

CLP/JDPC PRELIMINARY REPORT ON THE 2023 NIGERIA GENERAL ELECTIONS HELD ON MARCH 1, 2023 AT THE JUSTICE, DEVELOPMENT AND PEACE CENTRE, LAGOS

Community Life Project (CLP)/ReclaimNaija and the Justice Development and Peace Centre (JDPC) deployed 272 accredited election observers and hundreds of volunteer citizen observers across the country to observe the electoral process for the 2023 General Elections. Prior to the elections, we observed the process of collection and distribution of Permanent Voters Cards (PVCs) between December 12, 2022, and February 5, 2023, and thereafter, we observed the Presidential and National Assembly elections which took place on Saturday, February 25, 2023.

PVC Distribution and the Right to Exercise Franchise

The PVC distribution exercise carried out by the Independent National Electoral Commission, (INEC) took place smoothly in many parts of the country and a cumulative total of 87,009,008 PVCs were collected by registrants. However, the process of PVC distribution between December 12, 2022, and February 5, 2023, was marred by administrative lapses which resulted in a significant number of registrants being unable to access their PVCs. Despite two extensions to the deadline, there were 6,260,231 uncollected PVCs. In addition, in a number of places, vulnerable citizens were dispossessed of their PVCs either through inducement or coercion by partisan forces. Huge numbers of PVCs were found dumped in strange places days before the Presidential and National Assembly elections. Thus, a significant number of registrants were disenfranchised.

Voter Turnout and Participation

Voter turnout for the elections was quite encouraging. The polls took place under an atmosphere of hardships caused by the cash crunch and fuel shortages. Nonetheless, citizens were very enthusiastic and turned out in large numbers in many places, and even defied the rain in some cases. The level of turnout by Nigerians across all age categories and tendencies indicates renewed interest in our democratisation process. Of particular mention is the heartwarming and encouraging participation of our youths who constitute a significant number in our country's demography.

CLP/ReclaimNaija and the JDPC wish to commend these patriotic Nigerians for the spirited efforts and sacrifices they made to participate actively in the electoral process from the period of voter registration, PVC collection to voting at the polling units. It is noteworthy, however, that despite this improvement in citizen participation, there remains a huge gap between the number of registered voters and those who came out to vote in virtually all the polling units observed.

Women, Youths and People with Disabilities

CLP/ReclaimNaija and the JDPC note with some measure of satisfaction that INEC ad hoc staff in many instances, gave priority to Persons with Disabilities (PWDs), elderly persons, and pregnant women in most of the polling units observed. At some polling units, assistive devices were provided for PWDs. We also note that in virtually all the polling units visited, the location conformed with the INEC guidelines on accessibility to PWDs. However, there were reports of the absence of Braille Guides in units for blind voters. More young people were on the ballot and were more actively represented in the newer political parties. By contrast, the number of female contestants on the ballot was abysmally low compared to male contestants.

Commencement of Elections

Reports from our observers from different parts of the country highlighted all manners of logistic challenges which negatively affected the smooth conduct of the elections. First of these logistic issues

was the late arrival of INEC staff and materials to polling units. The average commencement time was between 10.30 and 11.15 am. In some locations, the arrival of poll officials stretched to as late as between 1:00 and 5:00 p.m. There were places where INEC officials turned up without the stamp pads and ink required for the exercise.

Accreditation and Voting Process

The Bimodal Voter Accreditation System (BVAS) was effectively used for the purpose of accreditation and voting across the country. BVAS malfunction was reported in some locations but in such instances, attempts were made by the electoral body to replace them.

Privacy of the Voting Process

In most polling units across the country, booths were provided to guarantee the privacy of voters and to ensure that voters exercised their right to vote without fear of intimidation. However, in a number of polling units, due to the high number of voters, the location of booths did not adequately provide voters the required privacy. There was even a case in Surulere, Lagos, where a political thug was escorting voters to the polling booth to intimidate them and confirm what party they voted.

There were locations where voting did not take place due to no-show by polling staff, disruptions by partisan-sponsored thugs, ranging from snatching of ballot boxes, threatening and assaulting of voters.

Security

The 2023 elections happened against the back drop of very serious security challenges across the country. Indeed, violence noticeably spiked in the months and weeks leading up to the elections. Many of these were politically motivated as INEC offices, opposition political parties and personnel were subject to attacks and killings. As the acts of violence mounted, there were assurances by the President, and Security Chiefs that adequate security would be provided for the elections. Contrary to these assurances, the 2023 general elections were marred in many cities across the country by violence, outright acts of voter intimidation, voter suppression and vandalization of election materials by politically motivated thugs. All these happened in the presence of deployed security personnel who were helpless and overwhelmed by these unwholesome spectacles. In the process, thousands of voters were disenfranchised from exercising their franchise. We however, acknowledge the presence and intervention of both military personnel and police in some hotspots in Lagos State notably, Ikate and other wards in Eti-Osa, Oshodi-Isolo and Surulere which made it possible for voting to resume after attacks by thugs, though that resulted in voting extending to late in the evening in a number of units.

Results Management and Transmission

We observed inconsistencies in compliance with the Electoral Guidelines in respect of result management and transmission. On the positive side, in all units observed, election results were counted and announced at polling units, INEC polling officers duly entered the results on form EC8A, had them duly signed by party agents, and copies given to party agents and the police. However, it took the insistence of voters in many units for INEC polling staff to cancel the unused ballots; and not all units complied.

INEC polling officers deviated from the guidelines by failing to enter the results in form EC60E and post them on the wall as required. In none of the units observed was the result of the polls posted on the wall. Infact, in Lagos, polling staff confirmed that Form EC60E was not even brought to the polling unit.

Secondly, while the result sheet (Form EC8A) was duly scanned with the BVAS in all the units observed, the results were not uploaded to the IReV in real time as required. In places where Polling staff were held hostage by voters until the results were uploaded, they ended up uploading the results offline. Nonetheless, in such units only the results for the Senatorial and the House of Representative elections were uploaded. The Presidential election result was not uploaded.

Credibility and Integrity Issues

We observed that in most polling units, accreditation and voting took place transparently (though we acknowledge instances where the secrecy of the ballot was violated). Results were also counted transparently and entered into form EC8A transparently.

By contrast, the transmission of results failed the transparency test. According to the Electoral Commission, the transparency of result transmission and indeed the integrity of the 2023 electoral process was staked on the real-time electronic transmission of results to the IReV portal.

However, in the end, the Commission resorted to a manual collation of results.

Having observed elections in Nigeria closely since INEC introduced the utilisation of electronic devices in the electoral process in 2011, stakeholders have known that the process of manual collation of election results at the ward, local government and State levels is a practice that is susceptible to rigging and manipulation. The spirit behind the requirement to upload results in real-time directly to the IREV portal is partly to prevent the coercion and intimidation of collation officers to manipulate election results.

We note the reason given by the Commission for its failure to transmit results in real-time – technical hitches/glitches; but we also recall the INEC Chairman’s statement at Chatham House on January 17 2023 regarding the BVAS facilities and the portal which he stated were controlled by high tech-savvy personnel. Citizens had hoped that a Commission with such high IT competence would have anticipated the volume of activity on the IREV portal and made provisions to accommodate it.

The fact that results were not directly transmitted from polling units, nor posted on the walls and the recourse to manual collation of results has created a huge credibility crisis for the Commission.

Conclusion

The high expectations of Nigerians for a credible, free and fair elections have not been met by the election held on Saturday, February 25, 2023. Rather than improve the credibility deficits of the 2019 election, the recent election seems to have increased them and weakened the process further. We urge INEC to do all that it can to restore confidence in the electoral process.

We acknowledge the different forms of support, both material and financial from various international agencies, development partners, and friends of Nigeria, in their efforts to deepen democratic values in our country. We commend civil society organisations, especially those in the Civil Society Situation Room network for their tireless efforts to improve the integrity of the electoral process.

Long live the Federal Republic of Nigeria!

Signed

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