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## Africa Meeting Summary

# Nigeria's 2015 Elections: Expectations, Priorities and the Independent National Electoral Commission

Professor Attahiru Jega

Independent National Electoral Commission, Nigeria

Discussant: Clement Nwankwo

Civil Society Election Situation Room

Chair: Richard Downie

Center for Strategic and International Studies

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## INTRODUCTION

This document provides a summary of an event held at Chatham house on 30 January 2014. At this event the expectations and priorities for Nigeria's 2015 elections were discussed.

In 2015 Nigerians will elect their next president, state governors and legislators. The last national elections in 2011 were described by many observers as the most successful the country has seen and raised expectations of further progress to improve the process. These expectations are being undermined, however, by a fractious and fast-changing political environment in the lead-up to 2015.

The chair of Nigeria's electoral management body, the Independent National Electoral Commission (INEC), discussed how the commission is engaging with a range of stakeholders to enable an inclusive, participatory and transparent process in the lead-up to and during the elections. He discussed the existing and emerging challenges the commission faces, responses to these and how external actors may most helpfully support an improved process.

The meeting consisted of a presentation and discussant's remarks followed by a panel discussion. The panel discussion was led by Ayisha Osori, CEO of the Nigerian Women's Trust Fund, Inemo Samiama, country director of Stakeholder Democracy Network and Abiola Akiyode-Afolabi, executive director of WARD-C. The session was held on the record.

This document is intended to serve as an *aide-mémoire* for those who took part and to provide a general summary of discussions for those who did not.

## **PROFESSOR ATTAHIRU JEGA**

Professor Jega spoke about the preparations of the Independent National Electoral Commission (INEC) for Nigeria's 2015 elections. Professor Jega was appointed chairman of INEC in June 2010, at a time when many Nigerians were expressing dissatisfaction over the manner in which previous elections had been conducted. He gave an overview of Nigeria's electoral process and the lessons learned since the 2011 presidential elections.

The path to democracy in Nigeria had been hampered by military coups, but since the establishment of the Fourth Republic in 1999, the democratic process has been stabilizing. However, badly conducted elections have hindered the democratization process. INEC's challenges have been to learn from past experiences of conducting elections and to institute reformative measures promoting free and fair elections.

With Professor Jega's appointment as chairman, INEC had eight months to prepare and register voters for the April 2011 presidential elections. Although INEC faced tremendous challenges, reports from domestic and international observer missions acknowledged the improved conduct of the 2011 elections compared with that of previous elections.

In preparation for the 2011 elections, INEC worked to improve the voter registration system. Biometric registration was carried out for around 73.5 million Nigerians. Since the elections, INEC has continued to improve the credibility of the registration process, using the automated fingerprint identification system to prevent multiple registrations and consolidating biometric data into a national database. There are still challenges in data collection and maintenance, including removing the names of deceased voters from the register. However, the introduction of an electronic card reader system will help reduce this problem. These uses of technology in 2015 will strengthen the integrity of the election process.

Professor Jega spoke about INEC's plans to reform the process of conducting elections since 2011. Certain compromises had to be made in the preparations for the 2011 elections because of the restrictive timeframe, but these compromises will not be made again. For example, in 2011 INEC allowed the use of a manual addendum register, for people whose biometric details had been captured but who were not yet on the electronic register. Professor Jega stated that INEC had wanted to give everyone who wished to vote the chance to do so, as there was a large turnout in 2011.

Some questioned the legality of using two registers for elections, and Professor Jega noted that only one register would be used in 2015. In order

to achieve this, all those who were on the addendum register in 2011 must have their biometric details captured via a continuous voter registration system. Additionally, anyone who has turned 18 since 2011 needs to register through this process.

Professor Jega addressed concerns over the conduct of gubernatorial elections held in Anambra state in November 2013, where the issue of voter registration arose. INEC stopped using the addendum register after 2011, so voters who had not registered their biometric details by November 2013 turned up to vote in Anambra and found that their names were not on the electronic register.

Since then, INEC has been intensifying its campaign urging everyone on the addendum register to have their details captured via the continuous registration process, to avoid similar problems happening at the upcoming elections in Ekiti state in June 2014 and Oson state in August 2014 before the general elections in 2015.

INEC has also been working to improve security during elections. Professor Jega noted that conducting elections in Nigeria has always been very challenging, so INEC created the Inter-agency Consultative Committee on Election Security in 2010 and has been working closely with security agencies to address this issue.

Structurally, INEC has been looking at ways to turn itself into a more efficient and effective election management body, addressing skills gaps and developing training programmes where necessary. Furthermore, INEC is developing a gender policy which is intended to make it gender-sensitive in line with global best practice. New policies have also been developed to create the right normative framework for successful election management in Nigeria, including a new strategy plan for 2015 and 2016.

The logistics involved in conducting elections have proved challenging for INEC. Commencing elections on time and getting materials to arrive within a certain timeframe have sometimes been difficult. Professor Jega stated that INEC was working to ensure these challenges would be overcome in 2015.

INEC has been looking at voter education: getting the public to come out and vote, and to understand the correct procedure for voting. Given the relatively large number of illiterate voters in Nigeria, this is particularly challenging; however, Professor Jega noted that INEC has partnered with NGOs and Nigeria's development partners to mobilize voters to participate, and to ensure that voters know how to make their votes count. To this end, INEC has approved a new communications policy with a strategy of action that

differentiates between different categories of stakeholders, the messages that need to be communicated to them and the medium through which communication will take place.

Given the experience of 2011, INEC has made recommendations to the National Assembly to improve the electoral legal framework. Professor Jega noted that this was particularly important, because there are certain provisions of the Electoral Act which are contradictory or which restrain the extent to which democratic politics can be nurtured.

INEC has also made recommendations for amendments to the constitution, but it is unlikely that these would come into effect in good time before the 2015 elections. They include developing the necessary structure and processes to allow Nigerians in the diaspora to vote, and to enable electronic voting. Currently, the constitution states that a voter must vote in the constituency in which he or she is registered.

Professor Jega concluded by saying that INEC has done a lot to improve the integrity of the conduct of elections, in preparation for the national elections. Although there are still challenges to face, INEC has developed strategies and tactics to tackle these in time for 2015. He added that holding free, fair, peaceful and credible elections is not the job of an election management body alone. All stakeholders have a responsibility to ensure that the process of elections runs smoothly, and in this regard he noted that INEC has concerns about the attitude of some Nigerian politicians who want to win electoral contests by any means necessary. Engagement with different stakeholders to put pressure on politicians and hold them to account will go a long way in reducing the negative impact of what Professor Jega termed 'do or die' politics.

As an electoral monitoring body, INEC remains optimistic that elections in 2015 will be free and fair, and that the operational and technical challenges faced in 2011 will not recur. However, INEC is using every opportunity to collaborate with development partners and domestic stakeholders to continue improving the electoral process.

## CLEMENT NWANKWO

Mr Nwankwo discussed the role of civil society groups working to support the achievement of credible elections in Nigeria. He stated that they have been working closely with INEC to support free and fair elections, and have been very active in the process leading up to elections and in monitoring them.

Mr Nwankwo stated that Nigeria is in a crisis. There has been a failure of leadership; Nigerians feel isolated within the current electoral process because elected leaders have failed to deliver on the promises they made to win votes. Issues of corruption and incompetence in government remain. He said this raised concerns about the 2015 elections, and it was important to address these concerns before the present escalation of violence and general dissatisfaction in Nigerian society worsens.

INEC has scheduled primary elections at the presidential and legislative level for October 2014, and general elections for 14 February 2015. Civil society groups support INEC's plans to deliver free and fair elections, but Mr Nwankwo noted that Professor Jega must be held to account by civil society over his promises to address issues of voter registration and logistics. Civil society is not convinced that the other national commissioners are working with the same spirit as Professor Jega in promoting free and fair elections.

Mr Nwankwo said the 2015 elections will be critical for Nigeria, as it will be the first time in recent memory that Nigerians will not be able to predict the outcome. There are two very strong parties: the ruling party and the opposition party. It is necessary for INEC to promote its own independence to deliver results. Civil society is anxious that the international community and Nigerians in the diaspora convey this message. President Goodluck Jonathan stated in 2010 that the government would not interfere with the independence of INEC. Mr Nwankwo called on the international community and diaspora Nigerians to hold President Jonathan to this promise. INEC's independence is critical to the legitimacy and proper conduct of elections in 2015.

The international community needs to support INEC in helping the election process run smoothly. In 2011, promises were made by the international community to assist INEC, but were not fulfilled on time. Mr Nwankwo concluded that civil society will also need to play a role supporting INEC and in holding the election management body to account to help deliver free, fair and credible elections in 2015.

## QUESTIONS AND ANSWERS

### Questions

At the elections in Anambra state in November 2013, Nigerians came to vote despite problems of transport and security issues. The election materials did not show up. Could you talk more about the challenges INEC faces logistically and what can be done to overcome these? Furthermore, there were some who said that the failure of election materials to arrive was deliberate because Anambra is a stronghold of the opposition.

Why is the election campaign restricted to just a few months before elections?

Are voters able to check if their names are on the register using the internet, for example by going through the government portals? This would prevent confusion during the voting process.

There have been occasions when INEC has received negative press for things that were not necessarily its fault, such as Nigerians feeling disenfranchised during the Anambra state elections. Can you give other examples when the media gave a false impression of matters, or when the general perception was incorrect?

### Professor Attahiru Jega

The logistics failure was a major failure for INEC, which the body is trying its best to address. Of Anambra state's 21 local government areas (LGAs), the problems mentioned occurred in only one: Idemili North.

From the elections in Edo state, Ondo state and then Anambra, INEC started linking results sheets to polling units to prevent them being moved around. In Idemili North, there was a mix-up in the distribution of results sheets and INEC was not satisfied with the explanation given by the electoral commissioner in charge of this LGA, as the sheets were moved from one ward to another. Before there was time to retrieve and redistribute them, voters had become agitated and some had blocked INEC officials from proceeding with the process of redistribution.

INEC arraigned this officer in court and charged him, as it is a criminal offence to obstruct or undermine the electoral process. Professor Jega noted that Idemili North is an area considered to be a stronghold of one of the opposition candidates, but added that it is up to the court to decide whether the mix-up was deliberate.

Professor Jega stated that the restriction on the timeframe for campaigning is a legislative matter. According to the Electoral Act, presidential elections should be held between 150 and 30 days before the swearing-in ceremony. This means that the date for general elections has to be fixed between January and April 2015.

Professor Jega noted that INEC has developed SMS technology to enable voters to check if their names are on the electoral register. The voter sends a message to a particular number, and can also find out which polling unit they are registered with. This technology was deployed on an experimental basis at the Anambra state elections and should be ready to launch nationwide by the end of January. By the time of the 2015 elections, the register may be available on the INEC website.

Professor Jega stated that INEC has often had to deal with issues of misperception. Nigerian media tend to pander to political or external interests and a lot of false information is circulated; in most cases, INEC is reacting to what has already been disseminated. INEC's communications strategy is aimed at helping the body better manage these situations. INEC has also been working with its development partners and civil society organizations to encourage responsible reporting of elections by the media.

### **Ayisha Osori**

Ms Osori stated that people who are concerned with imbalance in the media should use social media platforms to shine a spotlight on candidates running for election and highlight the promises they have fulfilled or left unfulfilled, the communities they have visited, and their track record regarding corruption.

Mr Osori stated that she had noticed voter apathy during the 2011 elections, which she monitored in Nigeria. Only 26 per cent of registered voters in Anambra state turned out to vote. She asserted that Nigerians are not disenfranchised because their names are not registered; they are disenfranchised because of the poor quality of the candidates and because of fear of violence and insecurity, and these are the areas that need to be talked about.



### **Inemo Samiama**

Mr Samiama stated that the media have an important role to play during elections, but tend to contribute to tensions by circulating inflammatory statements from rival politicians. There is a need to douse this tension; the 2015 elections must be held in a serene and peaceful environment.

He said that the diaspora can play a role to mitigate this tension by monitoring the elections and by scrutinizing the candidates. Despite the emergence of a new political party, civil society is still awaiting fresh ideas and new policies. Critical examination of new manifestos shows that these parties are recycling the same corrupt leaders and ideas.

### **Abiola Akiyode-Afolabi**

Ms Akiyode-Afolabi stated that although the media in Nigeria are highly politicized, INEC needs to do more to communicate with the general public. It needs to strengthen its response mechanisms to clear up misapprehensions in the media immediately.

### **Questions**

Why does INEC declare results that may have been tampered with? There were discrepancies between election results from urban areas and rural areas, where votes from some rural areas far exceeded those of urban areas for certain politicians.

Members of the National Youth Service Corps (NYSC) were killed in post-election violence in 2011, and not only in areas where a state of emergency had been declared. If members of the Youth Corps will be used as election personnel in 2015, what security measures will INEC take to guarantee their safety?

Why have presidential elections been scheduled for a different time than in the 2011 elections?

### **Professor Attahiru Jega**

Professor Jega explained the process of collation of results at each level. Results are counted at the polling unit, and voters are permitted to witness this process. The results are then posted up in the polling unit, with copies distributed to the political parties present at the poll, the police and other security agencies operating there. Original copies of the results from all the

polling units of a ward are collected, and the process of collation is repeated at the ward level. The results of all the wards are then processed at the local government level. This process ends at the state level for gubernatorial elections, and for presidential elections at the presidential collation centre in Abuja.

This process has been very transparent since 2011. There have always been accusations and allegations that results have changed from one stage of the process to another, but there has never been any evidence to prove such allegations. Still, those who have lost elections will claim that results have changed.

Professor Jega noted that there are many factors involved in the outcome of results in different areas: the candidate, their agenda, and the level of voter mobilization. It cannot be predicted whether there will be more rural or urban voters.

Professor Jega acknowledged it was very unfortunate that young men and women of the NYSC – upon whom INEC relied upon to deliver credible elections in 2011 – lost their lives during post-election violence. Some of those killed were targeted in their places of residence in the state capitals. INEC has worked with the security agencies to provide adequate security measures for Youth Corps members, to make sure this does not happen again. Security issues are endemic in Nigeria and need to be addressed at a national level. There is a limit to what INEC can do to address wider security challenges.

Professor Jega noted that presidential elections will take place at the same time as parliamentary elections. The two have been merged so that all national elections will take place at the same time, and both state elections – governorship and state assembly – will also run concurrently. This has changed since 2011, when all elections were held separately. Global best practice for conducting elections is to hold them all on one day, but given Nigeria's size and population, INEC is not ready to conduct all these elections in one day in 2015.

### **Inemo Samiama**

Mr Samiama said that civil society has been raising the issue of electoral observation in rural areas for a while. Election observers tend to concentrate in the urban areas and this needs to change. If observers are spread out across the country, suspicions about electoral fraud might dissipate. Civil

society and the diaspora can help by participating in election monitoring in the villages and in rural areas.

### **Question**

Has INEC considered outsourcing some of its responsibilities, such as managing logistics, to other trusted bodies?

### **Professor Jega**

Professor Jega stated that INEC had been looking into ways to address logistics challenges. It has already been experimenting with outsourcing some of its duties, using the National Union of Road Transport Workers to move materials and personnel, but many of these unions are also partisan. The challenge is to be able to select people who can do these jobs professionally and competently within a sufficient timeframe. However, INEC will continue to explore diversification strategies.

### **Inemo Samiama**

Mr Samiama noted that voter education is crucial. More needs to be done to enlighten the electorate so that it can understand the electoral process fully, and to push politicians to face the politics of certain issues.

### **Ayisha Osori**

Ms Osori added that it was important to engage with INEC to try to improve its processes. This message should be conveyed to those in the rural communities back in Nigeria; not everyone has access to social media so those in the diaspora or the urban areas must carry this message to them: everyone should play their part in improving the electoral process in Nigeria.