



European Union  
Election Follow-up Mission

# **NIGERIA 2022**

Final Report



March 2022



## **EU Election Follow-up Mission to the Federal Republic of Nigeria**

**4 March 2022**



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## EXECUTIVE SUMMARY

An EU Election Follow-up Mission (EFM) was deployed to Nigeria from 20 February to 5 March 2022. The EFM was led by Maria Arena, Member of the European Parliament and the Chief Observer of the 2019 EU Election Observation Mission (EOM). The main objectives were to assess the implementation of EU EOM recommendations and to discuss further reform.

**The EFM noted progress in implementation of the recommendations offered by the 2019 EU EOM**, including some priority recommendations, particularly with the very recent passing of the Electoral Act 2022 and in regard to actions by the Independent National Electoral Commission (INEC). However there has also been a lack of progress on some other recommendations and there have been some negative actions in regard to the media and digital communications.

**Of the 30 recommendations made by the 2019 EU EOM**, at this time 11 can be considered partially implemented and two as implemented. Out of the 30 recommendations made, seven were identified as priority by the EU EOM, three of which can be considered partially implemented. These relate to results collation procedures, results transparency, and improving access to remedy. The remaining four priority recommendations, for which actions are still needed, relate to INEC's organisational capacity, security arrangements, licensing for broadcast media in the states and the participation of women. This analysis is indicative at this stage rather than categorical, subject to further review prior to and over the 2023 general elections. It is based on information gathered during the EFM and the latest available draft version of the new Electoral Act 2022.

**The Electoral Act 2022 comprehensively introduces a range of measures that improve the election process.** It was developed through a positive process involving civil society and INEC and with reference to court rulings, lessons learned and observer recommendations. The Electoral Act 2022 includes improved timelines for elections, a clearer legal basis for the use of technology, funds being released to INEC a year in advance, strengthened integrity measures during the results process, some streamlining of dispute resolution processes, and provisions for inclusion. Some other measures, introduced later in the process, are controversial and warrant review. Also further legislative measures are needed for reform in other areas.

**INEC has taken various very positive steps to be a more progressive and effective institution. However institutional shortcomings and vulnerabilities persist. Much stronger election planning, logistics management and operational oversight are needed.** INEC continues to operate in an extremely challenging and uncondusive environment with weaknesses in other institutions also making electoral integrity more difficult. It has undertaken various innovations including the successful real-time uploading of polling unit results forms for public scrutiny, a ground-breaking improvement. However, problems in recent elections have been noted by observers. In particular, with the deployment of *ad hoc* staff, late opening of polling units and profoundly uneven distribution of voters to polling units.

**The term of 24 of the 37 resident electoral commissioners (RECs) are expiring in the coming months and therefore prompt appointments are needed in a manner that promotes confidence in INEC independence and secures capacity.** RECs are crucial in leading INEC activities at state level and especially now given that the election schedule for 2023 has already been announced, with primaries scheduled for 4 April - 3 June 2022. They are appointed through a presidentially-led mechanism with no time limits specified in the law.

**INEC has introduced the Bimodal Voter Accreditation System (BVAS) for identification of voters at polling units, however this has been problematic to date.** Use of the BVAS, which can authenticate fingerprints and detect faces, has resulted in serious delays for voters and extensive ICT support appears to have been needed. Problems are variously attributed to programming challenges, insufficient training, management difficulties and poor quality biometric data captured over various election cycles. It can be expected that BVAS challenges encountered during smaller elections will be magnified in nation-wide general elections.

**It is critical that INEC undertakes a comprehensive review and independent evaluation of the use of technology,** particularly for voter accreditation, and develop a full plan accordingly. This needs to include provision for integrity checks, risk mitigation, contingency planning and provision for independent scrutiny and public information.

**The media and on-line environment has been increasingly problematic with Twitter suspended for seven months and worrying repeated attempts at introducing legal restrictions.** Various bills introduced in the National Assembly have been strongly criticised for compromising freedom of expression should they pass. There is a lack of public information on the agreement reached between Twitter and the government for the ending of the platform's suspension in Nigeria. Proposed amendments to the National Broadcasting Commission Act do not appear to provide for increased institutional independence and also raised concerns about extension of the institution's reach to also cover online news outlets.

**Security remains a critical problem.** Violence and the intimidation of voters are strategically used as part of political competition. INEC facilities, as symbols of state authority, have also been subject to attack, mainly in the South East. This puts voters, electoral staff, observers and others in an unfair position and risks corrupting election processes and eroding trust in the remit of the state. The role of the security forces remains controversial with deployment often seen as unpredictable. Further executive actions are needed for more reliable security support to the process.

**Electoral court processes, which play an important role in elections, continue to be problematic with overlapping jurisdictions, conflicting judgments and lengthy timelines.** There continues to be a concern about judges being exposed to political pressure, resulting in some inconsistent rulings that undermine electoral processes. There are also on-going problems with impunity. Although a bill on an electoral offences commission has been reviewed by both chambers of the National Assembly, it is unlikely to be signed into law or for such a commission to be operational before the next general elections.

**The continuing acute underrepresentation of women has not been met with substantive tangible action.** On 1 March, the National Assembly rejected bills for reserved seats for women and affirmative measures in parties. Expectations raised with the establishment of a new INEC department on inclusion need to translate into new measures, including for persons with disabilities and internally displaced populations.

**Various reasons have been given for the positive reform actions that have taken place.** Institutions and agencies have worked together, notably the National Assembly, civil society and INEC. There has also been consistent strong public demand for reform with effective civil society actions and also coverage in the media. However, there is concern that reform actions may be subject to obstruction and that other forms of interference or intimidation may increase.

**It is very important that reform continues in order to mitigate the severe integrity and security problems seen in previous elections.** This is critical for holding genuine elections, accountability of elected representatives, and for reversing the very low levels of voter turnout in recent elections. Strengthening integrity in the electoral process, with complementary voter education, is needed to re-engage citizens to vote, especially Nigeria’s predominant youth population. Further reform actions are needed to make real the new ambitions established in the Electoral Act 2022 and to serve the wider electoral rights of citizens.

## MISSION INFORMATION

An EU Election Follow-up Mission (EFM) was deployed to Nigeria from 20 February to 5 March 2022. The EFM was led by Maria Arena, Member of the European Parliament and the Chief Observer of the 2019 EU Election Observation Mission (EOM). Two independent experts supported the EFM, Hannah Roberts, Electoral Analyst and Denis Petit, Legal Analyst. The main objectives of the EFM are to assess the degree to which the EU recommendations from the 2019 EU EOM have been implemented, as well as to discuss ways to achieve further progress in this regard and election reform more broadly. Meetings were conducted with a wide range of stakeholders.

## CONTEXT

The EU has observed every general election in Nigeria since 1999. In addition to six EU EOMs, there have been two EFMs in 2014 and 2017 and small Election Expert Missions (EEMs) deployed over the primaries in 2014 and in 2018.

The 2019 EU EOM concluded that “The systemic failings evident in the elections and the low levels of voter participation show the need for fundamental reform. Without this, there is a risk of unaccountable leadership and citizen disengagement.” The mission made 30 recommendations, seven of which were identified as priority recommendations. The majority of the recommendations (19) require legal reform including three which involve constitutional change. Substantially similar analysis and recommendations were also made by other international observation missions and citizen observers.

There was a positive reception to the 2019 EOM final report. A statement from the presidency noted that “The administration of President Buhari will work with all Nigerian citizens, state institutions, parties, civil society, the media and other experts to make sure that the improvements recommended by the EU are implemented, and that these areas of concern are addressed.”<sup>1</sup> Similar public commentary was made by the Senate President and National Assembly Speaker and positive responses were given by other stakeholders. There was considerable media coverage and debate on the final report and recommendations.

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<sup>1</sup> [Statement Welcomes EU and Other Suggestions on Improving Elections in Nigeria](#)”, Garba Shehu Senior Special Assistant to the President (Media and Publicity), 15 June 2019.

## A. POLITICAL CONTEXT

The next general elections, to be held in early 2023, are seen as critical as a new president will be elected with incumbent President Buhari of the All Progressives Congress (APC) completing his two terms. Following various defections, out of 36 governors, 22 are currently APC, 13 are Peoples Democratic Party (PDP), and one is with the All Progressives Grand Alliance (APGA).

Preparations are underway for the 2023 elections, but with some uncertainty up until very recently given that the widely anticipated new electoral act was just passed on 25 February 2022. The election schedule was announced by INEC on 26 February 2022, with Presidential and National Assembly elections set for 25 February 2023 and Governorship and State Houses of Assembly elections on 11 March 2023.

President Buhari recently emphasised the importance of good elections while speaking at the European Union - African Union summit. He noted that there is a need to ensure that election processes in Africa have outcomes that truly reflect the wishes of the electorate.<sup>2</sup> Also that “free, fair, credible, and transparent elections remain crucial elements in ensuring peace and security and promoting constitutional order, democracy, and inclusive governance on the continent.”

There are currently 18 political parties, after the deregistration of 74 by INEC in February 2020, based on non-compliance with constitutional requirements for obtaining a minimum number of votes or seats. These have been subject to legal challenges with the Court of Appeal referring to INEC illegally deregistering parties without following due process, and one appeal to the Supreme Court still outstanding.<sup>3</sup>

## B. ELECTION-RELATED DEVELOPMENTS

Electoral processes have continued to be on the public agenda with for example on-going discussion in the media of elections as well as reform developments. Recently there were protest actions about the need for the electoral bill to be passed into law.

### **Off-cycle and Other Elections Since the 2019 General Elections**

Off-cycle and other elections appear to have varied considerably, showing both improvements and concerning deteriorations since the 2019 general elections.<sup>4</sup> Off-cycle elections provide opportunities for development of practices and serve as a test of state authorities and other stakeholders. This is also the case for by-elections held between general elections, such as the recent area council elections for the Federal Capital Territory (FCT) administered by INEC.<sup>5</sup> Two off-cycle elections are still to be held before the 2023 general elections: in Ekiti on 18

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<sup>2</sup> See for example [Credible Elections Crucial for Peace in Africa says Buhari](#), Channels, 18 February 2022.

<sup>3</sup> [Deregistration: How Parties Exposed INEC's Fake Appeal Records at the Supreme Court](#), Premium times, 15 March 2021.

<sup>4</sup> Eight of Nigeria's 36 states now have off-cycle governorship elections as a result of court cases altering the timings of terms of office. Anambra, Bayelsa, Edo, Ekiti, Imo, Kogi, Ondo and Osun. A court ruling during the current election cycle means that Imo will also have off-cycle governorship elections following the 2023 elections.

<sup>5</sup> Other local elections are administered by State Independent Electoral Commissions (SIECs).

June and in Osun on 16 July 2022. In November 2019 two off-cycle elections were subject to extensive criticism and are typically regarded as a step back from the 2019 general elections (Bayelsa and Kogi).<sup>6</sup> In 2020, off-cycle elections were seen as improved and included some positive innovations (Edo on 19 September and Ondo on 10 October).<sup>7</sup>

The November 2021 off-cycle Anambra elections had complex security problems, operational and technology challenges, and a very low turnout. The Indigenous People of Biafra (IPOB), an outlawed separatist group, announced a “sit-at-home” order, resulting in fear of participation by polling officials, voters and others. The calling off of this order 24 hours before polling was in part attributed to the National Peace Committee with eminent elder statespersons promoting a peace accord, signed by all the parties. In this context, there was extensive security force deployment.<sup>8</sup> Overall the turnout was a little over 10 percent.<sup>9</sup> Some INEC material was snatched and destroyed, some transportation providers did not deliver their services, and reportedly some security officials abandoned their duties.

The 12 February 2022 FCT area council elections were strongly criticised particularly in regard to failures in the use of bimodal voter accreditation system (BVAS), the extreme uneven distribution of voters, and late opening of polling units in part due to problems with security personnel.<sup>10</sup> Observers report that 21 percent of polling units did not have a single voter registered to the unit.<sup>11</sup> Also that out of approximately 1.37 million registered voters the turnout was reported to be less than 10 percent.<sup>12</sup> With such low turnouts, small manipulations can have increased chance of potentially affecting outcomes, hence the need for increased attention to safeguards.

### **Legal Reform Process**

There have been various positive initiatives for electoral legal reforms, although only the Electoral Act (Amendment) Bill has passed into law. The Electoral Act 2022 is the most comprehensive electoral legislative reform since 2010, introducing a range of measures to

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<sup>6</sup> For example the Situation Room noted that “the quality of elections in the country continued to deteriorate speedily. There was no proof that INEC had incorporated, into this election, any lessons from the review of the 2019 General Elections... [there was] open involvement of political thugs in tampering with the election process with the support of security agents.” It was also noted that “The level of violence, intimidation, ballot box snatching and vote buying perpetrated by agents of political parties reveal [parties and candidates’] unwillingness to play by the rules and embrace progress.” [Observation Report, Kogi State 2019 Governorship Election](#), The Situation Room, 2020. See also for example [Bayelsa State 2019 Governorship Election Observation Assessment](#), Stakeholder Democracy Network (SDN), 2020.

<sup>7</sup> For example YIAGA Africa noted that the election day processes and outcome were judged positively with overall popular support and appreciation of INEC’s innovations to enhance transparency. [When Votes Count](#), YIAGA Africa, 2021.

<sup>8</sup> Reportedly 34,587 police and 20,000 personnel from the Nigerian Security and Civil Defence Corps, for approximately 2.5 million registered voters in 5,720 polling units.

<sup>9</sup> [Anambra 2021: Why INEC Will Not Deploy Personnel, Materials to 86 PUs, by Yakubu](#), INEC News, 29 October 2021. NB Reportedly since 2015 voter turnout has never exceeded 25 percent in Anambra.

<sup>10</sup> [Preliminary Statement on 2022 FCT Local Council Elections](#), YIAGA Africa, 14 February 2022.

<sup>11</sup> Lessons from 2022 FCT Area Council Election, The Electoral Hub, February 2022.

<sup>12</sup> For example the Electoral Hub noted a turnout of approximately nine percent. Lessons from 2022 FCT Area Council Election, The Electoral Hub, February 2022.

promote integrity and inclusion in the election process (see below).<sup>13</sup> Other initiatives include bills regarding the establishment of an Election Offences Commission and constitutional reform for additional seats for women.

The new electoral act was developed through a positive process involving civil society, INEC and with reference to court rulings, lessons learned and observer recommendations. INEC brought over 90 recommended amendments of which over half were reportedly incorporated in the act. Civil society's expertise and their close working ties with parliamentary staff and MPs helped promote quality draft legislation, forums for reaching consensus on key issues and supporting momentum for reform.<sup>14</sup> A 14-member technical committee comprised of parliamentary staff, INEC officials, Ministry of Justice representatives and CSO experts, submitted a report in late January 2021.<sup>15</sup> On 19 November 2021 the bill went to the President for assent. It was rejected on 13 December 2021. The contentious provision on party primaries was subsequently amended by the National Assembly, and on 30 January 2022 a revised bill was sent back to the President, although with further changes. The President assented to the bill in a ceremony on 25 February 2022.<sup>16</sup>

Major sticking points in the passing of the new electoral act appear to have been controversial clauses introduced at the last moment, thereby jeopardising the passing of the whole bill. Firstly there was a requirement that primaries would be required to be direct. The President then refused assent on the grounds that "the nomination of party candidates via solely direct primaries would have serious adverse legal, financial, economic and security consequences on the country, particularly in view of Nigeria's peculiarities."<sup>17</sup> This provision was later changed to include indirect and "consensus" candidates (see below). Subsequently a clause was introduced requiring political appointees to step down from office before running in primaries (which would have to be completed more than 180 days before an election). Unusually, upon

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<sup>13</sup> The bill would repeal the Electoral Act 2010 to enact an entirely new law, but maintains the same structure and most provisions. Election-related provisions of the Constitution were last amended in 2017. Some of the proposed changes had also been tabled in the National Assembly in the recent past, lastly in 2018 in the run-up to the 2019 general election when amendments were eventually vetoed by the President. The President vetoed the amendments four times during 2018, lastly in December, less than three months before the 2019 general elections.

<sup>14</sup> CSOs have been effective in representing public interest. Importantly, they successfully advocated for the Senate to concede to not having a provision mandating the Nigerian Communications Commission (NCC) to determine the adequacy and security of network coverage for the electronic transmission of results subject to the approval of the National Assembly. CSOs also undertook impact assessments and cost-benefit analysis of bills, a specific area of expertise where the parliament reportedly lacks capacity.

<sup>15</sup> Prior to the 2015 elections, INEC made proposals on 25 issues involving constitutional change and suggested 34 amendments to the electoral act. Only three out of the 25 proposals for constitutional amendments were accepted, while on the electoral act, only 11 out of the 34 proposals were eventually passed. There is no information available on how many of the 46 proposals made by the Commission prior to the 2019 election have initially been taken on board by the legislators. ([INEC Report of the 2019 General Election, August 2020](#)).

<sup>16</sup> The ECOWAS Protocol on Democracy and Good Governance states "*No substantial modification shall be made to the electoral laws in the last six (6) months before the elections, except with the consent of a majority of Political actors.*"

<sup>17</sup> [Letter from President Buhari explaining his decision to withhold presidential assent to the Electoral Act \(Amendment\) Bill 2021](#). 13 December 2021.

assent, the President requested that the National Assembly reconsider this later clause for compliance with constitutional provisions.<sup>18</sup>

There has been a transparency deficit during the legal reform process, with a lack of draft texts available to the public. There is a strong democratic argument that not only enacted legislation but also draft legislation, at least when consolidated, should be formally published and made available to the public for scrutiny and comment, as matters of public interest. More broadly, procedures for registering and archiving legislation need to be strengthened, as a governmental responsibility, for all primary as well as to secondary legislation.<sup>19</sup> To avoid recurrence of previous problems, it is essential that any new legislation is made readily available to all stakeholders, including INEC, judicial bodies, and political parties, including on the internet, and that there is a consequent public awareness campaign so that people are not inadvertently going against legal provisions.<sup>20</sup>

INEC will need to update its 2019 Regulations and Guidelines for the Conduct of Elections in view of the new electoral act, for which there should be stakeholder input. In order to get the best quality regulations and to maximise acceptance, it will be important for INEC to share draft regulations and gather stakeholder responses and suggestions.

### C. INSTITUTIONAL CONTEXT

INEC continues to operate in an extremely challenging and uncondusive environment. Nigeria has the largest electorate in the continent, difficult geographical terrain, limited infrastructure, and complex security challenges. The political culture has problematic elements, with money-politics, strategic use of intimidation and violence, and attempts at electoral fraud, being features of elections to date. INEC facilities and vehicles have continued to be subject to physical attack, with dozens of such incidents and losses having reportedly taken place since the 2019 general elections.<sup>21</sup>

Weaknesses in other institutions make electoral integrity and administration more challenging. This includes shortcomings in the performance of some security force personnel, as seen in the 2019 elections and subsequent off-cycle elections and recently in the FCT. The lack of a civil registry and comprehensive system for recording deaths complicates voter registration. Also judicial decision-making in regard to elections is subject to criticism, for example the controversial Imo governorship ruling.<sup>22</sup> Historically INEC has also struggled with late

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<sup>18</sup> The constitutionality of this appears to be subject to question for *de facto* introducing new candidate qualification criteria that are not fully consistent with constitutional provisions (which does not explicitly provide for more conditions to be added in primary legislation and which refers to candidates standing down 30 days before elections).

<sup>19</sup> Good practice suggests that full collections of legislation, primary and secondary, currently and formerly in force, should be readily available, and copies of individual instruments should be easy to acquire by officials, legal representatives and members of the public. Repositories of printed legislation need to be available and indexes in an up-to-date form for all current legislation.

<sup>20</sup> New legislation must be recognisable as an official publication, which the state guarantees to be accurate and authentic, i.e. acceptable in a court of law.

<sup>21</sup> See for example, [INEC Local Government Area Office in Enugu State Set Ablaze](#), Press Release, 14 May 2021.

<sup>22</sup> In January 2020, the Supreme Court set aside the findings of two lower courts who had rejected allegations made by a candidate in the Imo governorship elections of March 2019 that votes in 388 polling units had been

allocation of its budget exacerbating operational pressure and difficulties in using the resources of other branches of the state, given the risk of abuse of incumbency.

#### **D. EU ACTIONS ON EOM FOLLOW-UP**

The EU Delegation has undertaken long-term support to strengthening democracy and electoral processes in Nigeria. This has included dialogue at political and policy levels, cooperation programmes and communication efforts. Political engagement has been undertaken at both federal and state levels with regular meetings with INEC, other state authorities and party leaders. The EU Delegation has continued to raise the importance of the 2019 EU EOM recommendations through extensive media interviews and town hall style national conversations on prime-time television. The EU provides substantial cooperation assistance throughout the election cycle, including to INEC, civil society and the National Peace Committee. The EU also leads the group of like-minded Ambassadors including the US, UK, Germany and France as well as the UN on electoral support. The EU co-chairs, with the US and UK, an election coordination group for international diplomatic missions and development partners at a technical level.

#### **REFORM AND THE IMPLEMENTATION STATUS OF EU EOM RECOMMENDATIONS**

The EFM noted progress in implementation of the recommendations offered by the 2019 EU EOM, including some priority recommendations, particularly in regard to actions by INEC and with the very recent passing of the new electoral act. However there has also been a lack of progress on some recommendations and there have been some negative actions in regard to the media and digital communications.

Of the 30 recommendations made by the 2019 EU EOM, at this time 11 can be considered partially implemented and two as implemented. Out of the 30 recommendations, seven were identified as priority by the EU EOM. As of to date, three of these seven can be considered partially implemented. These relate to results collation procedures, results transparency, and improving access to remedy. The remaining four priority recommendations, for which actions are still needed, relate to INEC's organizational capacity, security arrangements, licensing for broadcast media in the states and the participation of women.

An overview of the state of implementation of the 2019 EU EOM recommendations is provided in Annex 1. This analysis is indicative at this stage rather than categorical, subject to further review prior to and over the 2023 general elections. It is based on information gathered during the EFM and the latest available draft version of the new electoral act.

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excluded from the results. The Supreme Court supported the candidate's argument and instated him as governor, nine months after the elections. This generated a public outcry with members of the public questioning the Court's application of rules of evidence.

## A. LEGAL FRAMEWORK

The Electoral Act 2022 consolidates and recasts the electoral law on a wide range of matters introducing a range of important provisions for integrity and inclusion. It appears that more than two-thirds of the provisions have been affected by the reform. Some of the key changes include:

- Overall improved timelines for elections:
  - Election dates must be announced by INEC no later than 360 days before the election (instead of 90).
  - Political parties must submit their lists of candidates based on primaries no later than 180 days before the election (instead of 60 days). This provides more opportunity for disputes to be addressed in advance and candidate lists to be finalised earlier, thereby alleviating some operational pressure on the election administration and increasing opportunity for voters to make informed choices.
  - Registers of political party members must be made available to INEC no later than 30 days before party primaries (there is a new requirement for political parties to maintain such registers in both hard and soft copies).
  - INEC must publish the lists of candidates no later 150 days before election day (instead of 30).
  - INEC must be informed by political parties of the withdrawal of candidatures no later than 90 days before an election.
  - The period of election campaign by political parties has been extended from 90 to 150 days before election (ending 24 hours before the election).
- Funds to be released to INEC no later than one year before a general election thereby enabling INEC to better plan and to operate more independently. Previously there was no such deadline in the legislation.
- A stronger legal basis for the use of technology:
  - The use of smart card readers, or other such technological devices, is given mandatory provision. If it fails to function and is not replaced in time, and if the polling may have a substantial impact on the final result of the whole election, the election must be cancelled and another election scheduled within 24 hours.
  - The method for transmission of results is left to the discretion of INEC, allowing for possible electronic transmission (as distinct from the current uploading of copies of paper results to the internet).
- Strengthened integrity checks during collation and publication of results:
  - INEC is given the power to review within seven days the declaration of results made by returning officers when it has reason to believe they were made under intimidation, duress or coercion, or in violation of the law.
  - Improved definition of “over-voting” as a situation where the total number of votes cast exceeds the total number of accredited voters (who are verified at the polling unit on election day) as opposed to registered voters.
  - More specific requirements on returning officers to verify the accuracy and consistency of the data on results forms. For example, comparing the total number of accredited voters on results forms with the data processed through a smart card reader or other technological device used for the verification of voters.

- Creation of a register of results maintained by INEC in electronic format.
- Requirements for INEC to provide for the inclusion of persons with disabilities:
  - INEC is required to take steps to ensure that persons with disabilities, special needs and vulnerable persons are assisted at the polling units.
- Some streamlining of the petitions process:
  - All challenges to primaries being through the Federal High Court only (although the branch is not specified).
  - Time limits for filing petitions challenging the election results before area council election tribunals as well as deadlines for appealing the first instance rulings and for area council election appeal tribunals to dispose of appeals.
- New provisions of electoral offences:
  - The fines for a wide range of offences are increased, substantially in some instances,<sup>23</sup> and some new electoral offences are created.<sup>24</sup> However enforcement of offences remains a critical issue.
  - Definitions of several electoral offences have been clarified and the scale of the corresponding fines have been streamlined.
- Providing INEC with some powers in the nomination process, as is a typical competence of an election administration. The new electoral act removes the prohibition on INEC to reject candidates who do not meet constitutional eligibility requirements and expressly reasserts the primacy of these requirements.<sup>25</sup>

Some other aspects of the new electoral act are contentious and warrant review, however this should be balanced with the need to have a stable legal framework for the election. As noted above, the recently inserted provision precluding political appointees from competing in primaries has been subject to question as to its compliance with the Constitution. The provision for primaries does not address fundamental problems with the primaries process as noted by previous EU EOMs. Questions of consistency may arise from the new electoral act's specification that pre-election legal challenges to candidacy can only be made by other aspirants from the same political party competing in the same primary (while other provisions in the law and the constitution are broader).<sup>26</sup>

Other bills covering electoral matters have been worked on during the current parliamentary term. In July 2021 the Senate passed a bill which seeks to establish an electoral offences

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<sup>23</sup> For instance, the fines imposed on a political party violating Article 227 of the Constitution (prohibiting the use of violence or coercion to promote any political objective) have been increased ten-fold.

<sup>24</sup> For instance a presiding officer who contravenes provisions related to the counting process is liable to a prison term of at least six months and a fine not exceeding 500,000.00 Naira (approximately 1,070 Euro). Another example is a new offence punishable by a prison term of at least three years or a fine of 5,000,000.00 Naira (approximately 10,700 Euro), or both, for returning officers or collation officers who intentionally collate or announce a false result.

<sup>25</sup> The new electoral act also strengthens the powers of INEC to monitor conventions and congresses convened for the purpose of nominating candidates and failure to notify INEC about such events make them invalid. The act also requires that political parties submit to INEC the register of their members (30 days prior to party primaries). This, in turn, should somewhat alleviate the burden of courts by decreasing the risk of highly contentious litigation relating to nomination.

<sup>26</sup> Electoral act, section 29.5. However other provisions appear to make broader references (electoral act, section 84.14 and constitutional provision article 285.14).

commission mandated to investigate, prosecute electoral offenders and maintain records of all persons investigated and prosecuted. A bill for amending the constitution to create additional reserved seats for women was rejected by both chambers on 1 March 2022.

There are also various bills that appear not to be under active parliamentary review at the current time. In July 2021, the National Assembly suspended a bill to amend the Nigerian Broadcasting Commission Act after protest by the media and press freedom advocates. A Data Protection Bill, which was presented in 2020 is also not currently actively under review. This *inter alia* aims at providing the necessary legal tools to address instances of unlawful use of personal data, including in the electoral context.

## B. ELECTION ADMINISTRATION

INEC has taken steps to be a more progressive effective institution. It has undertaken ground-breaking uploading of polling unit results in real time for public scrutiny. It has put out more public information and has undertaken more consultations with stakeholders. It has been proactive in promoting legal reform, putting forward over 90 suggested amendments. It also responded to the challenges linked to the COVID-19 pandemic, putting out guidelines and making mitigating provisions.<sup>27</sup> A gender and inclusion department has been established. It has increased the number of polling units, although challenges still remain in regard to even voter distribution.<sup>28</sup> It has also established systems of electronic accreditation of agents, media representatives and observers. Through a proposed legal amendment, INEC has secured that its elections budget be allocated one year in advance to enable improved operational delivery.

However serious delivery shortcomings persist showing that much stronger election planning, logistics management and operational oversight is needed. The recent Anambra off-cycle and FCT elections show that INEC still has operational delivery challenges. For example, in Anambra there was little time was given to new registrants to collect their permanent voter cards (PVCs). Also polling units were subject to late opening, with only 48 percent commencing by 10.30am,<sup>29</sup> and only an average of two polling officials were deployed in each (instead of four). These shortcomings were in part due to security-related challenges. In FCT observers again noted the late opening of polling units due to poor logistics and security problems, also the substitution of trained *ad hoc* officials.<sup>30</sup>

Concerns continue in regard to INEC's ability to operate fully independently, making even more important the upcoming appointment of the majority of resident electoral commissioners (RECs). At the end of 2021, six new national commissioners were appointed, but with some

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<sup>27</sup> See [INEC Policy on Conducting Elections in the Context of the COVID-19 Pandemic](#), 21 May 2021. For the Anambra off-cycle election, YIAGA Africa observed sanitizer/disinfectant in 90 percent of polling units and physical distancing in 52 percent of polling units visited ([Preliminary Statement on the 2021 Anambra Gubernatorial Election](#), YIAGA Africa, 8 November 2021).

<sup>28</sup> YIAGA noted that the number of registered voters per polling unit in Anambra varied between 3,000 and less than 50. Other observer groups reported similar disparities in old and new polling units that were reportedly often close in proximity. In FCT The Electoral Hub reported that 21 percent of polling units did not have a single voter registered to the unit. Lessons from 2022 FCT Area Council Election, The Electoral Hub, February 2022.

<sup>29</sup> Altogether 21 percent were still not open by midday. [Preliminary Statement on the 2021 Anambra Gubernatorial Election](#), YIAGA Africa, 8 November 2021.

<sup>30</sup> [YIAGA Africa Midday Situational Statement on the 2022 FCT Area Council Elections](#). YIAGA Africa, 12 February 2022.

concern noted about their full neutrality.<sup>31</sup> The terms of 24 of the 37 RECs are expiring imminently and therefore a prompt appointment process is needed that provides for competence and promotes the independence of the institution. However there are no legal time limits for such appointments and the appointment mechanism is presidential (subject to approval by the Senate). RECs are crucial in leading INEC activities at state level.

One major innovation is the successful pilot testing of real-time uploading of polling unit results forms for public scrutiny.<sup>32</sup> This fundamentally improves transparency and reduces opportunity for malpractice in the results process, which is consistently recognised as having been subject to extensive manipulations with results being altered at different stages of transportation and collation. The uploading has been widely appreciated, being seen as a “game changer” in enabling cross-checking of results recorded. To date there have been complete or very-near complete levels of uploads.<sup>33</sup> Further procedures warrant development for public information and to assist *ad hoc* staff.

However challenges in the results process remain. In regard to uploading, some shortcomings have been noted, such as one image being repeated for different polling units, indicating that further training is warranted, checking, and also clear procedures on how to deal with deficiencies. Further transparency measures in collation are still needed and stronger integrity procedures, including for dealing with irregularities and anomalies on results forms and with results data, as well as providing public information on the biometric verification of voters.

Given the context of extensive challenges to the integrity of the elections, there has been interest in increasing the use of technology as a safeguard against malpractices particularly in regard to multiple voting (by the same person). In previous elections smart card readers were introduced (for biometric voter verification through fingerprints), which helped mitigate multiple voting. However there has been a lack of data from INEC on the extent to manual, as opposed to biometric, verification of voters took place at polling units. INEC sought to strengthen its position through legal provisions for the use of technological devices for voter verification (now introduced in the Electoral Act 2022).

In this context and following INEC-led consultations, position paper development and pilot testing, the BVAS has been introduced, which in addition to fingerprints can undertake facial recognition.<sup>34</sup> However use of new BVAS for voter accreditation (verification at polling units) has been problematic. For example, in Anambra the Situation Room noted that use of the BVAS “posed challenges to the accreditation process in many voting locations, particularly failure to authenticate fingerprints and detect faces. This delayed the voting process.”<sup>35</sup> In the recent FCT elections, observers noted that there were “many instances of BVAS malfunctioning during voter accreditation.”<sup>36</sup> Problems are variously attributed to programming challenges, insufficient training, management difficulties and poor quality biometric data captured over

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<sup>31</sup> See for example [President Buhari Nominates Commissioners for INEC](#), PLAC, 17 December 2021.

<sup>32</sup> See [INEC Result Viewing Portal](#) (simple sign-in required).

<sup>33</sup> For earlier off-cycle elections in Ondo, 94 percent of results forms were reportedly uploaded within eight hours of the close of polling (and are now all complete). However for a Bayelsa senatorial bye-election, only 36 percent were reportedly uploaded within eight hours of the close of polling (but are now complete).

<sup>34</sup> [INEC Position Paper No 1/2021, Electronic Transmission of Election Results](#), INEC, September 2021.

<sup>35</sup> [Final Statement by the Nigeria Civil Society Situation Room on the Anambra State Governorship Election 2021](#), The Situation Room, 11 November 2021.

<sup>36</sup> Lessons from 2022 FCT Area Council Election, The Electoral Hub, February 2022.

various election cycles. Such problems with accreditation cause delays and deter voters from participating.

It can be expected that BVAS challenges encountered during smaller FCT and other state elections - unless comprehensively addressed - will be magnified in nation-wide general elections. It is therefore critical that INEC undertakes a comprehensive review of their use, provides for an independent evaluation and plan for potential problems. States beyond the FCT have larger and more challenging geographical terrains, reduced infrastructure, and lower levels of oversight are possible, thereby complicating the use of technology and access to corrective measures in case of problems.

In order to minimise risks in the process, INEC needs undertake a comprehensive lessons learned exercise on the use of technology that includes the views of polling staff and stakeholders. It is also strongly advised to undertake an independent evaluation to further identify weaknesses in the system in advance. A full management plan is needed, including provision for integrity checks, risk mitigation and contingency planning. Access to scrutiny by observers and clear public explanation and information will also be required for confidence in the system.

### C. VOTER REGISTRATION

A new process of continuous voter registration (CVR) is underway prior to the general elections, but with a graduated start attributed to security threats and attacks on INEC offices in different parts of the country. The process started on 28 June 2021, and is due to run for 14 months before being suspended before the general elections. A new option of registering online has been developed to increase access (with physical attendance then required for capturing biometric data). Physical CVR started approximately a month after the portal opened, in 811 locations (in 37 state and FCT offices and 774 local government area offices), and is now due to be extended further.<sup>37</sup>

However profound on-going challenges remain in regard to removing the deceased, double-registrations and distribution of permanent voter cards (PVCs). Problems with official death records continue to make it very difficult for INEC to remove deceased registrants. Thus the voter register is becoming progressively more inflated, making percentage turnouts less accurate and giving increasing opportunity for attempts at fraud. The challenge of cleaning double registrants from the list continues, with for example INEC reporting that for the Anambra off-cycle election, some 45 percent of new registrants were duplications. These are possibly due to people changing location or losing their PVCs (and not following correct procedures), or could also be people seeking to register and vote twice. Civil society organisations expressed concern about the late distribution of PVCs (necessary for voting) in the last week before the Anambra election. The over-collection of PVCs, as identified by the 2015 and 2019 EU EOMs also indicates that PVCs may at times be in the wrong hands and subject potentially to misuse if biometric identification is not undertaken at polling units.

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<sup>37</sup> [INEC Weekly vol 1 no 1](#), INEC August 2021.

#### D. PARTIES, PRIMARIES AND THE REGISTRATION OF CANDIDATES

Successive EU EOMs have reported on profound and extensive problems with the system of party primaries that inhibit participation and perpetuate money-politics. Such shortcomings limit political rights in the absence of provisions for independent candidates. Changes in the Electoral Act 2022 do not address the identified integrity problems with more comprehensive overhaul warranted in line with EU EOM recommendations for legal requirements for integrity and transparency.

Late amendments to the new electoral act by the National Assembly introduced greater specification on primaries, including controversial provisions for “consensus” candidates. This stipulates that in addition to direct or indirect primaries, candidates may also be selected through “consensus” with every other aspirant in a primary submitting a written withdrawal and endorsement of the remaining aspirant. This has been variously criticised for potentially enabling party leaderships to control outcomes and also for risking opposing parties infiltrating aspirants who then refuse to agree to a consensus candidate.

The new electoral act contains improvements in giving INEC some powers to reject candidate nominations and in stipulating earlier primaries (thereby enabling more opportunity for completion of pre-election cases). Under the Electoral Act 2022, unqualified nominations can in principle be rejected by INEC, thereby reducing the need for challenges through courts. Also positively, the Electoral Act 2022 requires primaries to be completed earlier, 180 days before elections, thereby allowing more time for the process of legal challenges to be completed before election day and so reducing potential delays and disruptions to election day preparations (as has been a feature of previous elections).

#### E. POLITICAL FINANCE

No substantive changes have been made in regard to political finance to date. Under the Electoral Act 2022, election expenditure limits have been increased, raising concerns about high limits potentially undermining integrity and creating incentives for corruption. For presidential candidates, the maximum expenses that could be incurred increase five-fold, to 5,000,000,000 from 1,000,000,000 Naira (so now approximately 10.7 million Euros). Similarly for candidates for other races.<sup>38</sup> INEC’s Election and Party Monitoring staff have undertaken trainings on political party management and auditing. However the structural problems remain with for example spending limits for candidates but not for parties (thereby enabling any limits to be circumvented),<sup>39</sup> and no limit set on the amount a donor can contribute to political parties.<sup>40</sup> The vast majority of political parties do not comply with the disclosure and reporting obligations laid down in the law.<sup>41</sup>

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<sup>38</sup> In the new electoral act it appears that for a governorship candidate the limit may be 1,000,000,000 instead of 200,000,000 Naira (so now approximately 2.2 million Euros). For Senatorial candidates, 100,000,000 instead of 40,000,000 Naira (so now approximately 215,000 Euros). For House of Representatives candidates 70,000,000 instead of 20,000,000 Naira (so now approximately 151,000 Euros). And for State Assembly candidates, 30,000,000 instead of 10,000,000 Naira (so now approximately 65,000 Euros).

<sup>39</sup> INEC is legally required to establish limits on election expenses by political parties in consultation with the parties.

<sup>40</sup> There is a limit of 5,000,000 Naira (so now approximately 32,500 Euros) but only on donations to candidates.

<sup>41</sup> According to a recent study [“Political Finance and the General Elections in 2019”](#), in 2019 only four out of the 91 political parties complied with these obligations.

No additional requirements appear to have been made in regard to transparency and accountability in campaign political advertising. The National Broadcasting Commission (NBC) reports that transparency requirements could be considered in the next review of the Nigeria Broadcasting Code, however preparatory actions do not appear to have been taken in this regard. Meanwhile vote buying was widely reported during the Anambra elections with The Situation Room noting that this “recurring trend appears to be deepening in Nigeria’s elections”.<sup>42</sup>

## F. MEDIA AND DIGITAL COMMUNICATIONS

The regulatory framework and the media and social media environment appear to have become increasingly problematic. The Reporters Without Borders 2021 World Press Freedom Index ranks Nigeria in 120<sup>th</sup> place and notes that “Nigeria is now one of West Africa’s most dangerous and difficult countries for journalists, who are often spied on, attacked, arbitrarily arrested or even killed.”<sup>43</sup> This is particularly difficult for journalists covering political stories. Reporters Without Borders have also noted “the unveiling of more and more draconian bills” in regard to Internet cuts.<sup>44</sup> The 2019 Protection from Internet Falsehood and Manipulation Bill was condemned by human rights groups for its vague provisions restricting free speech, similarly the proposed National Commission for the Prohibition of Hate speech bill.<sup>45</sup>

Proposed amendments to the National Broadcasting Commission Act raise concerns about extension of National Broadcasting Commission’s (NBC’s) reach and restrictions on media. A public hearing and two readings in the National Assembly have taken place, but currently review of the bill is suspended. The bill does not provide for strengthening NBC’s independence, with for example no change in presidential powers. There were protests against the bill’s proposal to extend the remit of the NBC to also cover online news outlets. This would in effect extend NBC’s reach to print media (who typically have accompanying on-line news platforms). There continues to be a reported lack of transparency around the work of NBC, including in regard to the issuing of new licenses and sanctions issued.

A seven-month suspension of Twitter was lifted on 13 January 2022, although without public information on the agreement reached between the platform and the government. The government announced an indefinite suspension of Twitter on 4 June 2021, with threat of prosecution of those posting tweets. On 7 June 2021 the NBC ordered radio and TV stations to delete their Twitter accounts, describing its use as “unpatriotic”. The suspension was lifted with the government confirming an agreement with Twitter. However non-publication of the contents of the agreement is being legally challenged on the basis of ensuring that it does not

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<sup>42</sup> [Final Statement by the Nigeria Civil Society Situation Room on the Anambra State Governorship Election 2021](#), The Situation Room, 11 November 2021.

<sup>43</sup> [Nigeria. Reporters Without Borders, 2021 World Press Freedom Index](#). 2021.

<sup>44</sup> Reporters Without Borders have also noted that “the unveiling of more and more draconian bills. After the #EndSARS protests last October, the government revived a [bill](#) designed to make it possible to impose Internet cuts. If adopted, operators who resist would be exposed to the possibility of heavy fines or up to three years in prison.” [Nigerian News Site Deliberately Blocked, Expert Report Confirms](#), Reporters Without Borders, 5 February 2021.

<sup>45</sup> [Nigeria: Bills on hate Speech and Social Media are Dangerous Attacks on Freedom of Expression](#), Amnesty International, 4 December 2019. [Nigerians Should Say No to Social Media Bill, Human Rights Watch](#), 26 November 2019.

jeopardise freedom of expression.<sup>46</sup> Data from a 2019 survey shows that 39.6 million Nigerians had a Twitter account, with 29 percent of respondents stating that it has given voice to many voiceless people. The survey also noted that “33 percent of Nigerians use Twitter to get trending news”.<sup>47</sup>

Data protection continues to be weak. Guidelines for the management of personal data by public institutions have been developed by National Information Technology Development Agency (NITDA), the predominant regulatory body for data protection.<sup>48</sup> The NITDA board is appointed by the President and comes under the Ministry of Communications and Digital Economy.<sup>49</sup> Parliamentary discussion of a data protection bill has been suspended.<sup>50</sup>

## G. ELECTORAL SECURITY

Security remains a critical problem, with on-going attacks to INEC facilities and strategic use of violence, with consequent risks of corrupted elections and distrust of the state. There continues to be multiple forms of violence impacting on the election process. There are on-going attacks to INEC facilities as symbols of state authority (mainly in the South East geopolitical zone). In Anambra with IPOB there were threats to INEC staff, observers and others involved in electoral processes. Violence and the intimidation of voters is also used strategically as part of political competition. Electoral contenders and supporters have used political thuggery, fostered by impunity and a lack of sufficient political party leadership or oversight on this matter. INEC has sought to mitigate incentive for attacks on its returning officers by successfully proposing legal provisions so now the commission has powers to review results declared under duress by returning officers (which were previously final and only subject to challenge through the courts).

The role of security forces remains controversial. The Inter-agency Consultative Committee on Election Security (ICCES) has developed a Code of Conduct and Rules of Engagement for Security Personnel on Electoral Duty. This harmonises the respective codes of conduct of different security agencies and lays out respective responsibilities. However controversies remain with security force deployment to elections often seen as unpredictable. There were troubled experiences in the 2019 Bayelsa and Kogi off-cycle elections and also concerns have been raised by some stakeholders during subsequent off-cycle elections.<sup>51</sup> In the recent FCT elections, the late arrival or absence of security personnel contributed to very late openings of polling units. Further executive actions are needed for more reliable security support to INEC.

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<sup>46</sup> See the [Socio-Economic Rights and Accountability Project](#).

<sup>47</sup> It was also noted that “gender analysis revealed that more female (54 percent) than male (27 percent) respondents use Twitter to get trending news.” [Social Media Poll Report](#), NOI Polls, November 2019.

<sup>48</sup> [Guidelines for the Management of Personal Data by Public Institutions in Nigeria, 2020](#), National Information Technology Development Agency (NITDA), 2020. Issued as a Guideline for the implementation of the Nigeria Data Protection Regulation 2019.

<sup>49</sup> [Data Protection Authorities in Africa](#), Paradigm Initiative and Omidyar Network, July 2021.

<sup>50</sup> [Data Protection Bill, 2020](#).

<sup>51</sup> See for example [Drafted Security Forces Escalating and Heightening Tensions](#), Intersociety, 4 November 2021.

## H. ELECTORAL DISPUTE RESOLUTION

In total 811 post-election petitions were filed in connection with the 2019 general elections.<sup>52</sup> According to scrutiny by civil society it appears that the overwhelming majority of presidential and governorship cases were dismissed on non-substantive grounds.<sup>53</sup> For example only one out of 67 governorship petitions succeeded at the tribunals, all but one of the 28 appeals was dismissed for lack of merit, and 19 out of 20 appeals to the Supreme Court were dismissed. Rules on standard and burden of proof appear to have been excessively demanding on petitioners and there also seem to have been some frivolous cases.

Other on-going issues include overlapping jurisdictions, conflicting judgements and lengthy timelines. At times of elections, courts and tribunals are overburdened with electoral cases. This risks undermining the effectiveness of remedies and ultimately threatens the integrity of the electoral process. This risk is compounded by the lack of clarity in the allocation of jurisdictions among courts, particularly on matters relating to candidate nomination.

The Electoral Act 2022 contains various improvements that address some of these issues, but it remains to be seen how this will work in practice. Various missing time limits are added and measures are taken to reduce opportunities for judicial “forum-shopping” *inter alia* by centralising first instance jurisdiction. Furthermore, electronic results records would enable courts to rely on documentary evidence rather than oral witness testimonies, which in the past has been the source of contention and fraudulent manipulation. The Electoral Act 2022 explicitly asserts the primacy of documentary evidence over oral evidence. Further change in electoral dispute resolution timelines require constitutional amendments.

The judiciary continues to be seen as at risk of political pressure resulting in inconsistent decisions. Most controversial was a ruling on the Imo governorship election that has been subject to wide criticism for resulting in an unqualified person being given the seat by the court. The use of disciplinary measures against individual judges should not detract from the need to address the systemic weaknesses,<sup>54</sup> with for example further measures needed such as security of tenure of judges.<sup>55</sup>

## I. ELECTORAL OFFENCES

The on-going climate of impunity for electoral offences is detrimental to public confidence in the electoral process, with little progress made since 2019 in terms of legal and regulatory

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<sup>52</sup> This included four petitions for the presidential election, 67 for the governorship elections, 105 for the senatorial elections, 420 for the elections to the state houses of assembly. In 2015 a total of 677 petitions were filed.

<sup>53</sup> See [“Administration of Electoral Justice in Nigeria -Analysis of Election Petition Tribunal in Nigeria for the 2019 General Elections” – Kimpact Development Initiative \(KDI\)](#): this initiative involved 36 monitors who collected data from the election tribunals in place for the 2019 governorship and general elections. The final report includes recommendations for constitutional and legal reform as well as other measures aimed at improving the effectiveness of the election dispute resolution system.

<sup>54</sup> The National Judicial Council has recently ordered an investigation into three High Court judges over conflicting courts cases with disciplinary measures under consideration.

<sup>55</sup> For example it is important that judges recommended for judicial appointments are confirmed (by the President or state governors) within a reasonable timeframe. In September 2021 a list of 38 judges recommended for various judicial appointments in the FCT and 10 states was released by the National Judicial Council. Some have been appointed in acting capacities pending their substantive appointments, while others are still waiting.

arrangements. It appears that there have been minimal prosecutions since the 2019 elections, with INEC lacking investigatory or prosecution powers. Although a bill on the establishment of an electoral offences commission has been reviewed by both chambers of the National Assembly, it is unlikely to be signed into law or for such a commission to be operational in time for the 2023 elections.

The bill on establishment of an electoral offences commission warrants review in regard to institutional independence, legislative harmonisation and removing vague provisions. It is critical that such a commission could demonstrate that it is operating independently and is not subject to political interference. However the current draft bill provides that all commission members are appointed by the President, subject to confirmation by the Senate. Consolidation and harmonisation with the new electoral act are needed given that it extends the list of electoral offences and increases applicable penalties.<sup>56</sup> Also, some provisions defining various offences still contain vague and sweeping definitions and are thus open to abuse.<sup>57</sup>

## **J. CIVIL SOCIETY AND ELECTORAL OBSERVATION**

Civil society has been effective in advocacy and scrutiny, but there continues to be a lack of legal provisions for the rights of citizen observers. Civil society has been actively working with INEC and the National Assembly in developing electoral practices and legislation, playing a critical role in representing citizens' interests and providing expert input. Also citizen observers have provided on-going scrutiny of electoral processes, including parallel vote tabulations of off-cycle governorship elections.

## **K. INCLUSION**

There continues to be broad problems with an environment that is not enabling and a lack of comprehensive anti-discrimination legislation or legal definition. The Gender and Equal Opportunities Bill, which would help pave the way for the adoption of temporary special measures, is yet to be enacted.

Draft legislation for constitutional change for the establishment for additional seats for women was under discussion in the parliament.<sup>58</sup> However, both chambers rejected the proposed bill on 1 March 2022.<sup>59</sup> Similarly for an amendment bill for a 35 percent quota for women in

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<sup>56</sup> For instance, in the Electoral Offences Commission Bill, candidates are required to provide no later than 6 months after the election a statement of their electoral expenses audited by an auditor appointed by the Commission, while the election legislation requires the same statement but from political parties and seemingly with a different auditor. The fines for these offences are not the same.

<sup>57</sup> A provision on prohibition of "campaign against national interest" criminalises the dissemination of any information that undermines, or is capable to undermine, the "independence, sovereignty, territorial integrity, or unity of the Federation".

<sup>58</sup> As a temporary special measure, the bill contains a clause which mandates a review of the special seats after four general election cycles (16 years), for repeal or renewal. For more information see [PLAC Bill Analysis Special Seats for Women in the Nigerian Legislature](#), August 2021. PLAC conducted in-depth research on the possible quantitative and qualitative costs and benefits of the bill if implemented.

<sup>59</sup> Eleven bills on women's participation in politics have been on the agenda of the National Assembly between 2010 and 2018. For more information see [Some Bills that Seek to Increase Women Representation in Politics](#), PLAC, December 2020.

political parties' internal structures. Resistance to the core concept of gender equality and temporary special measures to foster women's participation in public affairs remains a major impediment for reform.

While INEC has taken some positive steps in regard to women's participation, parties do not appear to have made substantive changes. Positively last year INEC established a gender and inclusion department and issues of women's representation apparently feature more prominently on the INEC agenda.<sup>60</sup> However INEC now has only two female national commissioners (out of 12), a reduction from the previous three. The upcoming appointment of 24 RECs provides an opportunity to increase the number of women. It does not appear that there have been any substantive changes to date within the main parties in regard to women's participation.

There has been no progress since 2019 on the issue of participation of internally displaced persons (IDPs) in public affairs. The number of IDPs in Nigeria has been increasing gradually since 2019, with estimates of about 2.7 million people living in displacement as of the end of 2021.<sup>61</sup> The proportion of IDPs living in host communities has reportedly gradually increased, making the need for special voting arrangements even more challenging. The new INEC gender and inclusion department does not appear to cover IDPs. Some ten years ago Nigeria ratified the Kampala Convention, but efforts to domesticate the treaty or enact a law for the protection and assistance for IDPs are still pending.<sup>62</sup>

Further action is needed on the implementation of the INEC Framework on Access and Participation of Persons with Disabilities in the Electoral Process. The Electoral Act 2022 includes provisions that are closer to requirements under the UN Convention on the Rights of Persons with Disabilities.<sup>63</sup> These include an obligation for INEC to take measures to increase accessibility and assistance at polling units. This will need to be reflected in INEC regulatory framework and supported by strong voter education and staff training. There are no provisions for political parties to increase opportunities for persons with disabilities within the party structures and as candidates.

## ANALYSIS OF ELECTION-RELATED REFORM

Various reasons were given for the constructive reform actions that have taken place to date. Firstly, there has been a positive process of institutions and agencies working together to address reform. The National Assembly has worked with INEC and selected civil society organisations with very high levels of expertise providing effective assistance to

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<sup>60</sup> The creation of this department means that issues related to women and persons with disabilities are represented by a senior official of director cadre, whereas previously these issues came under the voter education and publicity department.

<sup>61</sup> [Internal Displacement Monitoring Centre, Nigeria](#), February 2022.

<sup>62</sup> [African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa \(Kampala Convention\)](#), ratified by Nigeria in 2012.

<sup>63</sup> The scope of the provision addressing persons with disabilities has been broadened by reference being made to voters with visual impairments or other forms of disability (as opposed to just referring to blind voters).

parliamentarians. INEC has regularly engaged and consulted with CSOs and has proactively made recommendations for legal reform and undertaken administrative developments.

Secondly, there has been consistent public demand for reform with strong media coverage and effective civil society actions. Well-respected civil society groups have proven to be trusted voices for citizens' interests and have been continuously active throughout the election cycle. Independent news outlets in particular have also contributed with scrutiny and debate on electoral matters, giving extensive coverage on primetime and throughout the days of election periods (including for off-cycle elections). There has been robust citizen observation of off-cycle elections and on-going scrutiny of the work of INEC.

The actions of the international community were also noted for contributing to positive developments. Through development and cooperation assistance, INEC and civil society have been supported between elections, which has been crucial for institutional development and on-going scrutiny and advocacy. There have also been consistent diplomatic watch activities of the off-cycle elections, demonstrating the international community's interest in electoral processes. The work of international observation missions appears to be generally respected, particularly for being clear about and documenting problems.

However, there is concern that reform could be thwarted through attempts to stop measures that increase accountability and integrity. This is attributed by some to power-plays between different political actors seeking personal comparative advantage when vying for seats in 2023. Others referred to an overall attempt by political leaders to maintain the status quo, and thereby benefit from current integrity shortcomings.

## CONCLUSIONS

**The Electoral Act 2022 provides a stronger framework for elections and reform.** Its passing is a major achievement, with commendable initiatives and collaboration between institutions and civil society. The Electoral Act 2022 contributes in some way to the implementation of 10 of the 2019 EU EOM's 30 recommendations (including three priority recommendations). However aspects of the act warrant further review and further legislative measures are needed for reform in other areas.

**Further actions are needed for INEC to effectively manage its operations as well as to deliver on its reform ambitions and requirements of the new electoral act.** Important progressive measures have been proposed and undertaken by INEC and some key 2019 EU EOM recommendations are being addressed. Most notably these include a more transparent results process and greater consultation and information provision by INEC. However serious operational problems continue and the use of technology is particularly challenging, with problems evident in the use of BVAS devices in the recent Anambra and FCT elections. INEC needs to be able to operate with full independence and to have the necessary support from other state institutions.

**The reforms involve challenges and risks, hence there is a need for on-going testing, review, and development with the engagement of stakeholders.** These reform risks need to be considered against the high level of risk involved in maintaining the status quo. As some electoral integrity measures are strengthened, it is possible that other aspects of the election will be put under greater pressure. For example if there is less opportunity for manipulations during the results process there could be higher levels of violence and intimidation during polling.

Greater transparency may also result in integrity problems becoming more evident.<sup>64</sup> Such information provides a necessary and positive basis for subsequent election reform.

**Change is still needed before 2023 in regard to other aspects of the election process beyond the Electoral Act 2022 and the work of INEC.** In particular more reliable security arrangements, a more open and pluralistic media and online environment, and actions to promote the participation of women.

**Without effective reform implementation there is high risk of integrity and consequent security problems in the general elections.** The multi-dimensional systemic problems, documented in all previous elections observed by the EU, shows the need for further reforms before and after the 2023 elections. Problems seen in past elections could be intensified with increased political tensions and a more difficult security environment. Without improvements there could be increased citizen frustration and disengagement, further driving down already very low voter turnout rates. This would have consequent effects on risk of fraud, the legitimacy of those elected and accountability of government. Strengthening integrity in the electoral process, with complementary voter education, is needed to re-engage citizens to vote, especially Nigeria's youth population. Such reforms are needed for elections to serve Nigeria's citizens and to promote wider democratic functioning.

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<sup>64</sup> For example polling unit result forms were published by INEC after the 2015 general election. The 2015 EU EOM analysed a stratified sample of 272 forms. This revealed very significant problems, including 35.3 percent of polling unit results forms analysed having altered figures (unclear by whom), 34.2 percent having mathematical anomalies, and 33.8 percent having no rejected (invalid) votes. Also 20.6 percent had the same number of accredited and actual voters, when at the time this was a two-stage process and nationwide over 2.3 million of those accredited for the presidential election (7.3 percent) did not finally cast their ballots [Final Report of the EU Election Observation Mission 2015 Nigeria](#).

## ANNEX 1: MATRIX ON THE IMPLEMENTATION STATUS OF 2019 EU EOM RECOMMENDATIONS

Category	Description	Guidance	Numbers implemented
1	No change	No action has been taken to implement this recommendation.	11
2	Action or activity is ongoing but implementation of the recommendation has not yet been confirmed	Examples may include the formation of a working group to review legislation, or the preparation of a legislative bill of reform, but the change has not yet been confirmed by legislative change.	6
3	Partial implementation of recommendation	The recommendation has been addressed/implemented in part, but other elements of the recommendation have not been addressed.	11
4	Full implementation of recommendation	The recommendation has been implemented in full e.g. electoral legislation has been amended and all aspects of the recommendation have been addressed.	2
5	Too early in electoral cycle to determine	Some recommendations may relate to administrative action/practice which can only be assessed at a later stage i.e. strengthening of civic/voter information	0
6	Recommendation is no longer relevant	For example, a change in the electoral system may make redundant a recommendation on candidate registration under the old electoral system.	0

NB It should be noted that the following table is indicative at this stage rather than categorical, subject to further review prior to and over the 2023 general elections. It is based on information gathered during the EFM and the latest available draft version of the new electoral act.

No.	2019 EU EOM Recommendation	Electoral Theme	Status (1-6)	Comments and Additional information
1	Comprehensive legal regulation be established for the <b>cancellation of voting in polling units</b> , with clear grounds specified, timeframes elaborated, and requirements made for transparency.	Legal framework	3 (partial implementation)	The Electoral Act 2022 includes a more appropriate narrower definition of over-voting (based on persons accredited rather than the total number of registered voters). It establishes that where a smart card reader or other technological device fails to function and is not replaced then the election in that polling unit shall be cancelled and rescheduled within 24 hours. However there is no legal requirement for provision of public information on the cancellation of voting in polling units. Future INEC regulations could elaborate on grounds, mechanisms and provision of public information on polling unit cancellations.
2	<b>Consolidated official versions of legislation be made available</b> online and in paper format in real time in order to improve public accessibility and awareness, and to avoid legal confusion.	Legal framework	4 (implementation)	The INEC website now includes the legislation for elections. However more broadly procedures for registering, archiving and making publicly available draft and final legislation texts are not established. The very recently passed Electoral Act 2022 now needs to be made widely publicly available. Provisions have been made for official printing.
3	<b>Priority recommendation: Organisational and operational capacity</b> within INEC be considerably strengthened. Improve planning, tracking, and the required human and material resources needed for timely and accountable operations. In addition, improve internal communication within INEC.	Election administration	2 (activity ongoing)	INEC has developed an Election Monitoring Support Centre (EMSC) for stronger tracking of indicators at different stage of an election process and with a monitor in each local government area. However delivery problems were still evident during the Anambra off-cycle elections, with distribution of permanent voter cards and late opening of polling units. Similarly in the recent FCT elections. In August

				2019 INEC released a Communication Policy, Revised Edition that covers internal communication.
4	In order to enhance integrity and confidence in INEC, the commission works with <b>full transparency</b> , making information of public interest immediately and easily accessible, including on its website. This includes decisions, voter registration information, PVC distribution and polling data, manuals for officials and results.	Election administration	3 (partial implementation)	INEC has increased the information available on its website with more press releases (issued almost every week) and regular posting on social media. In August 2019 it released a Communication Policy, Revised Edition. Further assessment will be needed as the election process proceeds.
5	INEC <b>increases consultation</b> with stakeholders, including more frequent meetings with political parties centrally and at state level, especially during the election period. In addition, press conferences be regularly and consistently held, particularly before and after election day. INEC improves strategic communication on incidents and crises, through early press conferences and statements including on electoral security issues.	Election administration	4 (implementation)	INEC is hold routine consultations with parties and also <i>ad hoc</i> stakeholder meetings on particular issues (such as the introduction of new technology). During the Anambra election, a pre-election stakeholder meeting was held three days before the election and the REC and other members of the INEC leadership undertook timely press conferences, including on security). During the FCT elections there was an open INEC situation room. Press conferences are reportedly now held on a monthly basis.
6	<b>Training</b> of all <i>ad hoc</i> polling staff, election supervisors, and collation and returning officers be significantly improved, with polling staff having extended practical training on the use of smart card readers, closing and counting procedures and completing polling unit result forms.	Election administration	2 (activity ongoing)	Shortcomings in training appeared to be part of the problem with use of BVAS on election day in Anambra and FCT (also compounded by staff withdrawing, resulting in untrained people being used). INEC reports developing an app to improve training opportunities and also reducing the size of training groups and access to equipment. Further monitoring is warranted of lower-level cascaded training.

7	<b>Turn voting points into separate polling units.</b> This would help enable greater transparency in results, and reduce the number of affected voters in case of cancellation of voting in specific polling units. Ultimately, spread the location of polling units for increased accessibility for voters. All polling units have sufficient space and a layout that protects secrecy of the vote.	Election administration	3 (partial implementation)	INEC has successfully managed to increase the number of polling units, thereby enabling more functionality, accountability and accessibility. This is a considerable achievement given how difficult this exercise has proven to be in the past. There are now 176,846 polling units (up from 119,073). However some very uneven distribution of voters between polling units was evident in Anambra and also FCT that needs to be addressed if the use of the new polling units is to be meaningful.
8	<b>Information about smart card readers and data from their use in polling units be made public at the time of results announcement.</b> This includes the number of voters accredited, as verified through permanent voter cards and those biometrically verified through fingerprint authentication. This information be announced, recorded on results forms, and data put on INEC's website.	Election administration	3 (partial implementation)	INEC has not undertaken this practice. However the Electoral Act 2022 establishes use of technological devices for accreditation (stating that where the technological device fails to function and is not replaced then the election in that unit shall be cancelled and rescheduled within 24 hours). It also provides for returning officers to verify the accuracy and consistency of the data on results forms, including by comparing the total number of accredited voters on results forms with the data processed through the smart card reader or any other technological device used for this purpose.
9	<b>Priority recommendation:</b> Legal requirements be established for <b>full results transparency</b> , with data easily accessible to the public. All results, including those from lower levels, be immediately displayed at collation centres. Results forms from all collation centres be scanned and published on the INEC website by the time of the declaration of final results. Results forms from all polling units be published before the deadline for submission of petitions against declared results.	Election administration	3 (partial implementation)	INEC has profoundly improved results transparency through the real-time uploading of polling unit results data to its <a href="#">results viewing portal</a> . Results forms from collation centres could also be added.  The Electoral Act 2022 includes provision for a national electronic register of election results by polling unit but without time requirements. Copies can be requested upon payment but again no time limits are given. The Electoral Act 2022 also provides for electronic transmission of results, which has the potential for increasing transparency. The act does not otherwise make new explicit results transparency requirements.

10	<b>Priority recommendation:</b> INEC procedures for the collation of results be elaborated and strengthened to improve integrity and confidence in electoral outcomes. Detailed INEC procedures be developed that provide for public scrutiny in dealing with irregularities and anomalies on results forms at all levels. Double entry of data and computerised checks be undertaken to avoid numerical errors.	Election administration	3 (partial implementation)	The Electoral Act 2022 includes provision for integrity checks during collation and an improved definition of “over-voting”. It also provides for INEC to be able to review the declaration of a Returning Officer within seven days where a declaration of results was not made voluntarily or was contrary to the law, regulations or guidelines.
11	<b>Delimitation</b> be undertaken well in advance of the next general elections to reduce inequality of the vote. The legal framework for boundary delimitation be developed to include provision for impartial delimitation decisions, based on consultation and with a complaints and appeals mechanism.	Election administration	1 (no change)	Delimitation continues to be very politically sensitive and there is no new census data.
12	The <b>voter registration system</b> be improved, including with a plan for developing and maintaining the register in order to provide for its accuracy and inclusiveness. This involves improving fingerprint recording and recognition, the removal of the names of the deceased as well as duplicate entries across the country, and the management of transfers of registration. Such processes be subject to stronger INEC supervisory checks and internal audits, with greater scrutiny from agents, observers and the media. More time	Voter registration	2 (activity ongoing)	INEC has developed a portal for online registration, although in-person presence is still required for biometric data collection. Time for claims and objections is built into the current continuous voter registration plan, however this will have to be seen in practice especially given the staggered start. INEC has given some information on de-duplication activities (for example for the Anambra off-cycle elections). Other changes do not appear to have taken place.

	be given for claims and objections by citizens.			
13	Improve the system of <b>collection of permanent voter cards</b> , with more local distribution points and stricter adherence to distribution procedures. Regular public updates be provided on collection rates, ultimately with a breakdown by polling unit. In order to improve biometric functionality, the collection of cards be combined with on-the-spot biometric testing of the registrants' cards and fingerprints.	Voter registration	1 (no change)	Civil society organisations expressed concern about the late distribution of permanent voter cards (necessary for voting) in the last week before the Anambra election. There does not appear to be on-going public updates on the collection of cards.
14	The law be amended to strengthen legal requirements for <b>integrity and transparency in party primaries</b> as well as internal party dispute procedures. The law also be amended to give INEC powers to reject nominations for candidacies if primaries are not conducted in line with legal requirements.	Parties, primaries and the registration of candidates	3 (partial implementation)	The Electoral Act 2022 gives INEC some additional powers to reject nominations. However it is not clear how this will work in practice. The Electoral Act 2022 requires parties to retain a register of party members, which in principle would improve integrity in the process of primaries.
15	<b>Political party oversight be strengthened</b> to promote compliance with legal and regulatory requirements, including in regards to political finance. The responsible body follow robust transparency and accountability procedures, be appropriately resourced, and have strong administrative sanctioning powers.	Political finance	3 (partial implementation)	The Electoral Act 2022 requires parties to retain a register of party members. Some new offences related to political funding are specified in the Electoral Act 2022.
16	So that <b>campaign finance</b> rules are comprehensive, establish legal limits for campaign donations and expenditures of	Political finance	1	Changes in the Electoral Act 2022 do not address the structure of political finance regulation.

	political parties, and introduce a legal obligation for individual candidates to report on contributions and spending. Reports by candidates and parties be promptly disclosed and subject to full public scrutiny, with sanctions applied for non-disclosure.		(no change)	
17	<b>Strengthen transparency and accountability in campaign spending.</b> Consider establishing reporting requirements for media outlets, advertising agencies and social network platforms, on prices charged and income received from political advertising. Paid online campaign material be required to be clearly labeled and to display a digital imprint of the sponsoring organisation at all times, so voters can easily distinguish between paid and user-generated content.	Political finance	1 (no change)	No substantive actions appear to have been taken in regard to this recommendation.
18	Establish a legal and regulatory system that <b>transforms</b> the federal government-owned media, the NTA and FRCN, <b>into genuine public service broadcasters</b> . This includes provisions for editorial independence, financial autonomy, clear separation from any government institution, and an open and competitive selection process of the management.	Media	1 (no change)	No substantive actions appear to have been taken in regard to this recommendation.
19	Transform the National Broadcasting Commission into a <b>genuinely independent media regulatory body</b> . Establish institutional transparency and accountability requirements, and the selection of the board	Media	1 (no change)	Proposed legal changes to date do not address the independence of the institution and there has been concern at proposals to extend the remit of the institution to also cover online news outlets, thereby further limiting and inhibiting independent news production.

	and director through an open, inclusive and competitive system, with a cross-party approval mechanism and/or participation of industry professionals.			
20	<b>Priority recommendation:</b> Reform the licensing system for broadcast media to provide for pluralism and diversity in all states. Ownership structures be publicised, powers to grant licences be vested in the NBC without presidential approval, and licence fees be tailored to the economic circumstances in each state.	Media	1 (no change)	The same system continues to be in place with presidential approval acquired for licenses. There continues to be a lack of information on licenses issued.
21	Remove or revise <b>vague legislative provisions</b> that have been used to overly restrict freedom of expression in the media and online. In particular, the vague definitions of “ <i>cyberstalking</i> ” in the 2015 Cybercrimes Act and “ <i>classified matters</i> ” included in article 9 of the Official Secrets Act.	Digital communications	1 (no change)	There has been no change and various bills in the National Assembly (although not currently actively being reviewed) risk further vague restrictions that further stifle freedom of expression.
22	Adopt a <b>data protection law</b> as well as other mechanisms to protect citizens’ right to privacy of their personal data, both online and offline.	Digital communications	2 (activity ongoing)	A <a href="#">data protection bill</a> from 2020 envisages the establishment of a data protection commission. This has not been enacted to date.  <a href="#">Guidelines for the Management of Personal Data by Public Institutions in Nigeria</a> , 2020, were issued by the National Information Technology Development Agency (NITDA), 2020. This was issued as a Guideline for the implementation of the Nigeria Data Protection Regulation 2019. The extent of implementation of such guidelines remains unclear.

				There is increasing need for data-protection with INEC's expanding use of biometric data (to include facial recognition).
23	<b>Priority recommendation:</b> The inter-agency body responsible for electoral security works more transparently and inclusively with regular consultations with political parties and civil society. Security arrangements, general principles for rules of engagement, updates, and complaints mechanisms be made public. Clear delineation of the operational roles of different security agencies be established, with the military only involved at the request of INEC.	Electoral security	2 (activity ongoing)	The Inter-agency Consultative Committee on Election Security (ICCES) has developed a Code of Conduct and Rules of Engagement for Security Personnel on Electoral Duty. Otherwise practices appear to remain akin to 2019. Concerns remain about the varied performance of security personnel and coordination of security forces in regard to the election process (for example in the FCT elections).
24	<b>Priority recommendation:</b> To improve access to remedy and avoid petitions being taken to different courts at the same time, electoral tribunals be extended to also cover pre-election cases. Judicial capacity be increased through the appointment of more judges, training on election-related matters and improved case-management mechanisms.	Electoral dispute resolution	3 (partial implementation)	Overlapping jurisdiction and conflicting judgements remain problematic features of the electoral dispute system. The Electoral Act 2022 streamlines first instance jurisdiction cases related to nomination of candidates. However it also restricts these to aspirants in the same-primary, while other provisions in the law and the constitution have a broader scope.
25	<b>Shorten the timeframes for pre-election cases</b> so that cases are completed well in advance of election day. This could include reducing time limits for determinations and appeals, and the number of appeal levels.	Electoral dispute resolution	3 (partial implementation)	Lengthy timelines remain problematic. The Electoral Act 2022 establishes the earlier holding of primaries (180 days before the election) which allows more time for the completion of cases before election day and adds some time limits (for area council elections). However the earlier primaries may not be sufficient to significantly mitigate the risk of protracted judicial proceedings.

26	Strengthen the mechanism for the <b>prosecution of electoral offences</b> with responsibility for investigation and prosecution transferred to a separate institution as envisaged in the National Electoral Offences Commission Bill, 2017. Requirements be made for prompt public statistical information on investigations, prosecutions and convictions.	Electoral offences	2  (activity ongoing)	If signed into law, the bill establishing the Election Offences Commission could reduce impunity. This would provide an institutional framework along with legal tools for investigating and prosecuting electoral offences, the lack of which is subject to strong criticism. While this bill is being worked on, it is unlikely to be in force for the 2023 general elections, and any commission would need to be quickly operational and demonstrate its independence from the executive.
27	Legal provisions be made for the <b>right of observers</b> to access all stages of the election process, and to make it an offence to obstruct or intimidate observers. Legal provisions to include requirements for timely, accessible and clear accreditation arrangements Citizen observers be encouraged to undertake observation of many different aspects of the election, including voter registration activities, the primaries, electoral dispute resolution, election offence prosecutions and media monitoring.	Civil society and electoral observation	1  (no change)	No change in legal provisions appear to have been made. Positively citizen observers are active throughout the election cycle. Further citizen observation could take place of electoral dispute resolution, offence prosecutions and media monitoring.
28	<b>Priority recommendation:</b> Given that it is only possible to run for office through a party, introduce a legal requirement for political parties to have a <b>minimum representation of women</b> among candidates. Non-compliance be sanctioned with proportionate and deterrent penalties. Parties be required to have policies and provide regular information on the promotion of women's political	Inclusion	1  (no change)	The new electoral act contains no requirements for political parties to have a minimum representation of women among candidates. Parties have not developed policies aimed at fostering women's representation within their structures. The National Assembly reviewed the possibility of allocating special seats to women (requiring constitutional change) and having affirmative actions for women in political parties, however these were rejected on 1 March 2022.

	participation within parties, as candidates, and more widely.			
29	INEC publishes a <b>framework for the electoral participation of internally displaced persons before the start of any voter registration exercise</b> and ensure its full and consistent implementation. INEC undertakes regular consultation with displaced persons and provide updates on plans for their inclusion.	Inclusion	1  (no change)	The INEC framework for Voting by IDPs adopted in December 2018 has not to date been updated.
30	<b>Parties be legally required to have policies on the political participation of persons with disabilities</b> , including within the party and as candidates. Require INEC to provide assistive devices in all polling units and information in accessible formats.	Inclusion	3  (partial implementation)	The Electoral Act 2022 does not introduce a requirement for parties, but does include explicit requirements in regard to INEC making provisions for persons with disabilities. This includes voter register to incorporate the names of persons with disabilities disaggregated by type of disability, arrangements to be made to ensure that persons with disabilities are assisted at polling units by a person of choice.

## ANNEX 2: LIST OF ABBREVIATIONS

APC	All Progressives Congress
APGA	All Progressives Grand Alliance
BVAS	Bimodal Voter Accreditation System
CM	Chief of Mission
CVR	Continuous voter registration
ECOWAS	Economic Community of West African States
EFCC	Economic and Financial Crimes Commission
EMSC	Election Monitoring Support Centre
EOM	Election Observation Mission
EU	European Union
FCT	Federal Capital Territory
IDP	Internally displaced person
ICCES	Inter-agency Consultative Committee on Election Security
INEC	Independent National Electoral Commission
IPOB	Indigenous People of Biafra
LGA	Local government area
NBC	National Broadcasting Commission
NGN	Nigerian naira
NTA	Nigerian Television Authority
PDP	Peoples Democratic Party
PLAC	Policy and Legal Advocacy Centre
PVC	Permanent voter card
PWD	Persons with disabilities
REC	Resident Electoral Commissioner
SIEC	State Independent Electoral Commission

