process; the Centre for Democracy and Development (CDD) tracked and dispelled fake news; while the Transitional Monitoring Group (TMG) and the Youth Initiative for Advocacy, Growth and Advancement (YIAGA) Africa deployed the largest number of domestic observers in the 2019 elections.

The majority of CSOs working to improve the electoral performance and outcomes of the 2019 elections were heavily dependent on foreign aid. Without supplementary funding from the Nigerian government and the private sector, the vital roles that CSOs play can neither be sustained nor consolidated in the long term.

Recommendations

Women

- The government should fully implement all existing gender policies to increase the political participation and representation of women, while consideration should be given to implementing the measures proposed in the Women Participation in Elective Office Support Bill 2018 to increase women's political participation.

¹⁴ Obiejesi, K (2018), 'INEC chairman clarifies that IDP, not refugees will be able to vote in 2019', iNews, December 13, 2018.

- The government is encouraged to be more responsive to advocacy groups and CSOs to support programmes aimed at increasing women's political participation.
- Political parties should increase the role of women within their party and increase the number of women candidates nominated for election. Political parties should also support women to access campaign funds.

Youth

- Political parties should adopt measures that support youth inclusion at all stages in the political party hierarchy.
- INEC should develop a strategy to enfranchise essential workers/ad hoc staff, who are overwhelmingly youth.
- CSOs should implement programmes of voter education throughout the election cycle. More can be done by CSOs in partnership with INEC, which should 'lead the charge' to educate first-time voters and rebuild youth confidence in democratic electoral institutions and processes.
- Youth involvement in and buy-in to peace accords should be sought, precluding involvement in electoral violence/thuggery/turf conflict.

People with disabilities

- All stakeholders are urged to fully implement the provisions of the Discrimination Against Persons with Disabilities (Prohibition) Act 2018 to ensure equal treatment and participation of PWDs in the election process.
- INEC and security agencies should review transportation restrictions on Election Day to allow PWDs the right to travel to and from their polling unit.
- INEC should do more to tailor voter education programmes to meet the needs of PWDs and provide more comprehensive training for its officials on disability.

Chapter 5

THE CAMPAIGN AND THE MEDIA

The campaign

Legal framework for campaigns

The 1999 Constitution (as amended) and the Electoral Act 2010 (as amended) regulate the conduct and financing of political parties, and prohibit certain conduct during the campaign, including the use of abusive language likely ‘to injure religious, ethnic, tribal or sectional feelings’ and ‘intemperate, slanderous or base language designed or likely to provoke violent reaction or emotions’.¹⁵ The Electoral Act also prohibits the use of places of religious worship for campaigns, as well as campaigning based on religious, tribal or sectional reasons. The use of private security organisations, the use or threat of force or violence, possessing offensive weapons at a political rally, and political campaigning after the official end of the campaign are all prohibited.

The conduct of the campaigns was also subject to relevant provisions in the 2015 Cybercrimes Act, which forbids ‘any written or printed material, any image or any other representation of ideas or theories, which advocates, promotes or incites hatred, discrimination or violence, against any individual or group of individuals, based on race, colour, descent or national or ethnic origin, as well as religion if used as a pretext for any of these factors’.¹⁶

The Electoral Act stipulates that public political campaigns can commence 90 days prior to Election Day.¹⁷ The official campaign commenced on 18 November 2018 and was due to end at midnight on 14 February 2019, 24 hours prior to Election Day. When the Presidential and National Assembly elections were postponed to 23 February, the INEC Chairperson stated that there was to be no more political campaigning, nor the collection of PVCs. This was challenged by the main political parties, including the APC and PDP, who argued that INEC’s restriction had no basis in law. The INEC Chair subsequently agreed that campaigning could proceed until midnight on 21 February. However, he made no further concessions on the collection of PVCs.

INEC, which has responsibility for the registration and oversight of political parties, published a *Political Party Finance Manual* and a *Political Party Handbook* (2005). An updated Code of Conduct for Political Parties was agreed by a large number of political parties in May 2018, under the auspices of the Inter Party Advisory Council (IPAC).¹⁸ The Code of Conduct was agreed voluntarily by political parties and set out the behaviour expected of political candidates during the 2019 elections.

¹⁵ Sections 95(1) and 95(2), Electoral Act 2010 (as amended).

¹⁶ Cybercrimes Act 2015, Part III (18).

¹⁷ Section 99(1), Electoral Act 2010 (as amended).

¹⁸ Sixty-eight of the 73 political parties signed the Code of Conduct.

The campaign environment

The space for political participation had widened since the 2015 elections. It was notable that the number of contesting political parties and candidates had increased significantly, from 28 political parties and 14 presidential candidates in 2015, to 91 political parties and 73 presidential candidates for the 2019 elections. The Group noted that not all the political parties and candidates were actively campaigning, however, and that some of the presidential candidates withdrew after the closure of nominations and therefore their names remained on the ballot paper.

The presidential campaigns of the leading political parties, the People's Democratic Party (PDP) and the governing All Progressives Congress (APC), were launched on 3 and 28 December 2018, respectively. The campaigns were slow to get underway for a number of reasons. These included lack of funding and lack of readiness on the part of the political parties. Some parties mentioned that lack of funding was partially as a result of tighter scrutiny by the Anti-Corruption Economic and Financial Crimes Commission.

While the Group was not able to attend any party rallies, we noted that most campaigning was done through media advertising, billboards and posters. It was reported in the media that many candidates had initially opted for more low-key campaign activities, as compared to previous elections, including home visits, small-scale town hall meetings or market visits. Campaigning intensified closer to the election date. The expansion of social media throughout Nigeria also provided a significant opportunity for all political parties to get their message across to the electorate.

Overall, fundamental freedoms of association, expression, assembly and movement were generally respected. However, the PDP claimed there were at least two instances where their proposed rallies were initially denied permission to proceed, unlike those of the APC, although these were subsequently allowed to go ahead.

Peace efforts and hate speech

The National Peace Accords which were signed by political parties, under the auspices of the National Peace Committee in December 2018 and February 2019, reinforced the letter and spirit of the Code of Conduct for Political Parties, which had been renewed in May 2018. Although this may have contributed to the generally peaceful atmosphere of the campaign, the Group was nevertheless concerned that a number of violent incidents took place from the onset of the campaign period.¹⁹ A few days prior to Election Day (on 12 February), six people were killed when a convoy of the Governor of Borno state, Kashim Shettima, was attacked by Boko Haram insurgents while he was on his way to a campaign rally. Numerous other incidents took place

¹⁹ A few incidents of violence took place early in the campaign, including the disruption of a rally for the APC Governorship candidate in Lagos on 8 January 2019, when an official of the National Union of Road Transport Workers (NURTW) was attacked and sustained serious injuries. Other reports included that the police in Jigawa state reportedly disrupted the PDP rally in Gumel Local Government Area on 9 January 2019, by firing tear gas at PDP supporters. It was also reported that political violence in Kwara state led to a ban on street rallies on 15 January 2019.

during the Group's presence in Nigeria, including an attack on buses carrying sensitive election materials in Akwa-Ibom state and two cases of INEC offices being burned down, which destroyed sensitive election materials. The Group also noted that poor crowd management also led to loss of life at campaign rallies.

Despite the legal provision which forbade offensive weapons at campaign rallies, the Group noted that weapons such as sticks and stones were nevertheless reported to be present. As in the 2015 elections, both PDP and APC faced accusations of deploying thugs to intimidate opponents, often within their own parties, as well as attacks on convoys, members and party offices.

As was the case in previous elections, the personality-based nature of the campaign created an environment in which there was a high incidence of inflammatory language and hate speech throughout the campaign period. One prominent incident, which generated considerable criticism from opposition parties and other stakeholders, was a statement by the Governor of Kaduna state, Nasir el-Rufai, during an interview aired on 12 February 2019, in which he threatened that if there was foreign interference in the 2019 elections, such foreigners would leave the country in 'body bags'. While he subsequently apologised for his statement, this nonetheless heightened security concerns.

Despite political parties signing up to an updated Code of Conduct for Political Parties and the peace pledges, these commitments were not always adhered to. The Group was concerned that some political leaders did not make greater efforts to temper and reduce the spread of hate speech in the run up to the 2019 elections. Greater effort was needed to moderate the tone of the campaign, including enforcing penalties against offenders.

Campaign issues

When campaigns were launched, the two main parties announced their intention to campaign on issues, predominantly the economy, security and tackling corruption. The campaign of the governing APC focused on the PDP's failure to deliver on these key issues when they were in power, while the campaigns of opposition parties focused on the APC's failure to deliver on its promises made in its 2015 election manifesto. As a result, campaigning mostly centred on the personalities of the two leading presidential candidates.

Campaign financing

The Constitution sets out requirements, which INEC has to oversee, on the financing of political parties, with the National Assembly provided statutory powers in this regard.²⁰ Sections 88 to 93 of the Electoral Act 2010 contain provisions on campaign financing, election expenses and funding limits allowed by INEC.

²⁰ The Constitution of the Federal Republic of Nigeria 1999, Sections 225 and 226.

The 2010 Electoral Act imposes caps on spending limits,²¹ while Section 92(3) also requires every political party to submit, six months after every election, an audited revenue and expenditure report of the party, failing which penalties are stipulated. It was alleged that these legal provisions had never been enforced.

Financial inducements

The 2010 Electoral Act also makes it an offence to offer or receive financial inducements.²² The Group was informed that the practice among political parties to induce support through ‘vote-buying’ had been a concern in successive elections. We noted, however, from analysis conducted by a local civil society organisation, YIAGA Africa,²³ that there were low incidences of voter inducement in the early part of the campaign period. States where the most frequent occurrences of vote-buying were reported were Jigawa, Kano, Katsina, Kebbi, Sokoto, Niger, Imo, Akwa-Ibom, Delta and Rivers states. The Group also heard reports that inducements were offered to people to participate in rallies, although the Group was not able to verify this.

Women candidates in the campaign

Although there was a small increase in the number of women candidates, including presidential candidates, in these elections, there remained many barriers to women’s participation in politics in Nigeria. These included the patriarchal nature of society, lack of campaign finance, intimidation and other forms of abuse. There were reports of hate speech being used against women political candidates during the campaign. As YIAGA Africa’s research found, there were also some reports of violence against women attending campaign rallies in various states such as Kogi (Okehi, Yagba West); Adamawa (Madagali); Borno (Mafa); Kano (Warawa); and Imo (Orlu).²⁴

It was noteworthy that, of the six original women presidential candidates, only one remained active toward the end of the campaign period.

Role of youth in campaigns

Nigeria’s large youth population has meant that political parties have seen this not only as a support base, but also as an opportunity to mobilise youth in the campaign. One noteworthy initiative in these elections was the ‘*Vote Not Fight: Election No Be War*’ campaign, a civic education and voter enlightenment programme designed to promote peaceful elections in Nigeria, and to encourage young voters to shun violence. The campaign also encouraged young people to participate in political and electoral processes in order to make themselves relevant and their voices heard.

²¹ The caps on spending limits are as follows: Presidential elections - 1 billion naira (N); Governorship - N200 million, Senatorial - N40 million; House of Representatives candidate - N20 million; and House of Assembly - N10 million.

²² Section 124, Electoral Act 2010.

²³ YIAGA Africa is a non-partisan civil society organisation which deployed 822 Watching the Vote (WTV) long-term observers in each of the 774 Local Government Areas (LGAs), to observe the pre-election environment for the 2019 elections. Statistics taken from its publication: *Pre-Election Observation Report IV, ‘How Prepared are the Political Parties?’*, *Watching the Vote*, p8.

²⁴ YIAGA Africa (2019), *Pre-Election Observation Report IV, ‘How Prepared are the Political Parties?’*, *Watching the Vote*, p10.

There were some allegations that youth, most notably those particularly susceptible to influence, were being employed as thugs to intimidate and carry out acts of retribution, as well as vandalism and destruction of property belonging to political parties and candidates. The Group noted media reports of youth gangs used in this manner in Port Harcourt and Lagos.

Role of traditional and religious leaders

Both traditional and religious leaders have an important role in Nigerian society. It was reported that, during the campaign, some traditional leaders exerted undue influence in some parts of the country, lending their support to political candidates. Religious leaders influenced their communities for peaceful elections through civic education and peace messaging. There were examples of some faith groups being partisan.

The media

Overview of the media landscape

Nigeria has a very dynamic media landscape. According to the Nigerian Broadcasting Commission, there were at least 187 radio stations and 109 TV stations operating in the country at the time of the 2019 elections. In addition, there are hundreds of daily, weekly and monthly publications, according to the Nigerian Press Council. The primary language is English, with some media using Hausa, Yoruba, Igbo and Fulani. Major international TV channels were also available via satellite television, with several also broadcasting on shortwave radio in the country.

Radio remained the main form of information dissemination, especially in rural areas, as it is not limited by the lack of electricity or low literacy rates. The Broadcasting Board of Governors noted that more than three-quarters of Nigerians listened to the radio for news at least weekly.

All 36 states run at least one radio and one TV station operated by the state-controlled broadcaster, Nigerian Television Authority (NTA), which broadcasts in English and in the three major languages at the regional level. NTA boasts the widest TV network in the country, followed by the privately owned Channels TV, AIT and Silverbird TV in terms of viewership and coverage.

The publicly funded Federal Radio Corporation of Nigeria (FRCN) has a similar nationwide network and features a mixture of local and national content. Of the radio stations, Wazobia FM and Ray Power FM dominated the radio waves.

The *Daily Trust*, *Vanguard*, *Leadership*, *Premium Times* and *Punch*, all privately owned, were the most popular daily newspapers within the country's six geopolitical zones. Privately owned media are well-established and influential.

Internet penetration stood at more than 50 per cent, with the Nigerian Communications Commission logging more than 111 million internet subscribers as of December 2018. The majority of internet users were young and urban, and popular messaging services such as WhatsApp and Messenger were used widely via mobile

connection. Facebook remained the most popular social media platform with approximately 25 million active users, most of whom also gained access via their mobile phones. It was followed by Instagram and Twitter in terms of popularity.

Legal framework

The basic rights and obligations of the media are set out in the 1999 Constitution. Section 22 states that the mass media has the responsibility to hold the government accountable, but also to uphold national objectives.²⁵ Section 39 of the Constitution guarantees freedom of expression, as well as the right to set up a media outlet, but only upon the fulfilment of certain conditions and the authorisation of the President. Media freedoms are qualified by other laws, including those related to defamation, sedition, contempt of court and the Official Secrets Act. The Freedom of Information Act, which came into force in 2011, aims to strengthen good governance by making public records and information more freely available and accessible.

In terms of digital media, the 2015 Cybercrimes Act forbids the spread of racist and xenophobic material on the internet. While there was no specific regulation for social media, a Digital Rights and Freedom Bill was submitted by the National Assembly for presidential assent on 5 February 2019. The President declined to give his assent. The bill outlined digital media freedoms, including the right to privacy, offences and penalties, and followed previous pushes for social media regulation, which have faced resistance from various groups.

Media conduct is regulated by the National Broadcasting Commission (NBC), which is responsible for licensing broadcast media and upholding the Nigeria Broadcast Code. The National Press Council of Nigeria is a self-regulating body guided by the Code of Ethics for Nigerian Journalists.

Specific to the elections, Sections 99 to 101 of the Electoral Act outlines parameters for media coverage during elections. Media campaigning is prohibited 24 hours before polling day, and impartiality is required from all media. The state media must not favour or disadvantage any political party, and media time shall be allocated equally among the political parties or candidates at similar hours of the day. These provisions also apply to public electronic media, 'subject to the payment of appropriate fees'. Failure to comply with the Act constitutes an offence punishable by fines of up to a million naira (N).

In July 2018, a revised Nigeria Media Code for Election Coverage was adopted by 80 media organisations. The Code covers - among other issues - equitable access, safety of journalists, INEC's role in informing the press, fairness, accuracy and balance in coverage, access to political debates, opinion polls, endorsement, the prevention of hate speech and conflict sensitivity. Monitoring and enforcement are, however, left to the media organisations themselves.

²⁵ The Constitution of the Federal Republic of Nigeria 1999, Section 22: 'The press, radio, television and other agencies of the mass media shall at all times be free to uphold the fundamental objectives contained in this Chapter and uphold the responsibility and accountability of the Government to the people'.

In exchanges with the Group, media interlocutors did not raise any concerns regarding the legal framework. Given the various instruments outlined above, the Group generally found that the legal framework in place was sufficient to provide parties and candidates with a level playing field for the elections. However, the Group noted a key variation in the Electoral Act and the Media Code that could undermine their common objective.

Media climate

Freedom of expression in Nigeria is guaranteed by the Constitution, but challenges persist. Nigeria ranked 119th out of 180 countries in the 2018 World Press Freedom Index (partly free). Reporters Without Borders notes that: ‘journalists are often threatened, subjected to physical violence, or denied access to information by government officials, police, and sometimes the public itself’.

In discussions with the Group, journalists highlighted concerns regarding the security environment as one of the main constraints in the conduct of their work. On 8 January 2019, three journalists were injured while covering an APC rally in Lagos, where they were struck by stray bullets when fighting broke out. Journalists noted that some areas would not be covered during the election due to the threat of kidnap or violence.

In addition to the security environment, fears of the security authorities themselves and intimidation of journalists became apparent. In 2018, a blogger, and journalists from the *Daily Trust* and *Premium Times*, among others, were detained or arrested by authorities. In August 2018, a number of state chapters of the National Union of Journalists held a protest against the harassment of journalists by security agents. In a joint statement, international observers raised concerns regarding the intimidation of journalists and others by security agencies during the re-run Osun state election in September 2018.

On 6 January 2019, it was reported that the offices of the *Daily Trust* newspaper in Abuja and Maiduguri were raided by the military. Two journalists, including a regional editor, were arrested for allegedly jeopardising national security by revealing sensitive information regarding military operations against Boko Haram. There was a public outcry, and the two were released.

In addition to the security environment and authorities, some media practitioners cited challenges related to self-censorship when faced with financial incentives or political pressure.

Despite these worrying trends, the Group observed that, in general, the media operated freely in covering the campaign, and had good access to politicians. INEC stated that it held regular briefings with the press and prioritised an open and active flow of information to the public. Most journalists reported timely receipt of their accreditation from INEC.²⁶

²⁶ *The Guardian* (2019) on 15 February reported several media organisations encountering challenges with accreditation, although they had submitted application forms on time. See: <https://guardian.ng/politics/journalists-in-last-minute-scramble-for-inecs-scarce-accreditation-forms/>

Hate speech in the media

The Nigerian Broadcasting Code clearly prohibits hate speech, outlining in Section 3.0.2 that: ‘No broadcast shall encourage or incite to crime, lead to public disorder or hate, be repugnant to public feelings or contain offensive reference to any person or organization, alive or dead or generally be disrespectful to human dignity’.

It further forbids broadcasters from transmitting any programme or announcement that ‘is likely, in any circumstance, to provoke or perpetuate in a reasonable person, intense dislike, serious contempt or severe ridicule against a person or groups of people because of age, colour, gender, national or ethnic origin, disability, race, religion or political leanings’.

Most of the interlocutors that interacted with the Group, including the Chairperson of INEC, highlighted hate speech and fake news as two worrying trends which became prominent during the 2019 elections. In January 2019, approximately two weeks before the elections, the NBC sanctioned four major TV channels (Nigerian Television Authority [NTA], African Independent Television [AIT], Channels TV and Television Continental [TVC]) for airing hate speech from representatives of the main parties PDP and APC. While this acted as a deterrent to some degree from disseminating hate speech, some TV stations ran disclaimers when broadcasting the speeches and statements of politicians.

Role of social media

Social media played a key role in the 2019 elections. Given the high level of internet penetration and smartphone use in the country, social media platforms such as Facebook, Twitter and WhatsApp became important sites for political debate, voter information flow and campaigns.

All major political parties, presidential candidates and INEC had a strong presence on social media, using it as a tool to issue statements and circulate information, in addition to traditional media. Social media was used extensively by youth and civil society. Various CSOs used the platform to encourage political participation, while individuals freely expressed opinions and engaged in exchanges with a vast virtual audience. For example, on 16 February 2019, there were more than 135,000 posts on Twitter using the hashtag #NigeriaDecides2019 within the span of 24 hours.

The Group noted that INEC used social media, text messaging and other electronic media to inform the electorate about the process, including registration, collection of PVCs and the location of polling units.

It was noticeable that social media was not used by INEC to inform the electorate about the postponement of the election date.

Fake news and social media

The speed at which information travels on social media networks means it has the ability to spread ‘fake news’, which refers to the deliberate misinformation

disseminated widely among the public, whether this is outright false information, half-truths or facts taken out of context. A poll cited by the Centre for Democracy and Development showed that more than a third of Nigerians thought that fake news was capable of promoting hatred and violence, while a quarter of the population believed it could cause panic and tension.

The Group observed instances of fake news used to spread hate speech and conspiracy theories, conduct smear campaigns about politicians and individuals, and to undermine the confidence of voters in the electoral process. For example, when the original polling date was postponed, videos showing alleged rigged 'results sheets' for the Presidential elections and photographs of ballot papers doctored to exclude the name and symbol of candidates or parties, were circulating on social media.

Combatting the fake news phenomenon remains a challenge. While some platforms such as Twitter and Facebook can shut down fake accounts that generate misinformation or inappropriate content, the messaging application WhatsApp is much harder to police due to the platform's end-to-end encryption. INEC sought to combat the issue by taking an open approach to information and ensuring that the correct information was circulated as widely as possible in the public domain.

Traditional media practitioners are also making efforts to combat fake news emanating from new media. In this regard, the Group commends initiatives such as the Crosscheck Nigeria Project, a joint effort of 15 news organisations which joined forces in November 2018 to combat misinformation by investigating and exposing erroneous claims.

Campaign coverage

Campaign coverage was robust and varied, including news, analyses, editorials, debates, profiles and phone-in programmes. The Group observed that the vast majority of media coverage, especially as polling day approached, focused on the two leading parties, the PDP and APC. This breached the provisions of the Electoral Act and Media Code for Elections, regarding equitable or balanced coverage. However, given the number of parties and candidates, the requirement of the Electoral Act to provide equal coverage to all candidates and parties posed considerable challenges.

Other elements were able to skew coverage to the larger parties with more resources at their disposal. The Group noted that the laws establishing the National Television Authority²⁷ include provisions that require it to 'provide facilities as may appear to the authority to be desirable in the public interest, for the broadcasting of ministerial speeches....', including those by the President, Vice-President, etc. The NTA is also bound by a duty to broadcast government announcements.

However, stakeholders the Group interacted with did not raise any concerns regarding the availability of media space to conduct campaigns. Although there was an initial perception that the state media was partisan towards the ruling party, no political group flagged the issue, given the alternatives presented by the robust private media.

²⁷ National Television Authority Act, Section 9.

Media outlets often (though not always) leaned towards certain political parties, depending on media ownership. Common to media practitioners globally, the Group heard in its discussions that in Nigeria, balanced coverage could be influenced by media owners and/or advertisers who could hold significant sway in terms of the angles or content of stories, depending on party support. At the same time, several major organisations aspire to be balanced and have reputations as such.

The Group also noted the overwhelming lack of media coverage of women and youth in the 2019 elections.

Recommendations

- All political parties must take greater responsibility for public messaging to ensure that there is zero tolerance for hate speech. Greater effort is needed to moderate the tone of the campaign, including enforcing penalties against those engaging in hate speech and inflammatory language in compliance with the Electoral Act and INEC updated Code of Conduct of Political Parties.
- Greater efforts should be made by all political parties to adopt more issue-based, as opposed to personality-dominated, campaigns in future elections, to ensure that voters have a real choice.
- INEC should enforce its regulatory role on campaign financing to ensure greater transparency, accountability and a level playing field for all political parties and candidates.
- INEC should review the requirements for political party registration to consider a minimum threshold, while ensuring a competitive field.
- Consideration should be given to further promote equal access to air time in publicly owned electronic media, by addressing the impediment of payment of fees which puts candidates with less financial resources at a disadvantage.
- Fact-checking initiatives and investigative journalism capacity should be supported and developed further to counter fake news.

Chapter 6

VOTING, COUNTING AND RESULTS

The process for accreditation and voting

The Presidential and National Assembly elections were conducted using the Continuous Accreditation and Voting System (CAVS), established by INEC and detailed in its *Regulations and Guidelines for the Conduct of Elections* (2019) and the *Manual for Election Officials* (2019).

There were 119,973 polling stations established across the country's 36 states and in the Federal Capital Territory (FCT). These reflected the registration units utilised for the earlier voter registration exercise. Voting took place at polling units/voting points. Additional voting points were created where numbers exceeded the maximum of 750 registered voters in a polling unit.

Pre-polling

In line with INEC's protocol of handling election materials, sensitive election materials were stored with the Central Bank of Nigeria. Close to voting day, sensitive materials were sent to the Central Bank branches at the state level. From there, they were delivered by INEC officials to INEC offices in local government areas (LGAs) for onward distribution to regional area centres (RACs). On the morning of the election, all materials, both sensitive and non-sensitive, were to be taken to polling units in time for the scheduled opening at 8:00am.

In summary, the official INEC accreditation and voting process required that:²⁸

- Voting on Election Day shall take place at polling units and voting points, as well as at voting point settlements (VPS) in the case of the Federal Capital Territory (FCT).
- Voting locations are located in public facilities, including public schools, civic centres, town halls and communal open spaces, accessible to every voter, including persons with disability (PWDs).
- Each polling unit (PU) will be manned by four (4) officials: a Presiding Officer (PO) and three (3) Assistant Presiding Officers (APOs), while voting points will be manned by three (3) APOs under the supervision of the PO.
- A political party sponsoring a candidate may appoint one person as its polling agent for each PU, VP and collation centre.

²⁸ INEC Briefing for Observers to the 2019 General Election, 12 February 2019.

- Voting shall be in accordance with the Continuous Accreditation and Voting System (CAVS) procedures and voters will only be allowed to vote in the polling unit/voting point/voting point settlement at which his/her name appears in the Register of Voters and after he/she presents his/her permanent voter's card to be verified by the Smart Card Reader (SCR), or as otherwise determined by the Commission.
- Accreditation and voting shall commence at 8.00am and close at 2:00pm, provided that all voters already on the queue by 2:00pm are allowed to accredit and vote.
- Where a voter's PVC is read, but his/her fingerprint is not authenticated, the voter will be allowed to vote after being requested to thumbprint the appropriate box in the Register of Voters and provide his/her phone number.
- Where a voter's PVC is read, but the name of the voter is not on the Register of Voters or the PVC cannot be read by the Smart Card Reader, the voter will not be allowed to vote.
- In the event of sustained malfunction of the SCR, the PO, after following laid down procedures, shall suspend accreditation and voting until a new SCR is made available. Where a replacement is not available by 2:00pm, s/he shall inform the voters and polling agents that voting shall continue the following day.
- Where a SCR is replaced in the middle of an election, the data of verified voters in the faulty SCR shall be merged with the data in the replacement SCR for the purposes of determining the number of verified voters.
- Telephones and other electronic devices capable of taking pictures are not allowed in the voting cubicles. Voters may come to the polling unit with telephones and other electronic devices, provided that they do not take them to the voting cubicles or take pictures of other voters while they are voting.
- Voters, provided they are peaceful and orderly, are free to remain within the vicinity of the polling unit after casting their ballot to witness the sorting and counting of votes and announcement of results.
- Visually impaired or blind persons, and those who suffer from any other physical disability, may be assisted to vote by a person chosen by him/her, other than an election official, polling agent or security personnel on election duty.
- Visually impaired/blind registered voters may, where available, use the Braille Guide or magnifying glass provided by the Commission.
- PWDs, visibly pregnant women and the elderly shall be granted priority access to vote.

Assessment of the accreditation and voting procedure

Voters arrived early expecting the opening of polling units at 8:00am. Notwithstanding assurances provided by INEC, on the morning of the election there were delays in the distribution and transport of materials, resulting in the late opening of many polling units. Thereafter, election officials were rushed in the setup and opening of their polling units. As a consequence, the Group noted that not all procedures were adhered to; for example, the failure to show, properly seal and label ballot boxes; and the failure to request accredited polling agents, journalists and observers to sign an attendance register. Although INEC authorised extended voting hours for those polling units that had opened late, this information was not communicated effectively to all polling staff, resulting in the instructions not being uniformly applied.

The Group was impressed by the hard work and dedication of polling staff, the vast majority of whom were young people, with women well represented. Observers noted, however, that many would have benefitted from more comprehensive training in polling procedures. They would have benefitted also from more support from supervisory presiding officers (SPOs) and registration area supervisors. We were concerned for the welfare of polling staff, who were required to sleep at the regional area centres, with inadequate facilities, and to be on duty on Election Day until late in the evening.

We observed the malfunction of Smart Card Readers (SCRs). In some cases, they were able to read PVCs but not fingerprints. In other cases, they were not working at all. This caused further delays as polling officials awaited technical assistance or replacements.

The location and the layout of polling units were of concern. Space was often inadequate and INEC's own guidelines on layout could not be followed. In particular, lack of space meant that voting booths were often located too close to polling officials, polling agents and waiting voters, potentially compromising the secrecy of the ballot. Lack of signage within polling units with multiple voting points also caused some confusion.

Shortages of some essential election materials, furniture and voting cubicles, was observed in a number of polling units. Notwithstanding these shortages, polling officials adapted to enable people to exercise their right to vote.

Many polling agents were not wearing INEC-accreditation badges. Some polling agents also attempted to intimidate election officials and voters, including during counting.

In general, the prescribed voting procedures were followed in most polling units. Despite the delays, the majority of voters who sought to vote were able to exercise their franchise. However, the Group noted that at the close of polls at some polling stations, the number of voters who had voted was far below the number registered.²⁹

²⁹ INEC's official voter turnout was 35.7 per cent.

We observed that, on the whole, provision was made for separate queues of men and women where required by the community.

We acknowledged the important role played by the police, together with other security agencies, in securing polling units. Police were present at all polling stations we visited. Their presence was generally discreet and helpful to the electoral process.

The Register of Voters generally appeared to be robust. We commended the good practice of posting a copy of the Register at polling units ahead of Election Day.

Visibly pregnant women, mothers with babies, people with disabilities and the elderly were given priority in most areas. However, of concern was the inaccessibility of many polling units for people with physical disabilities.

We noted with concern reports of sporadic and isolated incidents of violence on Election Day, including isolated cases of destruction of voting materials, ballot box snatching and shootings. The killing of people on Election Day, including of INEC staff, was deeply troubling.

We commended the role of citizen observers, who were present at the majority of polling stations that we visited.

The process of closing of the poll, counting and results collation

In summary, the official INEC Guidelines on Closing of Poll, Counting and Results Collation were to:

- declare voting closed after every voter in the queue by 2:00pm has voted;
- cancel all the unused ballot papers by crossing them out;
- sort out the ballot papers by party and thereafter loudly count the votes for each political party in the presence of the polling agents and observers;
- allow the recount of votes on demand by a polling agent, provided that such a recount shall only be allowed once;
- cross-check the scores, enter the scores of each candidate on the appropriate forms, and post a copy of Form EC 60E in a prominent place;
- sign, date and stamp the appropriate forms and loudly announce the votes scored by each political party; and
- complete other required procedures and take the SCR and original copy of the forms and results in a tamper-proof envelope to the Registration Area/Ward Collation Officer.

Collation

The collation and declaration of election results was undertaken at designated centres, depending on the type of election:

- Registration Area/Ward (collation for all election results), including that of councillors in the case of the FCT;

- Local Government Area (LGA) (collation for all election results), including that of Chairperson in the case of the FCT;
- Federal Constituency (collation and declaration of House of Representatives election results);
- Senatorial District (collation and declaration of Senatorial District election results); and
- Presidential (collation and declaration of Presidential election results in Abuja by the Chairman of INEC).

Access to results collation centres

The following were allowed access to the results collation centres:

- INEC officials, depending on their role and responsibilities;
- security agents at designated locations to enforce law and order and provide security as prescribed;
- candidates or their INEC-accredited polling agents at designated electoral locations to observe the processes and procedures, call attention to any irregularity, without interference, and countersign appropriate result forms;
- accredited journalists and observers to observe the processes and procedures, call attention to any irregularity, without interference, and seek clarification where necessary; and
- access to the National Collation Centre/Situation Room is restricted to accredited journalists and observers.

Assessment of closing of the poll, counting and results collation

The polls were set to close at 2:00pm. However, delays in the commencement of voting in many polling stations resulted in an INEC instruction authorising a proportionate extension of voting, and therefore varying closing times. In some cases, voting was postponed until the following day.

During sorting and counting, the determination of invalid votes was often vigorously contested by party agents, partly due to a lack of understanding as to what constituted an invalid vote.

At the polling stations the Group observed, closing procedures were largely followed, although not all unused ballot papers were cancelled prior to sorting and counting. A reconciliation process was carried out in the presence of polling agents, voters and observers. The counting process was open and transparent.

In polling units with multiple voting points, the results had to be collated at the unit before being passed to the collation centre. By this time it was often dark, and this proved a challenge where no lighting was available.

There were mixed reports about the consistency of the recording and display of results by polling officials.

Where collation was observed at RAC and LGA levels, the process was transparent. At the time of writing, collation was still continuing at the state level.

Election results

The official Presidential Elections Results are presented in Annex III.

Recommendations:

The Group observed considerable organisational, logistical and technical difficulties. The Commonwealth Observer Group makes the following recommendations:

- There must be a thorough review by INEC and all stakeholders of the considerable organisational, logistical and technical difficulties encountered during these elections, with a view to substantial improvement in the future.
- Improved facilities for the storage, organisation and distribution of materials at all levels is required for INEC to deliver on schedule. Equally, improved transport arrangements, including on Election Day, need to be ensured.
- In light of technical difficulties, INEC should build in adequate maintenance capacity and have adequate reserve SCRs, along with technical support, to be deployed at short notice.
- The location and layout of polling units needs to be improved to ensure adequate space for all participants, and to ensure the secrecy of the ballot, in line with INEC's guidelines. Locating polling units within buildings, where possible, to protect officials and voters from the elements and improve access by the elderly and disabled should be considered. This would also enable advance layout of the polling unit.
- The capacity of polling officials should be enhanced through training and retraining. Greater attention to their welfare, improved supervision and lines of communication would strengthen performance.
- Political parties must ensure that their polling agents are properly accredited, fully trained on electoral procedures and operate in a manner consistent with all election regulations.
- In light of the fires that occurred ahead of elections, INEC needs to strengthen the security of its offices.
- Ways should be found to enable polling officials, security staff and other essential workers to vote.
- INEC should identify ways to speed up the collation process and provide prompt announcement of results in order to reduce tension in the post-election environment.

Chapter 7

CONCLUSIONS AND RECOMMENDATIONS

This was the sixth election that the Commonwealth had been invited to observe in Nigeria since 1999.

The Commonwealth Observer Group acknowledges the professionalism, hard work and diligence of the Independent National Electoral Commission (INEC), its ad hoc staff and all other supporting agencies, who dedicated considerable efforts in delivering these elections. This was a very significant undertaking.

We also acknowledge that electoral reform is a continuous process, building on what has worked successfully and addressing weaknesses. Our collective view is that there were considerable organisational, logistical and technical difficulties with these elections, which we trust that INEC and other national stakeholders will wish to address.

While the environment was tense and there were instances of violence, overall, fundamental freedoms of association, expression, assembly and movement were generally respected. Our overall conclusion is that the voting, closing and counting processes at polling units were transparent, and offered Nigerians, for the most part, the opportunity to express their will and exercise their franchise.

We are mindful that the collation of results was, at the time of writing, yet to be finalised, and express the hope that this process will be concluded in a transparent and credible manner.

The people of Nigeria have demonstrated patience, resilience and commitment to their democracy.

We therefore offer the following recommendations for consideration, which we hope will be helpful to the INEC and other stakeholders in strengthening Nigeria's democracy.

Recommendations

The Commonwealth Observer Group recommends:

Electoral Framework and Election Administration

- A comprehensive and independent review should be carried out on the operational and logistical difficulties which led to the postponement of the elections and the problems that occurred on Election Day. This might include an assessment of whether INEC's wide-ranging functions are imposing too great a burden on the Commission.

- Progressive reforms to strengthen the electoral process, including those contained in the Electoral Amendment Bill (2018), which was passed by the outgoing National Assembly but not enacted, should be revisited by the National Assembly and national leaders following the 2019 elections.

Participation and Inclusion

Women

- The government should fully implement all existing gender policies to increase the political participation and representation of women, and consideration should be given to implementing the measures proposed in the Women Participation in Elective Office Support Bill 2018.
- The government is encouraged to be more supportive of efforts of women's organisations to increase women's participation in politics and leadership.
- Political parties should increase the number of women in leadership and decision-making roles within their party, as well as the number of women candidates nominated for election. Political parties should also support them to access campaign funds.

Youth

- Political parties should adopt measures to increase the number of young people in leadership and decision-making roles within their party.
- Civil society organisations should implement programmes throughout the election cycle, in partnership with INEC, to educate first-time voters and build youth confidence in the democratic process.
- Youth involvement in and buy-in to peace accords should be sought, precluding involvement in electoral violence/thuggery/turf conflict.

People with Disabilities (PWDs)

- All stakeholders are urged to fully implement the provisions of the Discrimination Against Persons with Disabilities (Prohibition) Act 2018 to ensure equal treatment and participation of PWDs, and also provide disaggregated data on PWDs to support electoral planning.
- INEC and security agencies should review the transportation restrictions on Election Day to allow PWDs the right to travel to and from their polling unit.
- The Group urges INEC to do more to tailor voter education programmes to meet the needs of PWDs and provide more comprehensive training for its officials on disability.

The Campaign and the Media

- All political parties must take greater responsibility for public messaging to ensure that there is zero tolerance of violence and hate speech. Greater effort is needed to moderate the tone of the campaign, including enforcing penalties against those engaging in hate speech and inflammatory language, in compliance with the Electoral Act and INEC's updated Code of Conduct for Political Parties.
- Political parties should adopt more issue-based, as opposed to personality-dominated, campaigns in future elections.
- INEC should enforce its regulatory role on campaign financing to ensure greater transparency, accountability and a level playing field for all political parties and candidates.
- Consideration should be given to further promote equal access to publicly owned electronic media.
- Fact-checking initiatives and investigative journalism capacity should be supported and developed further by government agencies, media organisations and civil society to counter fake news.

Voting, Counting and Results

- Improved facilities for the storage, organisation and distribution of materials at all levels should be provided for INEC to deliver on schedule. Equally, improved transport arrangements, including on Election Day, need to be ensured.
- In light of technical difficulties with Smart Card Readers (SCRs), INEC should build in adequate maintenance capacity and have sufficient reserve SCRs, along with technical support, to be deployed at short notice.
- The location and layout of polling units need to be improved to ensure adequate space for all participants, and to safeguard the secrecy of the ballot, in line with INEC's guidelines. Locating polling units within buildings, where possible, to protect officials and voters from the elements, and to improve access by the elderly and PWDs, should be considered. This would also enable advance layout of the polling unit.
- The capacity of polling officials should be enhanced through training and retraining. Greater attention to their welfare, improved supervision and lines of communication would strengthen performance.
- Political parties must ensure that their polling agents are properly accredited, fully trained on electoral procedures and operate in a manner consistent with all election regulations.

- In light of the fires that occurred ahead of elections, INEC needs to strengthen the security of its offices.
- Ways should be found to enable polling officials, security staff and other essential workers to vote.
- INEC should identify ways to speed up the collation process and provide prompt announcement of results in order to reduce tension in the post-election environment.

Annex 1: Biographies of Chairperson and Observers

HE Jakaya Mrisho Kikwete was the fourth President of Tanzania. He served two terms in office from 2005 to 2015. Prior to serving as President, he was the Minister of Foreign Affairs from 1995 to 2005. During his tenure in the Ministry of Foreign Affairs, he led Tanzania's efforts to bring about peace in the Great Lakes region, particularly in Burundi and the Democratic Republic of Congo (DRC). Before he was Minister of Foreign Affairs, HE Kikwete also served as Finance Minister, the youngest in the history of Tanzania. From 2008 to 2009, he served as the Chairperson of the African Union and from 2012 to 2013, was the Chairman of the Southern African Development Community Troika on Peace, Defence and Security. HE Kikwete holds a Bachelor of Arts (BA) in Economics from the University of Dar Es Salaam.

Dr Emmanuel O Akwetey (Ghana) is the founding Executive Director of the Institute for Democratic Governance (IDEG), a civil society research and advocacy organisation based in Accra. He is a Political Scientist with a PhD degree in Comparative Politics and International Development, awarded by the University of Stockholm, Sweden. He has since worked extensively on a broad range of democracy, governance and development issues, as well as electoral and multiparty governance reforms in African countries.

Dr Akwetey pioneered the use of electoral 'peace pacts/accords' and 'civil society elections situations' to monitor electoral risks and prevent the outbreak of violence and mass atrocities in elections in Ghana (Nov. 2012, 2013 and 2016) and other African countries. He has participated in several election observation missions in Ghana, Kenya, South Africa, Ethiopia, and Nigeria. Dr Akwetey is an adviser to Ghana's Ministry of Foreign Affairs and Regional integration, and winner of the Martin Luther King Jr Award for Peace and Social Justice in Ghana (Feb. 2015) and the Millennium Excellence Awards for Democratic Development in Ghana (Dec. 2010).

Mr Prosper Bani (Ghana) was a former Chief of Staff to President John Mahama of Ghana, and subsequently Minister of Interior, and served as a member of the National Police Council and the Armed Forces Council. Mr Bani started his United Nations career as the Chief Technical Advisor for the UN Development Programme's (UNDP) Peacebuilding Project in Tajikistan in 1995. He is an expert in Peacebuilding and Crisis Management, with over 15 years working for the United Nations in several countries across the world. He served in Geneva with the Humanitarian Relief Unit of UN Volunteers as Peacebuilding Programme Officer and led in the design of the Policy Framework for UN Volunteers' peacebuilding programmes. Mr Bani later joined the Bureau for Crisis Prevention and Recovery of UNDP as a Small Arms Control and Management Specialist, and in 2006 was appointed Advisor for Africa based in Dakar. During that period, he designed the ECOWAS Small Arms Control Programme, which supported ECOWAS to establish Small Arms Commissions in all 15 members to reduce the circulation of illicit weapons in the region.

In 2009, he was appointed as the Team Leader for the Bureau for Crisis Prevention and Recovery in Africa and was assigned to the UNDP Regional Service Center in Johannesburg. Mr Bani provided technical support to the establishment of National Peace Councils in Ghana and Kenya, which provided the foundation for similar councils to be set up in other countries. In 2012, Mr Bani led the process to develop a strategic recovery programme to support the Intergovernmental Authority on Development (IGAD) to respond to the perennial drought

confronting member states and the Horn of Africa, as well as national recovery programmes in member states. Mr Bani was a Lecturer, and later became Director of Studies, at the Ghana Institute of Journalism from 1984 to 1992. Mr Bani has a BA Hons degree in Political Science and Sociology from the University of Ghana and master's degrees in Politics and Development Strategies from the Institute of Social Studies in The Hague, Netherlands, as well as another master's degree in Politics and Government from the University of Texas, USA.

Dr Lesley Clark (Australia) holds a Bachelor of Arts degree and a Doctorate in Psychology. She served for five years as a Local Government Councillor and 15 years as a Member of Parliament (MP) in the Queensland State Parliament in Australia, before retiring in 2006. Dr Clark now works as a consultant across the Asia Pacific region, with a range of international agencies to increase the political and parliamentary representation of women through the provision of technical assistance, training and mentoring programmes.

Dr Clark has participated in election observation missions in the Philippines, Bangladesh and Papua New Guinea (PNG) and was the Gender Expert with the Commonwealth Election Observer Group in Ghana. Dr Clark is currently a member of the Australian government's Pacific Women Gender Advisory Panel and has just been appointed as the Champion for the Commonwealth Women Parliamentarians Alumni Initiative, which aims to provide mentoring support to women MPs.

Ms Elizabeth Donnelly (United Kingdom) is Deputy Head and a Research Fellow of the Chatham House Africa Programme. She focuses on Nigeria's political economy, West Africa, political systems and elections, governance and accountability, as well as the international relations of sub-Saharan Africa. She has given briefings in Europe, Africa and the US, including to the House of Commons Foreign Affairs Committee and the European Parliament. Ms Donnelly served as Specialist Adviser to the House of Commons International Development Committee in 2016. She has observed elections with the National Democratic Institute in Nigeria (2015) and Liberia (2017), as well as with the Commonwealth in Nigeria in 2019. In addition to her research, Ms Donnelly has oversight responsibilities for the Chatham House Africa Programme, including fundraising, project design and management, as well as editing and outreach. She holds a first-class undergraduate degree in Politics and was awarded a scholarship for the study of her master's degree in International Politics.

Ms Linda Duffield (United Kingdom) is a former British diplomat with extensive experience in the field of good governance, democracy and human rights. She served as British Ambassador to the Czech Republic (2004-2009) and as British High Commissioner to Sri Lanka and Maldives (1999-2002), as well as postings in Canada and Russia. From 2009 to 2014, she was Chief Executive of the Westminster Foundation for Democracy, which works to strengthen multiparty democracy, parliamentary practice and electoral systems in Africa, the Middle East, Asia and Eastern Europe. Ms Duffield has previously served as an Observer on Commonwealth Observer Groups in Malawi (2014), Sri Lanka (2015), and Antigua and Barbuda (2018).

Mr Gary Dunn (Australia) is a government business expert with over 35 years' experience in both the international and domestic public sectors, most at the senior executive level. He was former Deputy Secretary-General of the Commonwealth Secretariat in London, Deputy

Secretary in the Department of Foreign Affairs and Trade, and Deputy Director-General of AusAID in Australia. Mr Dunn specialises in international development, social services and corporate affairs. He has deep experience in organisational renewal, corporate governance, executive management, strategic planning, policy development, programme management and service delivery. Mr Dunn currently has his own business as a Senior Executive Consultant assisting both the public and private sectors.

Mr Orrette Fisher (Jamaica) has served the Electoral Commission of Jamaica (ECJ) for almost 20 years, six of which he has spent as Director of Elections. Mr Fisher joined the ECJ in 1995 as Assistant Director of Administration, with overall responsibility for the strategic direction and management of the organisation's support service departments. Shortly after his appointment, he acted as Director of Elections for 11 months. His electoral experience spans several national elections and he has been a member of or headed numerous election observer missions.

Mr Fisher is the holder of a Bachelor of Science degree in Management Studies, which he received with honours, and a master's degree in Public Sector Management, both from the University of the West Indies. In addition, he has certification in a number of professional courses. Mr Fisher is an avid cricketer and has represented Melbourne Cricket Club in competitions at all levels. He is also a past executive member of the club. Mr Fisher is married with children.

Mr Omar A Jallow (The Gambia) was born on 26 October 1946. He attended Cooperative College in The Gambia in 1966 after completing high school. He then worked for the Department of Cooperation from 1966 to 1972 as an Inspector. He contested elections in 1972 but did not win. Mr Jallow joined the Commercial and Development Bank, who sent him to Ghana in 1973 to study Development Finance at the Ghana Agricultural Development Bank institute. Mr Jallow returned to The Gambia in 1974 and became the Loans Officer for the Bank. He contested elections in 1977, won and was appointed Deputy Minister of Foreign Affairs. He was appointed Minister of Water Resources and the Environment in January 1981, a post he held until February 1989 when he was appointed Minister of Agriculture. Mr Jallow headed this ministry until the army coup on 22 July 1994.

He worked for the Food and Agriculture Organization (FAO) at the Accra Office as a consultant in 1998, then worked under the UN Administration as a Regional Administrator in East Timor from 1999 to 2001. Mr Jallow resigned in 1991 and came back to The Gambia to join the fight against Yahya Jammeh's regime. He took over the leadership of the People's Progressive Party, which was the party in government when he served as Minister. Under his leadership, the party played a pivotal role in bringing about the coalition of political parties that defeated Yahya Jammeh in December 2016. He again served as Minister of Agriculture in the present government from January 2017 to June 2018. Mr Jallow has been involved in elections observations for the Commonwealth in many countries since 2000.

Dr Eric Kwa (Papua New Guinea) is currently the Secretary of the Department of Justice and Attorney General of Papua New Guinea. He was formerly the Secretary and Chief Executive Officer of the Papua New Guinea Constitutional and Law Reform Commission, a position he held for seven years. Dr Kwa was also formerly a Professor of Law at the University of Papua New Guinea and a former Dean of the Law School. Dr Kwa is the Chairman of the National Coordinating Mechanism, the peak body of the Law and Justice Sector that co-ordinates all

the activities in the sector. Dr Kwa is also the Chairman of the Lutheran School of Nursing, an affiliate of Divine Word University.

Dr Kwa holds a PhD in Environmental Law from the Auckland University, New Zealand. He also has a Master of Laws with honours (LLM [Hon]) in Environmental Law from Wollongong University, Australia, and Bachelor of Laws with honours (LLB [Hon]) from the University of Papua New Guinea. Dr Kwa has researched and published widely in the field of law. He has published chapters in various books, both internationally and locally, and has presented more than 40 papers at both national and international conferences.

Dr Kwa has published 12 books (both as author and co-author), the most by a legal scholar in the region. His latest book is *Kwa's Legal Dictionary*, published in 2018, is Papua New Guinea's first legal dictionary and the first by an indigenous (non-English speaking) person in the South Pacific region. Dr Kwa is a strong advocate of gender equity and participation of women in society. In recognition for his efforts in supporting and promoting the women of PNG, the Government of Papua New Guinea awarded him the Schola Kaskas Award in 2015.

Mr Musa Mwenye (Zambia), SC holds an LLB degree from the University of Zambia. He has dual admission as an advocate of the Courts of Zambia and as a Solicitor of the Supreme Court of England and Wales. He is also a Notary Public and was one of the first people to serve as a Judge of the Zambian Small Claims Court. Most recently, Mr Mwenya was Attorney General of the Republic of Zambia. Prior to serving as Attorney General, he served as Zambia's Solicitor General. He received peer recognition among all the lawyers in the country by being elected and serving as President of the Law Association of Zambia (The Zambian Bar Association).

Mr Mwenya has, in the past, been Chairperson of the Council of the Zambia Institute of Advanced Legal Education (a body exclusively responsible for administering the Bar exams in Zambia), Chairperson of the Disciplinary Committee of the Law Association of Zambia (the highest statutory body responsible for enforcement of ethical standards among, and effecting sanctions upon, errant lawyers), member of the Judicial Service Commission of Zambia, member of the Council of Law Reporting of Zambia and Chairperson of the Anti-money Laundering Authority of Zambia. He was the inaugural Vice Chairperson of the Zambian Legal and Justice Reforms Commission. Mr Mwenya sits on various boards and he is currently a Senior Partner at Mwenya & Mwitwa - Advocates, a Zambian-based commercial law firm.

Ms Crystal Orderson (South Africa) has 20 years' work experience in media and development in Africa and South Asia. Ms Orderson has been covering socio-economic and political issues in South Africa and the African continent since 1995, reporting in different capacities in radio, television and printed media. Between 2007 and 2010, she was responsible for the planning and co-ordination of the South African Broadcasting Corporation's West Africa office based in Dakar, Senegal, as the Bureau Chief.

Ms Orderson was the Ruth First Fellow for 2010, which allowed her to investigate gender and social poverty in Cape Town, South Africa. During this period, she was also lecturing at Cape Peninsula University of Technology and University of the Western Cape. She worked as a Senior Political Reporter for the Independent Newspaper Group of 15 newspapers in South Africa and several other international broadcasters, including Al Jazeera, English as a Senior Producer. Ms Orderson was senior researcher on the award-winning documentary, 'A letter to Nelson Mandela'. She is Southern Africa Correspondent for the *Africa Report Magazine* and a producer of television documentaries.

Dr Shahabuddin Yaqoob Quraishi (India) was an Election Commissioner for India from 2006 to 2010 and Chief Election Commissioner from 2010 to 2012. He is presently a member of the Board of Advisors of International IDEA and was a member of the Advisory Committee to assist and advise the Global Commission on Elections, Democracy and Security, headed by Kofi Annan.

Dr Quraishi has published a number of books and articles on issues related to democracy, elections, HIV/AIDS and family planning, social marketing, women and child development, and youth. He has previously observed elections in South Africa, Kenya, Russia, Azerbaijan and Mozambique.

Mr Ernest Sagaga (Rwanda), a dual national of Rwanda and the UK, is the Head of the Department of Human Rights and Safety at the International Federation of Journalists in Brussels, Belgium. He served as the first official spokesperson of the International Criminal Court in The Hague and, before that, worked as a journalist for the BBC World Service in London.

Mr Sagaga holds a law degree from the University of London, a master's degree in International Relations and Diplomatic Studies from Westminster University and a post-graduate diploma in International Practice of Human Rights from the School of Law, England and Wales. He has appeared as a commentator on press freedom, human rights and issues of international justice on international media outlets, including the BBC, CNN, Al Jazeera, Euro News and RFI.

Ms Marcella Samba-Sesay (Sierra Leone) is one of Sierra Leone's finest female political analysts and governance experts. She is dedicated to ensuring democratic change in Sierra Leone politics and that governance is pro-poor and values citizens' rights and welfare. She was recently appointed the Executive Director of the Campaign for Good Governance (CGG), Sierra Leone's lead governance advocacy institution. Ms Samba-Sesay is also the Chairperson for National Election Watch (NEW), leading a coalition of over 400 international and local organisations across the country and charged with the responsibility of promoting accountability and transparency in public elections.

Ms Samba-Sesay is a member of the Board of Directors of Millennium Challenge Corporation (MCC) and board member and Chair of a number of civil society organisations. As a good governance campaigner, she has extensive experience building capacities of local communities for democratic participation and engaging government and other public and private officials in sustainable dialogue for democratic governance reforms. She has a strong reputation for holding governments to account. Her actions have helped institute a human rights' culture in Sierra Leone, and she has mobilised women for political participation and made sure that basic services are adequately delivered to communities. Ms Samba-Sesay became a compelling and prominent voice in the just-concluded 2018 elections and she is nationally and internationally recognised as Sierra Leone's lead civil society advocate for transparency in elections. She has observed a number of elections around the world. Ms Samba-Sesay holds a Bachelor of Arts with honours in Political Science from the Fourah Bay College University of Sierra Leone and a Master of Arts with distinction in Democracy Politics and Governance from the Royal Holloway University of London.

Adv. Notemba Tjipueja (Namibia) is the Chairperson of the Electoral Commission of Namibia, a position which she has held since 2011. This is the first time in Namibian electoral history that a woman has held this position. She successfully spearheaded, with the Commission, the introduction of electronic voting in Namibia during the 2014 Presidential and National Assembly elections, a first in Africa. She is currently the Chairperson of the Executive Committee of the ECF-SADC, a regional body of Electoral Management Bodies, which seeks to strengthen co-operation among Electoral Commissions and promote conditions conducive to free, fair, credible and transparent elections in the Southern African Development Community (SADC) region.

Adv. Tjipueja is a lawyer by profession and previous positions include Director of the SADC Legal Sector, where she chaired the Senior Official Committee of lawyers and oversaw the amendment of the SADC Treaty and Protocols and the establishment of the SADC Tribunal in Windhoek, Namibia. Furthermore, she has experience in the private sector and several years as an Advocate in the High and Supreme Court of Namibia. Adv. Tjipueja holds two Bachelor of Laws degrees, from the University of Papua New Guinea (British Common Law) and the University of the Witwatersrand (Roman Dutch law), respectively.

Commissioner Jedidah Wakonyo Waruhiu (Kenya) serves with the Kenya National Commission on Human Rights (KNCHR), where she provides policy oversight and advocacy. She has over 25 years' experience in human rights law in the region and with government-led initiatives focusing on access to justice, alternative justice systems, penal, migration protection, governance and intersex persons.

Commissioner Waruhiu has also served with both national and international institutions as a Protection Officer with the UN High Commission for Refugees (UNHCR) in Kenya and Ghana, Chief Executive Officer with the Legal Resources Foundation (LRF) and as Program Manager with Diakonia Sweden, People Against Torture (PAT) and Release Political Prisoners Pressure Group (RPP) in Kenya.

Annex II: Deployment Plan

	<u>STATES</u>	<u>TEAMS</u>
<u>1</u>	<u>Abuja</u>	Chairperson's Team Katalina Sapolu Martin Kasirye Josephine Latu ----- Dr SY Quraishi Dr Lesley Clark Prosper Bani Lindiwe Maleleka
<u>2</u>	<u>Port Harcourt</u>	Dr Eric Kwa Crystal Orderson
<u>3</u>	<u>Kaduna</u>	Dr Emmanuel Akwetey Elizabeth Donnelly
<u>4</u>	<u>Ibadan</u>	Orrette Fisher Madonna Lynch
<u>5</u>	<u>Enugu</u>	Linda Duffield Ernest Sagaga
<u>6</u>	<u>Benin City</u>	Marcella Samba-Sessay Joy Napier
<u>7</u>	<u>Jos</u>	Linford Andrews
<u>8</u>	<u>Lagos Team 1</u>	Notemba Tjipueja Gary Dunn
<u>9</u>	<u>Lagos Team 2</u>	Musa Mwenye Jedidah Waruhiu
<u>10</u>	<u>Kano Team</u>	Omar Jallow Musu Kaikai

Annex III: Presidential Election Results

SN	NAME OF CANDIDATE	GENDE	PARTY	VOTES RECEIVED	REMARKS
1	OSITELU ISAAC BABATUNDE	M	A	19,219	
2	ABDULRASHID HASSAN BABA	M	AA	14,380	
3	OMOYELE SOWORE	M	AAC	33,953	
4	CHIKE UKAEGBU	M	AAP	8,902	
5	SHIPI MOSES GODIA	M	ABP	4,523	
6	NWOKEAFOR IKECHUKWU NDUBUISI	M	ACD	11,325	
7	EZEKWESILI OBIAGELI KATRYN	F	ACPN	7,223	
8	MAILAFIA OBADIAH	M	ADC	97,874	
9	YABAGI SANI YUSUF	M	ADP	54,930	
10	NWACHUKWU CHUKS NWABUIKWU	M	AGA	4,689	
11	CHIEF UMENWA GODWIN	M	AGAP	3,071	
12	OBAJE YUSUFU AMEH	M	ANDP	3,104	
13	DUROTOYE ADETOKUNBO OLUFELA	M	ANN	16,779	
14	SHITTU MOSHOOD ASIWAJU	M	ANP	3,586	
15	FASUA TOPE KOLADE	M	ANRP	4,340	
16	IBRAHIM ALIYU HASSAN	M	APA	36,866	
17	BUHARI MUHAMMADU	M	APC	15,191,847	ELECTED
18	SHITU MOHAMMED KABIR	M	APDA	26,558	
19	GBOR JOHN WILSON TERWASE	M	APGA	66,851	
20	YUSUF MAMMAN DANTALLE	M	APM	26,039	
21	OBINNA UCHECHUKWU IKEAGWUONU	M	APP	3,585	
22	DARA JOHN	M	ASD	2,146	
23	ANGELA JOHNSON	F	AUN	1,092	
24	DAVID ESOSA IZE-IYAMU	M	BNPP	1,649	
25	ABAH LEWIS ELAIGWU	M	CAP	1,111	
26	OJINIKAI GEFF CHIZEE	M	CC	2,391	
27	ETIM EMMANUEL ISHIE	M	CNP	1,874	
28	UKONGA FRANK	M	DA	2,769	
29	AWOSOLA WILLIAMS OLUSOLA	M	DPC	5,242	
30	OSAKWE FELIX JOHNSON	M	DPP	14,483	
31	OKOTIE CHRISTOPHER OGHENEORORIE	M	FRESH	4,554	
32	REV. (DR) ONWUBUYA	M	FJP	4,174	
33	AKHIMIEN DAVIDSON ISIBOR	M	GDPN	41,852	
34	EKE SAMUEL CHUKWUMA	M	GPN	4,924	
35	ALBERT OWURU AMBROSE	M	HDP	1,663	
36	MADU NNAMDI EDOZIE	M	ID	1,845	
37	CHUKWU-EGUZOLUGO SUNDAY CHIKENDU	M	JMPP	1,853	
38	FAGBENRO-BYRON SAMUEL ADESINA	M	KP	1,911	
39	KRIZ DAVID	M	LM	1,438	
40	MUHAMMED USMAN ZAKI	M	LP	5,074	
41	ADESANYA-DAVIES MERCY OLUFUNMILAYO	F	MAJA	2,651	
42	BASHAYI ISA DANSARKI	M	MMN	14,540	
43	SANTURAKI HAMISU	M	MPN	2,752	

44	RABIA YASAI HASSAN CENGIZ	F	NAC	2,279	
45	ADEMOLA BABATUNDE ABIDEMI	M	NCMP	1,378	
46	SALISU YUNUSA TANKO	M	NCP	3,799	
47	A. EDOSOMWAN JOHNSON	M	NDCP	1,192	
48	AKPUA ROBINSON	M	NDLP	1,588	
49	COM. ISHAKA PAUL OFEMILE	M	NEPP	1,524	
50	DR ASUKWO MENDIE ARCHIBONG	M	NFD	4,096	
51	ATUEJIDE EUNICE UCHE JULIAN	F	NIP	2,248	
52	IKE KEKE	M	NNPP	6,111	
53	MAINA MAIMUNA KYARI	F	NPC	10,081	
54	IBRAHIM USMAN ALHAJI	M	NRM	6,229	
55	MOSES AYIBIOWU	M	NUP	5,323	
56	FELIX NICOLAS	M	PCP	110,196	
57	ABUBAKAR ATIKU	M	PDP	11,262,978	
58	AMEH PETER OJONUGWA	M	PPA	21,822	
59	VICTOR OKHAI	M	PPC	8,979	
60	MAJOR HAMZA AL MUSTAFA	M	PPN	4,622	
61	GBENGA OLAWPEO-HASHIM	M	PT	2,613	
62	ISRAEL NONYEREM DAVIDSON DR.	M	RAP	2,972	
63	OSUALA CHUKWUDI JOHN KENNEDY	M	RBNP	1,792	
64	NSEHE NSEOBONG	M	RP	2,388	
65	DONALD DUKE	M	SDP	34,746	
66	DA-SILVA THOMAS AYO	M	SNC	28,680	
67	AHMED BUHARI	M	SNP	3,941	
68	BALOGUN ISIAKA ISHOLA	M	UDP	3,170	
69	MARK EMMANUEL AUDU	M	UP	1,561	
70	INWA AHMED SAKIL	M	UPN	1,631	
71	NWANGWU UCHENNA PETER	M	WTPN	732	
72	ALI SOYODE M	M	YES	2,394	
73	MOGHALU KINGSLEY BOSAH CHIEDU	M	YPP	21,886	

A	TOTAL NUMBER OF REGISTERED VOTERS	84,004,084
B	TOTAL NUMBER OF REGISTERED VOTERS (AS COLLATED)	82,344,107
C	TOTAL NUMBER OF ACCREDITED VOTERS (AS COLLATED)	29,364,209
D	TOTAL NUMBER OF VALID VOTES (AS COLLATED)	27,324,583
E	TOTAL NUMBER OF REJECTED VOTES (AS COLLATED)	1,289,607
F	TOTAL NUMBER OF VOTES CAST (AS COLLATED)	28,614,190
G	PERCENTAGE TURN OUT (AS COLLATED)	35.66

Source: INEC website, available at: <https://www.inecnigeria.org/elections/election-results/>

Annex IV: Arrival Statement



Nigeria General Elections 2019

Arrival statement by the

Chair of the Commonwealth Observer Group

HE Dr Jakaya Kikwete

Monday, 11 February 2019

I am greatly honoured to have been asked by the Commonwealth Secretary-General, the Rt Hon. Patricia Scotland QC, to lead the Commonwealth Observer Group for Nigeria's General Elections, scheduled for the 16th of February 2019.

Nigeria is a key member of the Commonwealth family. The Commonwealth has had a long tradition of supporting the nation's democratic development through election observation over the past 20 years. In fact, this will be the sixth time a Commonwealth Observer Group will be observing elections in Nigeria, since 1999.

Our Group was constituted following an invitation from the Independent National Election Commission, drawing together 18 eminent persons from across the different regions of the Commonwealth, including Africa, Asia, Europe, the Caribbean and the Pacific.

We come in our own individual capacities, bringing a wide range of expertise in the areas of election administration, political development, law, human rights, civil society, gender, youth, as well as media.

As a group, we are here to observe the organisation and conduct of the election process as a whole, and will form an impartial and independent assessment of its credibility.

The Commonwealth Observer Group will consider the pre-election period, polling day itself, as well as the post-election period. Our main task is to assess whether the elections have been conducted according to the national, regional and international standards to which Nigeria has committed itself, including its own laws.

Most of our members arrived on 8th of February, following an advance group of observers who have been in Nigeria since the 29th of January.

On Election Day, we will observe the opening, voting, closing, counting and the results management processes.

The Commonwealth Observer Group will issue an interim statement on our preliminary findings on the 18th of February. A final report will be submitted to the Commonwealth Secretary-General, and thereafter shared with the Government of Nigeria, INEC, political parties, Commonwealth governments, then made public.

The next few days will be especially critical for the nation, and we hope that our Group's presence will confirm the unwavering solidarity of the Commonwealth with the People of Nigeria as they go into these elections.

We encourage all citizens to play their part in ensuring peaceful and credible elections this weekend.

For more information, or to organise media interviews, please contact:

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Email: j.latu-sanft@commonwealth.int

Note to Editors

The Commonwealth is a voluntary association of 53 independent and equal sovereign states. It is home to 2.4 billion citizens, of whom 60 per cent are under the age of 30. The Commonwealth includes some of the world's largest, smallest, richest and poorest countries, spanning five regions. Thirty-one of its members are small states, many of them island nations. Commonwealth countries are supported by an active network of more than 80 intergovernmental, civil society, cultural and professional organisations.

Visit www.thecommonwealth.org

The Commonwealth Observer Group is composed of:

His Excellency Jakaya Kikwete, Chairperson - Former President, United Republic of Tanzania

Dr Lesley Clark - Gender Specialist (Australia)

Mr Gary Dunn - Former Commonwealth Deputy Secretary-General (Australia)

Mr Omar Jallow - Politician (The Gambia)

Dr Emmanuel Akwetey - Executive Director, Institute of Democratic Governance (IDEG) (Ghana)

Mr Prosper Bani - Politician (Ghana)

Dr Shahabuddin Yaqoob Quraishi - Former Chief Election Commissioner (India)

Mr Orrette Fisher - Elections expert (Jamaica)

Ms Jedidah Waruhiu - Commissioner, Kenya National Commission on Human Rights (Kenya)

Adv. Notemba Tjipueja - Chairperson, Electoral Commission (Namibia)

Dr Eric Kwa - Secretary for Justice (Papua New Guinea)

Mr Ernest Sagaga - Head, Human Rights & Safety, International Federation of Journalists (Rwanda)

Mrs Marcella Samba-Sesay - Chairperson, National Election Watch (NEW) (Sierra Leone)

Ms Crystal Orderson - Regional Director, *The Africa Report* (South Africa)

Ms Joy Napier - Commonwealth Youth & Human Rights Representative (Saint Kitts & Nevis)

Ms Elizabeth Donnelly - Deputy Head & Research Fellow, Chatham House (United Kingdom)

Ms Linda Duffield - Former diplomat and Chief Executive, Westminster Foundation for Democracy (United Kingdom)

Mr Musa Mwenye - Former Attorney General (Zambia)

Annex V: Interim Statement



Interim Statement of the Commonwealth Observer Group Nigeria Presidential and National Assembly Elections 23 February 2019

**Statement by HE Dr Jakaya Kikwete
Former President of the United Republic of Tanzania Chairperson
of the Commonwealth Observer Group**

1. INTRODUCTION

The people of Nigeria, members of the media, fellow observers, members of the diplomatic corps, ladies and gentlemen.

Thank you for coming to this Commonwealth Observer Group Press Conference.

This is an interim statement, made while the electoral process is yet to be concluded, and as such provides an initial assessment as we observed it. The final report, setting out our full findings on the entire process and our recommendations in greater detail, will be submitted to the Commonwealth Secretary-General.

2. BACKGROUND

The Commonwealth Observer Group was constituted by the Commonwealth Secretary-General, the Rt Hon. Patricia Scotland QC, following an invitation from the Chairman of the Independent National Electoral Commission (INEC), Professor Mahmood Yakubu, to observe the General Elections scheduled for 16 February 2019. This is the sixth election that the Commonwealth has been invited to observe in Nigeria since 1999.

Nigeria, a key member of the Commonwealth, is the largest democracy in Africa with 84 million registered voters. Organising elections across 36 states and the Federal Capital Territory of Abuja with almost 120,000 polling units is a very significant undertaking.

The political environment is highly charged and there are security concerns in some parts of the country. Several cases of election-related violence have been reported. We welcome the signing of the National Peace Accord by political parties shortly before the elections, which was witnessed by the Commonwealth Secretary-General.

We deployed advance observers on 29 January 2019, ahead of the full Observer Group which arrived on 8 February 2019. The Group had briefings from key Nigerian stakeholders including INEC, the police, political party representatives, the National Human Rights Commission, civil society organisations, youth representatives, media and citizen observers. The Group also

held meetings with other regional and international observer missions as well as Commonwealth High Commissioners.

The Group deployed across Nigeria from 13 February 2019, covering Benin City, Enugu, Ibadan, Jos, Kaduna, Kano, Lagos, Port Harcourt and the Federal Capital Territory Abuja. Observers met with election officials, police, civil society groups, party officials and media, among others. We also met with other national, regional and international observers, to build a comprehensive picture of the conduct of the process. We also observed INEC preparations for the distribution of sensitive and non-sensitive materials.

INEC had provided public assurances of its preparedness and readiness to conduct the elections as scheduled, including recruitment and training of polling staff, distribution of materials and other logistics. However, in the early hours of 16 February 2019, the Chairman of INEC announced the postponement of the elections to 23 February 2019. Observers were therefore recalled to Abuja.

The Commonwealth Observer Group and other international observer missions, including the Economic Community of West African States (ECOWAS), African Union (AU), European Union (EU), National Democratic Institute (NDI)/International Republican Institute (IRI) and the Organisation of Islamic Cooperation, issued a Joint Statement on 16 February, calling on all Nigerians to remain calm and supportive of the electoral process as INEC sought to implement the new timeline.

We subsequently redeployed on 21 February 2019 to prepare for Election Day. On 23 February, Observers visited polling units to observe the opening, accreditation, voting, counting and collation. Observers returned to Abuja for debriefing and preparation of our final report.

3. INITIAL OBSERVATIONS

These are the initial observations of the Commonwealth Observer Group:

1. Notwithstanding further assurances provided by INEC, there were delays in the distribution of materials, resulting in late opening of polling units. Although INEC subsequently authorised extended voting hours for those polling units that had opened late, this information was not communicated effectively and not followed by all polling staff.
2. We noted that polling officials, security staff and other essential workers were unable to vote and were therefore disenfranchised. In addition, we were told that 11.2 million permanent voter cards (PVCs) were not collected; consequently, over 13 per cent of all registered voters could not vote.
3. We observed problems with the Smart Card Readers (SCRs) in a number of polling units. This caused further delays as polling officials awaited technical assistance or replacements.
4. The Group was impressed by the hard work and dedication of polling staff. Observers noted, however, that many would have benefitted from more comprehensive training in polling procedures. For example, in some places, the layout of polling units, including the positioning of voting booths, potentially compromised

the secrecy of the ballot. Incorrect labelling and failure to seal the ballot boxes correctly were also noted. Lack of signage within polling units caused some confusion.

5. We witnessed crowding within a number of polling units with large numbers of party agents, many of whom were not wearing INEC-accreditation badges. Some party agents attempted to intimidate polling staff and voters, including during counting.

6. During sorting and counting, the determination of invalid votes was often vigorously contested by party agents and members of the public, partly due to a lack of understanding as to what constituted an invalid vote.

7. We acknowledge the important role played by police, together with other security agencies, in securing polling units.

8. This was a highly contested election. There was a significant increase in the number of political parties and presidential candidates, although in practice the campaign was dominated by the two major parties. While the environment was tense and divisive, overall, fundamental freedoms of association, expression, assembly and movement were generally respected.

9. We noted some progress in increasing women's political participation as candidates in the 2019 elections and encourage the Government and all political parties to take stronger action to promote genuine inclusion.

10. We welcome the passing of the Not Too Young To Run Act (2018) as a significant first step to enabling youth participation in all elective offices. We hope additional ways will be found to enable more young people to participate effectively in future elections as candidates and voters. We commend the youth of Nigeria, especially the National Youth Service Corps, for their invaluable contribution to the electoral process.

11. The Group welcomed the role played by the media (print, broadcast, online) in covering the elections. However, some challenges were reported to the observers, including the safety of journalists, fake news and the issue of hate speech on social media.

4. CONCLUSION

Our initial conclusions therefore are as follows:

1. Electoral reform is a continuous process building on what has worked successfully and addressing weaknesses. However, there have been considerable organisational, logistical and technical difficulties in these elections, which we know INEC and all stakeholders will wish to address.

2. Election-related violence and loss of life, which occurred in a number of places, is deeply troubling. Nigeria can do better. Violence has no place in a modern democracy. Those responsible should be held accountable. We encourage all political parties to honour their commitments in the National Peace Accord and reject violence.

3. Notwithstanding the difficulties and challenges surrounding these elections, for the most part Nigerians had the opportunity to express their will and exercise their franchise. We trust that the final stages of collation and announcement of results will be handled in a transparent and credible manner.

4. The people of Nigeria have demonstrated patience and commitment to their democracy. We appeal to them to maintain the same commitment in the post-election period, and as Nigeria prepares to return to the polls on 9 March 2019 for the Governorship, State Assembly and Federal Capital Territory (FCT) area council elections.

5. The Commonwealth Observer Group's Final Report will contain our recommendations, which we hope will be helpful to INEC and other stakeholders in strengthening Nigeria's democracy.

5. Abuja, 25 February 2019

For more information, or to organise media interviews, please contact:

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Note to Editors

The Commonwealth is a voluntary association of 53 independent and equal sovereign states. It is home to 2.4 billion citizens, of whom 60 per cent are under the age of 30. The Commonwealth includes some of the world's largest, smallest, richest and poorest countries, spanning five regions. Thirty-one of its members are small states, many of them island nations. Commonwealth countries are supported by an active network of more than 80 intergovernmental, civil society, cultural and professional organisations.

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Annex VI: Joint Statement



Abuja, 16 February 2019

JOINT STATEMENT ON THE POSTPONEMENT OF THE 2019 ELECTIONS IN NIGERIA

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

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

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

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

1. Economic Community of West African States Election Observation Mission – Her Excellency Ellen Johnson Sirleaf, Former President of Liberia
2. African Union Election Observation Mission – His Excellency Hailemariam Desalegn, Former Prime Minister of Ethiopia
3. Commonwealth Observer Group – His Excellency Dr Jakaya Kikwete, Former President of the United Republic of Tanzania
4. Electoral Institute for Sustainable Democracy in Africa Election Observation Mission – His Excellency Rupiah Banda, Former President of Zambia
5. European Union Election Observation Mission – Maria Arena, Belgian Member of the European Parliament
6. National Democratic Institute/International Republican Institute Election Observation Mission – His Excellency Festus Mogae, Former

President of Botswana and Her Excellency Vaira Vīķe-Freiberga, Former President of Latvia

7. Organisation of Islamic Cooperation, Ambassador Boubakar Adamou, Director of African Political Affairs

8. United Nations Special Representative of the Secretary-General for West Africa and the Sahel, Dr Mohamed Ibn Chambas

Declaration of Principles for International Election Observation

The Commonwealth Secretariat is a signatory to both the Declaration of Principles for International Election Observation and the associated Code of Conduct for International Election Observation Missions, which were commemorated on 27 October 2005 at the United Nations in New York