



# **Nigeria's 2023 Elections: Preparations and Priorities for Electoral Integrity and Inclusion**

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*Lecture Delivered at The Royal Institute of International Affairs  
(Chatham House), London, on Tuesday 17th January 2023*

## Introduction

I am highly honoured to lead this discussion today and to share this illustrious platform which has over the years welcomed exceptional intellectuals, celebrated public servants and renowned statesmen. Today is exactly thirty-eight days to the next general election in Nigeria, which I have both the privilege and challenge of leading its proper delivery. Elections in Nigeria have become events that attract extensive international attention and concern, not only because of the sheer size of the deployment, which usually draws extensively on both national and international resources, but also because of the importance of Nigeria in Africa and particularly the West African sub-region.

Although it is true that elections should normally be routine, programmed events, each election in Nigeria invariably presents its own unique context and therefore distinct challenges and prospects. Overall, therefore, there are enormous expectations, both within Nigeria and internationally, about the conduct and management of elections in the country. The 2023 general election is no exception. These expectations place a great responsibility on the Independent National Electoral Commission (INEC), a responsibility that we do not take lightly. We

appreciate that there are challenges and concerns. But we also realise that there is enormous goodwill and support, both in Nigeria and beyond. Consequently, we believe that by forthrightly sharing our experiences and discussing the challenges openly, we can surmount them and ensure that each succeeding election in Nigeria shows marked improvement over the preceding ones. This is what I hope that the exchanges we are going to have here today would achieve.

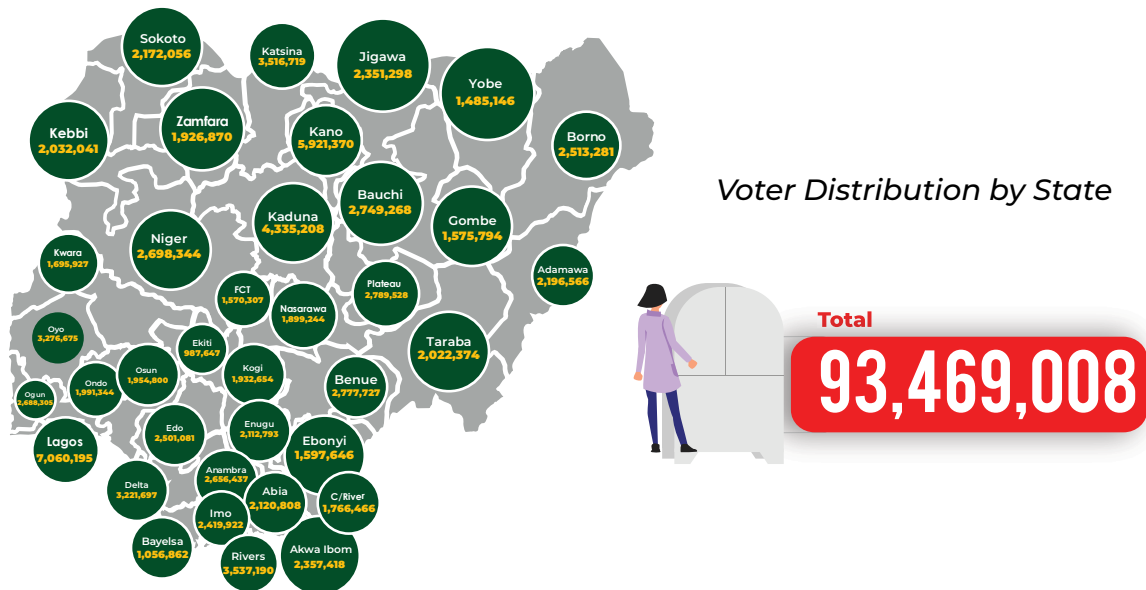
The general election will start on Saturday 25th February 2023 with the national elections, i.e. the Presidential election and elections for the two Houses of the National Assembly – the Senate and House of Representatives. On that day, legislators for 109 Senatorial Districts and 360 House of Representatives constituencies will be elected. The State elections, i.e. election of Governors, as well as 993 members of the State Houses of Assembly, will hold two weeks later, on Saturday 11th March 2023. Only 28 out of 36 Governors will be elected on that day. The other eight do not fall due because of past electoral litigations that misaligned the tenures of the affected Governors.

Given the geographical expanse of the country, the number of registered voters, electoral constituencies and polling units, conducting a general election in Nigeria is a huge undertaking. The delimitation

details are staggering: 93,469,008 registered voters expected to elect their representatives for 1,491 constituencies in 176,846 polling units. Based on the figures we compiled from the websites of various Electoral Commissions and Interior Ministries in West Africa, Nigeria's current voter population is 16,742,916 higher than the 76,726,092 registered voters in the other 14 countries put together. This means that a general election in Nigeria is like conducting elections in the whole of West Africa and beyond.

Since 1999, Nigeria has been conducting regular general elections following the restoration of civilian-democratic rule governance after many years of military rule. The 2023 general election will be the seventh consecutive general election in Nigeria. This fact makes this the

longest period of electoral democracy in the country's history. Previous periods of electoral democracy were relatively short, repeatedly truncated by military interventions. However, the quantity of elections is one thing, but their quality is another. As Zavadskaya and Garnett aptly note, the question of integrity of elections is relevant for "all elections, whether in new democracies or jurisdictions that have held election for decades", because they are all "vulnerable to malpractice."<sup>1</sup> However, good elections are not only about curbing malpractices, but also about ensuring inclusivity. Inclusive elections constitute an essential part of democracy. This is the reason why in our Commission we regularly speak of our commitment to free, fair, credible, transparent, verifiable and inclusive elections. To be sure, credible and



<sup>1</sup>Zavadskaya, M. and Garnett, H. 'Introduction' in Margarita Zavadskaya and Holly Garnett (eds), *Electoral Integrity and Political Regimes: Actors, Strategies and Consequences*, London: Routledge, 2018, p. 1.

inclusive elections in the final analysis depend on adequate preparations and my main preoccupation today is to share with you how we are preparing for a general election of high integrity and inclusiveness in Nigeria in 2023.

## Lessons from the 2019 General Election

Preparations for the 2023 general election are largely being concluded and preliminary deployments are already underway. Indeed, our preparations began quite early, learning from some of our experiences in 2019, particularly the sore experience of having to postpone that election a few hours before it commenced. One important lesson from 2019 is that great planning and preparations are important, but unfortunately these are often at the risk of what Pippa Norris calls “simple human errors, technical malfunctions and logistical failures”.<sup>2</sup> However, early preparations provide opportunities for adequate planning, resourcing, and testing of systems that will reduce these risks to a minimum.

A second lesson from 2019 is that early choice of election management tools, especially the main election technology. Their proper pilot-testing and deployment are exceedingly important for a successful election. For election technology, early decision is central to maintaining its integrity,

popularising it among voters and addressing any challenges that could arise. We know that political actors often try to undermine the process by attacking the technology, casting doubts on its suitability, bypassing its use or indeed seeking to undermine its security. This informed the early choice of a new voter accreditation technology using an electronic device we call the Bimodal Voter Accreditation System (BVAS). We have tested it in several bye-elections and off-cycle Governorship elections. In addition, the decision to make polling unit election results available for public viewing, which has always been a major demand by citizens and election observers, falls into this early choice of election technology. The INEC Results Viewing (IREV) portal is a dedicated web portal for the public to view polling unit results as soon as they are finalised on election day. This has been employed in several elections conducted by the Commission in the past few years. In particular, the uploading of Polling Unit results on the IREV portal has been deployed in 105 constituencies where the Commission conducted off-season elections since August 2020. The result can still be viewed on the portal, making the IREV an invaluable repository of elections results in Nigeria.

A further lesson from the 2019 general election, which is helping us immensely in our preparations

<sup>2</sup> Pippa Norris, *Why Elections Fail*, Cambridge: Cambridge University Press, 2015, p. 133.

***The several recommendations that the Commission made to the National Assembly to include in the amended Act to improve the quality of elections, such as the strengthening of the use of technology, early conclusion of candidates' nominations, as well as timely funding of elections, never became law.***

for the 2023 general election, is that an early finalisation of changes to the Electoral Act, the principal legal basis for elections, is critical to proper organisation of elections. In the build-up to the 2019 general election, there was an unending back and forth between the Executive and Legislative arms of government on the Electoral Act, and in the end the amendment of the Act was stalled. One consequence of this was that INEC could not conclude work on the Regulations and Guidelines for the election, which are meant to derive from, and be consistent with, the Electoral Act as early as we intended. Since the Commission has no say as such in the passing of the Act, it had to wait for a final document to emerge from the process, which ultimately did not materialise. The several recommendations that the Commission made to the National Assembly to include in the amended Act to improve the quality of elections, such as the strengthening of the use of technology, early conclusion of candidates' nominations, as well as timely funding of elections, never became law. It is noteworthy that this time around, the Electoral Act 2022

was passed in good time, and it has addressed some of these issues.

The last noteworthy lesson from the 2019 general election is that adequate funding and early release of funds to the Commission is also very important to well-organised elections. Partly because of delays in finalising the electoral legal framework for the 2019 general election, finalising the budget for the election and arranging a good schedule of fund releases to the Commission was rather tardy and challenging. To add to the pressure on the Commission, there were over 14 million more voters to cater for in 2019 compared to 2015. It required painstaking and prolonged engagements between the Commission and both the Executive and Legislative arms of government. Given that practically all the activities for the elections depended on funds, from printing of ballot papers and results sheets to hiring of election staff and transport providers, the Commission could not meet many of its targets in preparing for the 2019 general election.



Ekiti Governorship Election June 2022: Accreditation and voting

## Preparation for the 2023 General Election

### Election Planning

Learning from all these, the Commission has worked with all concerned government agencies and stakeholders to ensure that the challenges of preparing for the 2019 general election are minimised this time around. A great deal of forward planning and engagements has been done, and many aspects of our preparations attest to that. First, we concluded a new four-year Strategic Plan and Strategic Programme of Action (SP & SPA), as well as the 2023 Election Project Plan (EPP), over 18 months prior to the date set for the election. The 2023 EPP identifies all the specific activities to be implemented

for the general election. Each of these activities has a specific timeline based on which it is implemented and tracked. Among other things, the Plan reflects the new technological innovations that will be used in 2023, the increase in the number of voters from 84,004,084 to 93,469,008 as well as increase in Polling Units from 119,974 to 176,846, following the Commission's expansion of voter access to Polling Units in 2021.

### Electoral Legal Framework

Elections are essentially anchored in law. Unlike the case with the 2019 general election, new Electoral Act was signed into law on Friday 25th February 2022 exactly one year ahead of the general election, giving time for both the Commission and all stakeholders to fully acquaint themselves with any changes in their

responsibilities and functions. As an affirmation of our readiness for the general election, the Commission released the Timetable and Schedule of Activities the following day, Saturday 26th February 2022. The new law contains some very important changes that hold potentials for improving the quality of Nigeria's elections. Perhaps the ten most important provisions in the new law are:

1. Early appropriation and release of funds. INEC to get its funds at least one year to the general election.
2. Early release of notice of election. INEC is now required to issue the Notice of Polls 360 days to the general election. This also entails an early release of the Timetable and Schedule of Activities for general elections by the Commission. When these are added to the fixed dates for general elections established by INEC, which is the 3rd Saturday in the month of February of the election year for the national election and State elections coming two weeks later<sup>3</sup> stakeholders now have ample time for forward planning, which will greatly benefit the quality of general elections in Nigeria.
3. Use of electronic device for accreditation of voters. The debates over the legality or otherwise of the Smart Card Readers now appears to be settled by Section 47 of the Act which empowers INEC to use the Smart Card Reader or any other device for accreditation.
4. Early primaries by political parties. They must now complete their primaries and submit the names of candidates 180 days to the general election. This gives the Commission enough planning time to produce the materials for the elections, particularly the sensitive materials.
5. Type of Primaries. There are now three types of primaries in the law namely, Direct, Indirect and Consensus, giving political parties a wider range of options for selecting their candidates.
6. Electronic transmission of results. The Act now empowers INEC to determine the form of transmission or transfer of election results.
7. Ensuring inclusive elections. INEC is now mandated to ensure that persons with disabilities and other vulnerabilities are properly assisted to participate in the process.
8. Election finance. Various new limits have been set for amounts of money that political parties and candidates can spend in

<sup>3</sup> Based on the rule of holding general elections on the 3rd Saturday in the month of February of the election year, the initial date for the election was 18th February 2023 but was adjusted by one week to ensure compliance to other deadlines fixed in the new Electoral Act. However, the rule of 3rd Saturday of the election year remains.

elections, as well as the amounts that can be donated to them.

9. Redefinition of overvoting. Unlike the 2010 Electoral Act which defined overvoting in terms of registered voters, the new Act defines it in terms of accredited voters. This will greatly reduce the challenge encountered by the Commission whereby elections are easily declared inconclusive because they were tied to the number of registered voters, even where turnout is low.
10. Power of the Commission to review results. The law now empowers the Commission to review the result of elections to ensure that declarations are made voluntarily and that results emerge in accordance with the law, regulations, guidelines and manuals for elections.

Related to the Electoral Act are the Regulations and Guidelines which derive from them. These Regulations and Guidelines, together with the Electoral Act and Constitution, constitute the core of the electoral legal framework. The early passage of the Electoral Act enabled the Commission to finalise the Regulations and Guidelines for the election. The review of the Regulations and Guidelines brought them in line with the Electoral Act. The Regulations and Guidelines

will subsequently form the basis for the actual operational deployment for the general election, training of electoral staff and managing the entire election.

## **Voter Registration and Permanent Voters Cards (PVC)**

This has been a major component of our preparations for the 2023 general election. The law in Nigeria requires the Commission to conduct voter registration on a “continuous” basis. However, the law also provides dates for suspension of the process to prepare for general elections. Consequently, the Continuous Voter Registration (CVR), as we call it, recommenced on 21st June 2021, following its suspension for the 2019 general election. The CVR continued until 31st July 2022 when we again suspended it for the 2023 general election. In the one-year period of the CVR, 12,298,944 new voters were registered out of which 9,518,188 were validated after a thorough clean-up of the data. We believe that the enthusiasm, especially among young people, was partly driven by the innovation of online pre-registration introduced by the Commission. This enabled intending registrants to commence the process online from a dedicated portal, book an appointment on the same portal and finally appear in person at an INEC



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office to have their biometrics taken.

The clean-up of the register was painstakingly conducted by the Commission because the Automated Biometric Identification System (ABIS) that we used to check the data, detected many multiple registrants. It seemed that many voters, probably out of ignorance, re-registered when they were already in the register from previous CVR. For two weeks from 12 - 25 November 2022, the Commission displayed the entire register online and physically in the 8,809 Wards and 774 Local Government Areas for “claims and objections” as provided by law. This included identifying persons who should not be in the register and making requests for various corrections. It was the first time the Commission would be displaying the register online for this purpose and it yielded fruits. Many claims and objections were made by citizens, which the Commission addressed, such as cases where many alien and unusual names were identified in a Local Government Area of the country. Expectedly, several other claims could not be backed by

evidence for verification, as provided by law, thereby making it difficult for the Commission to take any further action. However, the Commission believes that it has a solid register for the election, which remains that largest database of Nigerians in existence. In any case, in every jurisdiction, improvement of the voter roll is a continuous process, and ours is no exception. Once the backbone is already there, as it is at present, future claims and objections will continue to perfect the register.

Nigerian electoral law provides that voters require voters cards (Permanent Voters Cards - PVCs) to be able to vote. Following the clean-up of the register, the cards of new voters and old voters who transferred their voting locations or made corrections to their personal details such as names, dates of birth, addresses etc. have been reprinted and made available for collection. The collection of PVCs commenced on 12th December 2022 and is scheduled to terminate on 22nd January 2023. It commenced at the 774 Local Government Areas of the country between 12th

December 2022 and 5th January 2023. Thereafter, we devolved it to the 8,809 Wards across the country to run until 15th January 2023. Then from 16th January, we returned to the Local Government Areas, and this will last until 22nd January, when collection will be suspended for the election. However, given the enthusiasm of registered voters to collect their PVCs and the concerns expressed about the procedure and duration of the exercise, the Commission announced an extension of the collection at Ward level to end on 22nd January 2023 and subsequently revert to the Local Government level until 29th January 2023. State offices of the Commission have also been directed to review the procedure and remove any bottlenecks and deal with sundry allegations of extortion by staff, inducement of officials by registered voters seeking to collect their cards and discriminatory issuance of PVCs.

## Election Technology

In order to avoid the usual challenges with the application of new election technologies, the Commission introduced and tested our innovations for the election early enough. There are three critical components namely, the INEC Voter Enrollment Device (IVED) for improved registration of voters, the Bimodal Voter Accreditation System (BVAS) for both voter accreditation and e-transmission of results for collation and the INEC Result Viewing (IREV) portal to offer the public access to view Polling Unit results. The IVED has been deployed for recent registration of voters, which saw the inclusion of 9,518,188 new voters in the register of voters after a thorough clean-up, thereby bringing the total number of registered voters for the 2023 general election to 93,469,008 of which 37,060,399 (39.65%) are youth between the ages of 18 and 34, closely



A Voter being captured on the BVAS

followed by 33,413,591 (35.75%) middle aged voters between 35 and 49. Together, they account for 70,473,990 (75.39%) of the total number of voters. Already their PVCs, which every voter requires for identification on election day, have been printed and are being collected nationwide. The collection of PVCs will end on 29th January 2023.

For the BVAS and IReV, we initially deployed it on pilot basis in several bye-elections and off-cycle governorship elections. The IReV was used in the governorship elections in Edo State (September 2020) and Ondo State (October 2020). A combination of both BVAS and IReV was used in Anambra State (November 2021), Ekiti State (June 2022) and Osun State (July 2022). The BVAS was also used in the Area Council elections in the Federal Capital Territory (FCT) in February 2022. Deploying this technology in these major elections afforded the Nigerian public and the Commission opportunities to get acquainted with the device and to review its performance with a view to enhancing it towards the general election. For the Commission, several lessons have been learnt from these deployments and we believe that we are ready to deploy these technologies for the general election.

## Expansion of Voter Access to Polling Units

Election is about actualising the

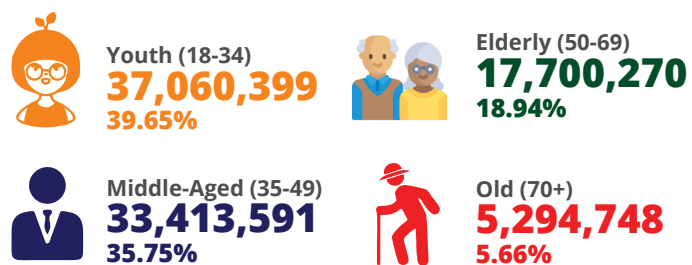
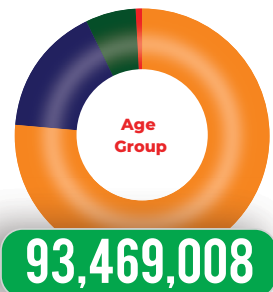
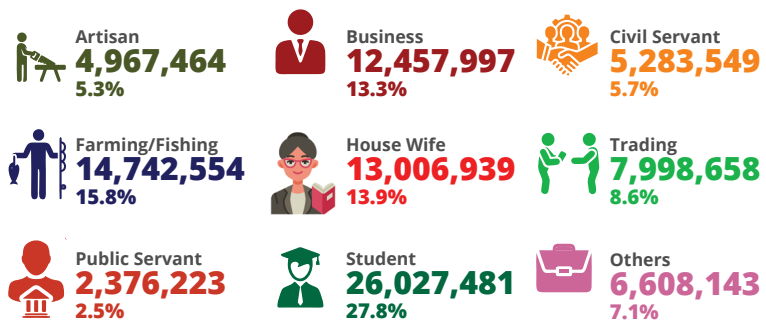
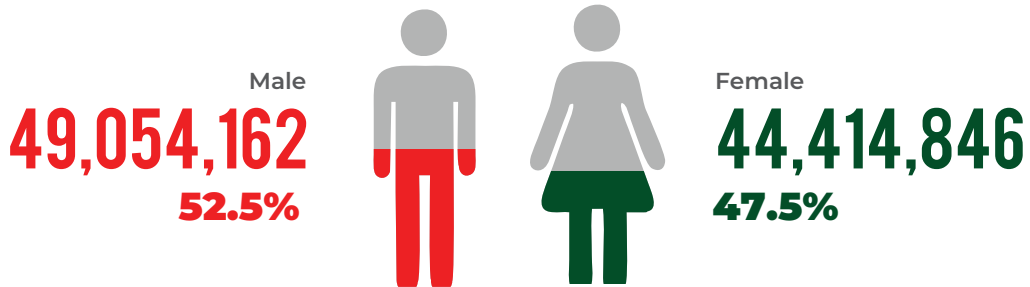
fundamental democratic right to vote. However, if one has the right to vote but has nowhere to vote, then that right is only nominal. This was the principle that made the Commission to work with a broad range of stakeholders to expand voter access to Polling Units in 2021. At the end of the exercise, the first in 25 years since 1996, Nigeria now has 176,846 Polling Units as against 119,974 previously. However, recent governorship and FCT elections indicate that voters did not take advantage of the establishment of these new Polling Units. There are still many crowded and sparsely populated Polling Units, sometimes in close vicinity of each other. The Commission has worked out modalities for addressing this problem.

When the Commission embarked on the programme of expanding voter access to Polling Units, one of the objectives was the relocation of the Polling Units to better facilities, where necessary and available. Prior to this exercise, some Polling Units were in forests, shrines, dilapidated buildings and the homes of “big men”. This oftentimes curtailed access for certain politically-targeted voters. Many of the locations were also unsuitable for people with disability. I am glad that most of these problematic Polling Units have been relocated and voters will have a much better voting experience in 2023 than before.

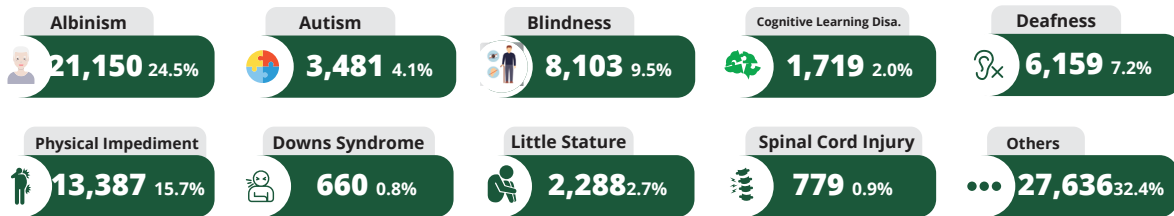
# VOTER DISTRIBUTION



## By Categories



### Disability



Figures only available for the latest CVR (June 2021- July 2022) when data on disability was collected.

## Inclusive Election

Our Commission remains fully committed to making Nigerian elections inclusive. Over the years, we have worked with various stakeholders to increase the participation of young people and women. The work that the “Not too Young to Run” movement did in reducing the age requirement for contesting in some electoral positions has been underscored by the Commission’s youth policy. In addition, the Commission produced a Gender Policy to serve in 2012 as a guide to a fairer working environment for women in the Commission and to increase the role of women in the electoral process. We remain committed to these policies.

Apart from young persons and women, the Commission continues to work with the community of persons with disability to ensure that they are fully part of the electoral process. For instance, over the last two electoral cycles, the Commission has been working with partners such as Inclusive Friends Association (IFA) and The Albino Foundation (TAP) to provide braille ballot guides for visually impaired voters and magnifying classes for albino voters. Just last week, the Commission met with the community of persons with disability. We are working together for the launch of a data dashboard that captures all registered voters with disability in all Polling Units nationwide, disaggregated by type of disability. This will further ensure that we are able to better serve this community of voters.



A citizen with disability, undergoes the facial recognition process with the Bimodal Voter Accreditation System (BVAS)



A citizen with disability checks for his name before voter accreditation starts using magnifying glass provided by INEC

*“A lot of progress has been made in recent times through ICCES, especially regarding the production of a common code of conduct for security officials during elections, establishment of common situation rooms, expanding the Committee to include other agencies, the most recent being the involvement of agencies working on financial crimes.”*

### **Election Staff Recruitment and Training**

This is essential to the success of any election. For the 2023 general election, the Commission requires at least 707,384 Presiding and Assistant Presiding Officers, about 17,685 Supervisory Presiding Officers, 9,620 Collation/Returning officers, as well as 530,538 Polling Unit security officials, making a total of 1,265,227. These are not staff of the Commission and must be painstakingly recruited and trained to ensure that they are both fit-for-purpose and non-partisan. However, the greatest number of election officials in Nigeria are these temporary or ad hoc staff recruited principally from the among young Nigerian University and Polytechnic graduates enrolled in the mandatory one-year National

Youth Service Corps (NYSC), students of tertiary institutions, staff of federal agencies and university lecturers. Preparing them adequately for their roles as polling officials, supervisors and result managers is central to a successful election. This has become even more critical given the growing deployment of technology in our elections. It has consistently been observed in previous elections that some ad hoc staff were unable to use devices for accreditation and result management. As a Commission, we continue to explore more effective and efficient ways of training this very diverse group within the usually short period of time available. Therefore, we have the Electoral Institute of the Commission, which is dedicated to election staff training. They have already finalised the training

methodologies and manuals for the election to ensure that training commences early.

## Inter-agency Collaboration and Support

What other agencies do in support of the Commission is very important to the quality of elections. In its work, the Commission depends a lot on especially the judiciary, security agencies and media organisations. Inter-agency collaboration and support are therefore key in the conduct of the 2023 general election. To this end, INEC has established a long-standing collaboration with key agencies. We interfaced with different levels of the judiciary in the run up to the 2019 general election, and that engagement was very fruitful. For the last three electoral cycles, the Inter-agency Consultative Committee on Election Security (ICCES) has been in existence and has supported the Commission. A lot of progress has been made in recent times through ICCES, especially regarding the production of a common code of conduct for security officials during elections, establishment of common situation rooms, expanding the Committee to include other agencies, the most recent being the involvement of agencies working on financial crimes. In addition, the Commission holds regular interactions with political

parties, civil society organisations, the media, security agencies and development partners. Such engagements, collaborations and partnerships are critical to the success of the general election.

The most recent inter-agency stakeholder initiative of the Commission relates to the problem of vote selling and vote buying at polling units on election day. The Commission, in conjunction with security agencies, anti-corruption agencies, media regulatory agencies, political parties and the civil society organisations launched this major initiative in December 2022. The aim is to ensure a more robust monitoring and reporting of the illegal business of vote buying and to strengthen control and enforcement.

## Electoral Operations, Procurement and Logistics

This is proceeding satisfactorily. On 4th January 2023, we received the final batch of the BVAS to be used for the election. That puts us on course to perform functional and integrity tests on every BVAS to be deployed for the election, which has been concluded in many States nationwide. In addition, we plan to conduct a series of mock trials of the BVAS with actual voters in real-time in parts of the country to further ascertain their functioning

in actual election situations. Other sensitive materials, such as the ballots and result forms, are being printed. The Commission is progressively taking delivery of them and deploying them to location across the country.

Logistics has often been a major Achilles heel of elections in Nigeria. We are determined to solve the challenge. We have established a Logistics Management System, which uses an Android application and web dashboard to track election materials from procurement through storage to delivery. For the first time, we have a comprehensive Election Logistics Framework (ELF) to guide logistics for the general elections from planning, through deployment to retrieval. This is the first deployment of an end-to-end logistics framework for elections.

On election day transportation, the Commission recently signed a new Memorandum of Understanding (MoU) with the umbrella bodies of road transport and marine unions. We are presently working with the unions to deal with all the noticed bottlenecks to ensure a more efficient and timely delivery of materials to Polling Units.

The Commission is happy with the extent of preparations for the 2023 general election. This is borne out by the timelines in our election timetable of which 11 of 14 activities have been accomplished. However, despite

our extensive preparations, there are still some outstanding issues and challenges of concern, some of which are beyond the remit of the Commission, to which I will now turn.

## **Insecurity and its Impact on the Election**

The perennial insecurity in many African countries remains a source of concern to election managers. Recently, heads of Electoral Commissions from nine countries in West and Central Africa, including Nigeria, met in Ouagadougou, Burkina Faso (7 - 9 December 2022), to discuss the impact of insecurity on elections and measures to mitigate the risk to election personnel, stakeholders, materials and processes.

For many years, Nigeria has been grappling with its own insecurity. In the North-East, the long-standing Boko Haram insurgency has continued, albeit with attacks now more intermittent than regular. In the North-West and the North-Central, banditry, terrorism and the herder-farmer conflicts remain major challenges. In the South-South, the threat of renewed insurgency by groups demanding more share of petroleum revenue to the Niger Delta continues to simmer. In the South-West, although an earlier surge by a group demanding independence for the region has considerably dissipated, recent violent attacks on



places of worship, rise in the activities of violent cults and kidnapping groups, as well as a history of violence involving groups seeking to control markets and motor parks remain strong. In the South-East, the lingering agitation for separatism championed by the Indigenous People of Biafra (IPOB) pose a major security threat. Not only have violent attacks by a number of armed groups increased, the long-standing weekly lockdown of the five States in that geo-political zone, continue to disrupt social and economic activities.

There is no doubt that violence and threat of violence are major challenges to credible election in 2023. Violence makes deployment for elections difficult, particularly where some of the attacks are targeted at the electoral process and participants. However, the Commission has been working with security agencies and other stakeholders to establish

mechanisms to understand, track and mitigate security challenges. We are working collaboratively in the context of ICCES, and we also have the Election Violence Mitigation and Advocacy Tool (EVMAT), which is a research and diagnostic tool for predicting and mitigating election violence prior to elections. In addition, there is the Election Risk Management Tool (ERM), which tracks and reports general risks to elections. In all, we feel assured by the actions we have taken and our collaboration with the security agencies. The 2023 general election will proceed as planned. There is no plan to postpone the election. A more pertinent issue for the Commission is the fate of displaced voters.

In 2015, an estimated 2 million voters were displaced by conflict in the North-East and North-Central part of the country. In response, the Commission worked with the National Assembly to amend the Electoral Act to support



INEC facility after attack

***“Related to the problem of insecurity is the rising attacks on INEC facilities, materials and staff. In four years (2019 - 2022), the Commission experienced fifty attacks on its facilities, mostly in the form of arson and vandalism.”***

voting by Internally Displaced Persons (IDP). This entailed making additional provisions for enumeration of IDP voters and for voting in their camps. In response to the IDP problem, the Commission recently revised its Policy on IDP Voting, which it has been using since 2015, to cater for new realities of displaced populations. Unfortunately, in some States it is difficult to identify the IDPs because they are not in camps but rather settled among extended family members, relations and good Samaritans within safer communities where they are not registered voters. As a result, it is very difficult for the Commission to provide necessary electoral services to such IDPs. However, those in camps within Nigeria will be catered for in line with the Commission's policy.

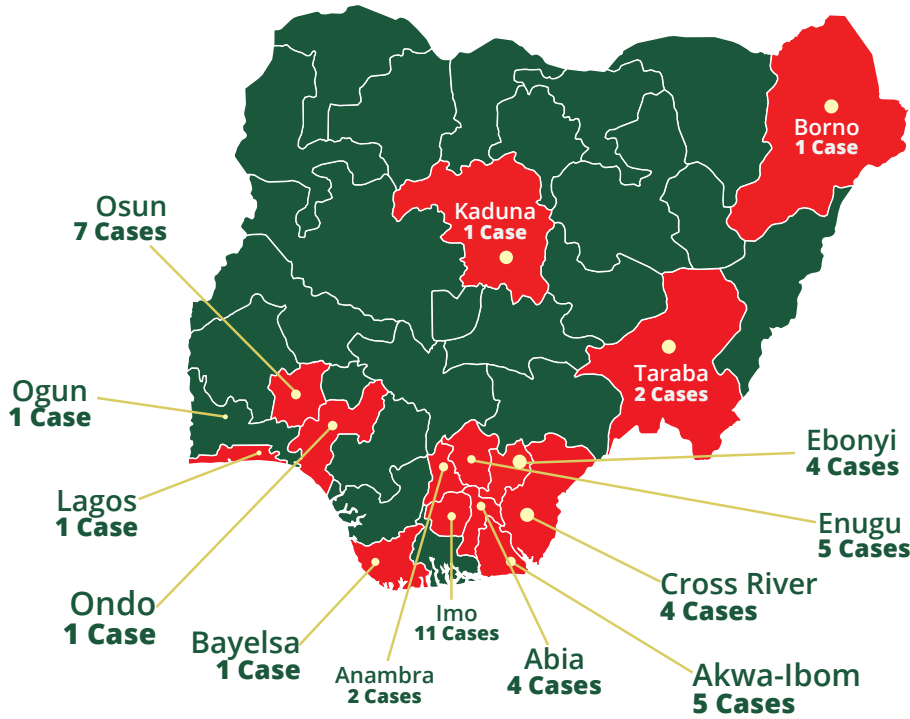
### **Attacks on INEC Facilities**

Related to the problem of insecurity is the rising attacks on INEC facilities, materials and staff. In four years (2019 - 2022), the Commission experienced

fifty attacks on its facilities, mostly in the form of arson and vandalism. In these attacks, buildings, election materials and vehicles were destroyed. Sometimes, these attacks have even targeted staff. For instance, during the Continuous Voter Registration (CVR), some staff of the Commission in Imo State were attacked, resulting in injuries and death.

However, the 2022 attacks constitute the deepest concerns for the Commission. This is so not only because they are increasingly happening closer to the general election, but also because some of them seem to be coordinated. Detailed account of these attacks has been published on the Commission's website. The implication of the attacks is that facilities must be rebuilt and several election materials must be replaced. Further, the Commission and security agencies must have to increase the number of their personnel to these facilities. Nevertheless, the Commission is determined to continue its

**ANALYSIS OF ATTACK ON FACILITIES (2019-2022)**  
AS AT 12TH DECEMBER 2022



**TYPE OF INCIDENTS**



**NATURE OF INCIDENTS**



**ATTACK BY YEAR**



preparations for the general election despite these attacks. So far, all the destroyed facilities will be rebuilt, or alternatives found, and the materials lost are being replaced. However, the Commission has repeatedly called for more concerted efforts to control the attacks. In December 2022, the National Assembly (House of Representatives) held a public hearing on these attacks, and we hope that authorities now have them under control since they appear to have abated and the response by the security agencies more coordinated.

## Campaign Violence

One important provision of the new Electoral Act is the extension of campaign period from 60 to 180 days before the date of election. Campaign periods have traditionally seen increases in violent actions by political actors. These range from verbal attacks, hate speech, destruction of campaign materials by opponents such as billboards, to overt violence, sometimes leading to fatalities. We have seen some of these during the ongoing campaigns. Although the situation appears to be under control, yet the concerns still exist as we come closer to election day. The Commission believes that a peaceful electioneering campaign heralds a peaceful election. That is why we continue to engage with political actors and the security

agencies to ensure that violence on the campaign trail does not snowball into major violence on election day or afterwards. Partly in consequence, the Commission issued specific guidelines on the Conduct of Political Rallies, Processions and Campaigns in November 2022. We are also closely monitoring and tracking compliance as we come closer to election day.

A major contributory factor to violent campaigns is also a high degree of disinformation, misinformation and fake news. During the recent Ekiti and Osun Governorship elections held in June and July 2022 respectively, many observers noted the rise in fake news and disinformation. This has also been noticeable in the general election campaigns. Deeply worried about this, the Commission has been engaging with civil society organisations, media executives, oversight bodies, law enforcement agencies and owners of social media platforms to track and curtail the spread of fake news.

## Campaign Finance and Vote Buying

This is one important undermining factor of our elections to which the Commission is increasingly turning its attention. The Nigerian Constitution gives the Commission enormous responsibilities to oversight campaign fundraising and expenses of both candidates and political

parties. The Electoral Act, in turn, specifies various limits to campaign spending and also empowers the Commission to set other limits. Experience however shows that political parties and candidates often observe these limits in the breach. Consequently, INEC is working on strengthening enforcement of these limits, including the use of a web-based application and dashboard for political parties to submit their expenditure for verification. Working with one of our development partners, we have developed the Political Parties Financial Reporting and Auditing System (PFRAS) for this purpose. We shall be deploying it soon and will train both our staff and political parties on its use. In the past, the reporting system had been tardy and unorganised, making it difficult to effectively oversight campaign finances.

Vote buying or voter bribery by political parties and candidates provide a different, but related, set of challenges. It is not only illegal within the electoral legal framework, but also affects election administration. In the past, vote buying has been linked to disruption of elections at the polling units and even violent conduct. The practice takes several forms, one of which is the so-called “mark and show” technique in which a voter marks his/her ballot paper and shows it to the party agents present and later goes to an agreed location to collect the payment. In response

to this, the Commission reorganised the Polling Units to ensure that the voting cubicle and ballot box are placed away from the party polling agents such that they are unable to see the marked ballots. In reaction, the vote buyers modified their approach to “mark, snap and show”. This time around, a voter takes his/her cellphone to the voting cubicle, marks the ballot, snaps it with the camera of the phone for presentation later for payment. Again, the Commission responded by banning the use of cellphones at the voting cubicles. However, voters are allowed to take their cellphones to the Polling Units, but they are not allowed to take them to the voting cubicles while marking their ballots.

## Electoral Litigation and Adjudication

While the Commission has the core responsibility to conduct free, fair and credible elections based on the law, the Judiciary is responsible for the interpretation of the law and adjudication of electoral disputes. In the discharge our responsibilities, few public institutions in Nigeria are subjected to more litigations than INEC. In the 2019 general election, the Commission was involved in 1,689 cases, made up of 852 pre-election, 807 post-election and 30 electoral offences cases. The Commission is committed to the rule of law without which democracy cannot thrive.

Towards the 2023 general election, the Commission has been joined in 791 Court cases as at Friday 6th January 2023 involving intra-party elections and nomination of candidates by political parties. These are not cases involving elections conducted by the Commission or litigations initiated by it, but purely intra-party matters involving candidates and their political parties mainly due to the absence of internal democracy within parties. In fact, the Commission is only a nominal party in these cases but nevertheless has to be represented by lawyers in all court proceedings. The Commission will continue to obey clear orders of Courts because of the plethora of conflicting judgements from Courts of coordinate jurisdiction on the same subject matter, particularly those involving the leadership of political parties or the nomination of candidates for elections.

## Prosecution of Electoral Offences

Although the Commission is empowered by the Electoral Act to prosecute electoral offences, it lacks the power and resources to make arrests and thoroughly investigate electoral offences. While we will continue to cooperate with the law enforcement agencies for the arrest, investigation and prosecution of electoral offenders, most of those that are arrested, tried and convicted so far are the foot soldiers rather than

the sponsors of electoral violence and other violations. Efforts at mitigating electoral malfeasance can only become effective with the arrest, prosecution and sanctioning the “mother spiders” to end their reign of impunity. It is for this reason that INEC supports the establishment of the Electoral Offences Commission and Tribunal imbued with the responsibility of prosecuting electoral offences as recommended in the reports of various committees set up the Federal Government, notably the Uwais Committee (2009), the Lemu Committee (2011) and the Nnamani Committee (2017). This will enable the Commission to focus on its core mandate of organising, supervising and conducting elections and electoral activities. While appreciating the considerable work already done, the Commission once again appeals to the National Assembly to expedite action on the conclusion of the legislative work on the Bill. It will be another enduring legacy of the 9th Assembly that will strengthen Nigeria’s democracy just like the passage of the Electoral Act 2022.

## Diaspora Voting

Voting by millions of Nigerians living outside the country remains a recurrent issue for the Commission. Nigeria is said to have one of the largest diaspora communities in the world. Our quest for a fully inclusive

electoral process in Nigeria will not be complete as long as these Nigerians are unable to vote. However, the Commission only acts in accordance with the electoral legal framework, which remains the main reason why we cannot implement diaspora voting for now. Both the 1999 Constitution and the 2022 Electoral Act provide that voters can only be registered and vote within the country. For instance, Section 77(2) of the Constitution provides that “every citizen of Nigeria, who has attained the age of eighteen years residing in Nigeria at the time of the registration of voters for purposes of election to a legislative house, shall be entitled to be registered as a voter for that election”. Sections 132(5) and 178(5) tie the eligibility to register and vote in executive elections (Presidential and Governorship) to the requirement of residency as in the case of legislative houses. The Commission hopes that these legal obstacles will be cleared at some point to enable Nigerians in the diaspora to vote in elections.

## Conclusion

We have promised Nigerians and friends of Nigeria that the 2023 general election will be free, fair, credible and inclusive and we have left no stone unturned in preparing for it, despite several challenges. But all elections, especially those involving the type of

extensive national deployment like we do in Nigeria, will naturally come with challenges. We have worked closely with stakeholders and development partners to confront these challenges and we are satisfied with our preparations so far. Our Commission does not take the pledge that we have repeatedly made to Nigerians lightly. We are leaving no stone unturned in our preparations. Our commitment remains only to Nigerians and not to any political party or candidate. That is what the law requires of us. We cherish the institutional independence and integrity of the Commission. With the enthusiasm of Nigerians, the goodwill of stakeholders and partners, and the commitment of the Commission, we believe that the 2023 general election will be among the best conducted in Nigeria.

I thank you very much for the kind invitation and audience.



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