

# NIGERIA 2011

## POST-ELECTION MULTILOGUE

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14-15 September 2011

*Fountain Hall, Rockview Hotel, Abuja*

## ACKNOWLEDGMENTS

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L-R: Peter Esele (TUC), Joseph Yisa (former NYSC), Abdulkadir Oniyangi (INEC) & Etannibi Alemika (UniJos) during one of the sessions.

## FOREWORD

In February 2011, through the National Democratic Institute for International Affairs (NDI) support, Nigerian civil society groups convened the Nigeria Pre-Election Colloquium to discuss critical issues leading up to the April general elections. At this event, a number of important concerns were raised surrounding the electoral environment, and concrete corrective recommendations were offered. Colloquium participants, drawn from civil society, political parties, universities, government agencies, and the private sector, worked tirelessly in the pre-election period to promote citizen understanding of and engagement in the electoral process.

After most key political actors had concluded their observations of the election and post-election processes, in September 2011 key election stakeholders convened once again for a post-election multilogue on September 14 and 15, 2011 to evaluate the electoral process and discuss key challenges and areas of reforms to strengthen Nigeria's democratic foundation.

The participants critically analyzed the pre-election recommendations developed during the February colloquium to determine which had been implemented for the general elections and which remains to be addressed. They also considered the pre- and post-election recommendations from a variety of other observers, both domestic and international. Participants discussed the ramification of not fully implementing important recommendation, and prioritized the key reforms that they should focus on going forward.

Nigerian citizens and international observers adjudged the April 2011 elections to be a remarkable improvement over past polls, but challenges remain for the country to improve its democratic institutions. This multilogue provided key political actors a platform to critically examine electoral events, consider a range of recommendations, and identify key priorities, which are highlighted in this report. We believe that this document, which is the product of extensive collaboration and consensus among Nigeria's leading civil society members, will serve as a guide for those embarking on the journey of electoral reform.

Carlo Binda  
Senior Resident Director, NDI

## OVERVIEW

It will take many voices and ideas to enhance Nigeria’s democracy. This multilogue – a recently coined term meaning a discussion among many participants – provided a large and diverse group of Nigerians a chance to debate and build upon their many ideas in an open and constructive environment.

On 14 and 15 September, 2011, NDI convened representatives of civil society, the Independent National Electoral Commission (INEC), political parties, and other election stakeholders so they could listen to one another’s ideas, recollections, and recommendations about the recently concluded electoral process. (For a full list of participants, see Appendix I.) Senior representatives from Forward in Action for Education, Poverty and Malnutrition (FaCE-PaM), Human Rights Monitor (HRM), the Independent National Electoral Commission (INEC), the Trade Union Congress (TUC), and the University of Jos laid the foundation of the event with presentations and later facilitated the group discussions.

Speakers presented their views on electoral violence, INEC reorganization, accountability in elections, citizen participation, and curbing the impunity of electoral offenders. More than 60 gathered stakeholders discussed these ideas and added their own thoughts and observations.

Participants also assessed to what extent the recommendations delivered at the February 2011 Pre-election Colloquium had been adopted and implemented, and what additional reforms are necessary based on the irregularities, inefficiencies, or iniquities that occurred during the April 2011 or previous elections, with an eye to improving future elections.

At the conclusion of the multilogue, 22 participants signed a pledge to “work towards change” by following through on advocacy efforts for electoral reform. The pledge, which can be found as Appendix II, is a call to action that many groups have continued to heed after the conclusion of the multilogue.

## METHODOLOGY

Presenters on the first day shared their expertise on specific topics before moderating a broad discussion on each. On the second day, participants divided into four working groups to focus on each area of reform. The groups, most of which were facilitated by the previous day’s speakers, reviewed pre-election recommendations, made suggestions for future reform, and discussed steps towards realizing the recommendations. Each group then presented its findings to the larger group for discussion.

## DAY ONE: PRESENTATIONS

### OPENING REMARKS

**Carlo Binda**, Senior Resident Director, NDI Nigeria

Mr. Binda welcomed the participants, commending their organizations' efforts to improve the 2011 elections over previous exercises.

He laid out the objectives of the meeting: to identify and prioritize recurring issues in the electoral process that will require reform in future elections by discussing the recommendations from the February Pre-election Colloquium and the events surrounding April's elections.

### REMARKS ON ELECTION DAY VIOLENCE

**Samson Itodo**, Executive Director, Youth Action Initiative Africa (YAIA) and **Joseph Yisa**, Former National Youth Service Corps (NYSC) election Worker

On 17 April, following the announcement of the results of the presidential polls, violence and rioting erupted in many parts of Northern Nigeria, resulting in more than 800 deaths. Among those killed were ten poll workers from the NYSC.

Joseph Yisa shared with participants his experience serving as an election worker in Kaduna state. He and his colleagues were held at gun point for more than eight hours on 9 April by disgruntled community members. These voters were unconvinced that the polls had been cancelled and accused the poll workers of selling the ballot papers. Mr. Yisa and his colleagues only escaped when the military intervened. He described his fear of being seriously injured or killed during the ordeal.

Samson Itodo shared his hope that participants, after hearing Mr. Yisa's story, would help prevent electoral violence in future polls by making thoughtful recommendations to INEC and security forces, and then following up with them.

Mr. Itodo also invited the attendees to recognize the first annual National Day for Commemoration of Electoral Violence to be held on 21 September in Abuja. The commemoration event would serve as an opportunity to honor the victims of electoral violence, reinforce the need to prosecute electoral offenders, and raise awareness about and the need for more research on specific issues related to electoral violence.



Joseph Yisa, a former youth corps member and election worker with INEC sharing his experience

The presentations illustrated the important sacrifices made by NYSC members and other victims of electoral violence. The speakers underlined the importance of working to prevent electoral violence in future polls.

## **KEYNOTE ADDRESS: REFORM AND REORGANIZATION OF INEC**

***Abdulkadir Oniyangi***, National Commissioner, INEC

### KEY POINTS:

- INEC is conducting an internal review of lessons learned in the 2011 elections in order to improve its operations in future polls.
- The review's findings will inform the creation of a four-year strategic plan, a restructuring of the commission, and a review of the legal framework for elections.
- INEC invites civil society groups to help the commission evaluate the elections and propose reforms.

### SUMMARY:

Dr. Abdulkadir discussed INEC's record in the 2011 elections and its plans to improve even further in the future. He summarized INEC's achievements in the 2011 elections, including registering 74 million voters; recruiting and training over 500,000 ad hoc staff; acquiring and deploying 132,000 direct data capture machines; and distributing over 400 million ballot papers. The commission is now working to register voters and conduct gubernatorial and by-elections in the coming months.

To ensure the success of these future elections, INEC is reviewing its performance in 2011. It is examining voter registration, election preparation, and election management through a program it calls "Review, Plan, and Reform."

The review has already encompassed retreats for electoral officers, state officials, resident electoral commissioners, state administrative secretaries, and representatives of political parties, civil society organizations, and security agencies. A similar retreat is being planned for the media. There will also be an independent study of the work of the Registration and Election Review Committee.

Among the issues under review are operational procedures for voter registration and elections; the legal framework for the conduct of elections; recruitment and training of staff; cooperation with other stakeholders; and the process by which INEC monitors party primaries.

The results of this evaluation and review process will be used immediately in three endeavors. INEC plans to develop a comprehensive, four-year strategic plan to ensure adequate time and consideration is allotted for every undertaking. The commission also plans to conduct a comprehensive staff audit, including an assessment of staff skills, and restructure the commission based on the audit's findings. Finally, INEC will establish a legal team to propose further amendments to the 1999 Constitution and the 2010 Electoral Act, as well as address the questions of constituency delimitation and the location and number of polling units.

INEC intends for the end results of these three initiatives to include stronger institutional foundations, enhanced professionalism, increased use of information and communications technology, and greater capacity for research and training. The commission will strengthen its state and local offices to improve their efficiency and operation in the overall INEC structure. INEC will improve electoral security by strengthening relations and coordination with security agencies and addressing the causes and consequences of post-election violence. It will also prioritize prosecuting electoral offenders, redrawing constituency boundaries, and setting the number of polling units.



Dr. Abdulkadir Oniyangi,  
National Commissioner  
of INEC

Finally, INEC plans to improve relations between it and other actors in the electoral process, including members of the executive and legislative arms of government, State Independent Electoral Commissions (SIECs), civil society, the media, development partners, and other election management bodies.

Dr. Abdulkadir called on conference participants to provide support and recommendations for INEC's efforts to accomplish its reform and reorganization goals, including continuously refining and improving the electoral process. He noted that this collaboration would be key to successful reform. "We move into the next phase of careful, strategic contemplative planning and preparations for future elections," he said. "I hope that the commission can continue to count on all of you and the wider Nigerian public as trusted allies in the quest for democratic consolidation in Nigeria."

## PRESENTATIONS ON ELECTORAL TOPICS

### INEC REFORM AND REORGANIZATION

**Suleiman Bogoro**, Executive Director/CEO, *Forward in Action for Education, Poverty and Malnutrition (FAcE-PaM)*

#### KEY POINTS:

- Election stakeholders should address key electoral issues including the timing of elections, constituency delineation, the number of polling units, the independence of SIECs, compensation of ad hoc staff, voter education, and INEC's regulation of political parties.
- Reforms should be prioritized to ensure the most crucial changes are adopted in time for future elections.

#### SUMMARY:

Professor Bogoro highlighted a number of crucial reforms to be made prior to the next elections (Appendix III). He noted that most of these recommendations were identified by national and international observers and are contained in the NDI-compiled catalogue of recommendations.

An expanded timeline for the election preparation process would allow for more transparency, greater public participation, and due process. If the election day were scheduled at least six months before sitting officials leave office, the courts would have sufficient time to settle all or most election petitions before the new officials are sworn in.

If the voter registration exercise were implemented on an elongated timeline, INEC could ensure a more credible register for the 2015 elections. Posting the voter rolls at least one month prior to election day, rather than on the day of the polls as done in April 2011, would enable voters to ensure they were registered. INEC should ensure that all newly eligible voters, as well as those not previously registered, be captured on the list, and the commission should concurrently issue national I.D. cards to ensure all Nigerians have official identification.

Another issue requiring reform is the delimitation of constituencies and the number of polling units per district. Many districts are drawn according to political priorities rather than population density. For this reason, and because of a growing population, many polling units are over capacity. This situation creates opportunities for corruption and manipulation at the polls.

Professor Bogoro also prioritized eliminating the SIECS, suggesting their functions be taken over by the national commission. Many SIECs have been accused of malpractice and poll-rigging, indicating that there is too little oversight of these bodies.

Using NYSC members as ad hoc election workers enhanced the trustworthiness of polling staff in most places, and so they deserve better



Participants listening to presentations

treatment and compensation. There was insufficient communication and transparency between INEC and NYSC members regarding benefits and wages in the last election.

Voter education is another important role for INEC that could be improved in future elections. Greater citizen participation could come from more widespread voter education about the electoral process. INEC should examine its communication strategy to convey voter rights and polling procedures to the voting public.

INEC also needs to take a stronger line on political parties, particularly in enforcing the Code of Conduct for Political Parties. INEC's mandate includes the regulation of political parties to ensure their internal processes are democratic, and it should follow through on this power.

Participants discussed the need to prioritize these reforms to ensure that the most important reforms are addressed in time for the next elections.

## **ELECTION ACCOUNTABILITY**

**Peter Esele**, *President, Trade Union Congress (TUC)*

KEY POINTS:

- Citizens are ultimately responsible for holding accountable the officials who run elections, so they must actively participate in the electoral process to ensure this happens.
- Citizen observers can hold officials accountable both on the day of an election, through local intervention, and at a national level, through advocacy based on their findings.

#### SUMMARY:

In the electoral process, it is incumbent upon citizens to hold election officials accountable through active observation; citizen observers create transparency in the election process. By reporting their observations, they can help ensure that officials performing their job well receive appropriate recognition and that those who commit offenses are held accountable for their actions. Peter Esele suggested that at the national level, INEC should more openly accept constructive criticism based on citizens' observations.

Observers can also take immediate action at polling stations to ensure accountability. As a leading citizen observer of the presidential and gubernatorial elections for the Domestic Election Observer Groups, Mr. Esele had firsthand experience with this principle of accountability at the polling station.

Mr. Esele recalled that at a polling station in Edo state, officials had displayed party symbols to help illiterate voters understand how to vote on the ballot. Voters became upset, however, saying that one symbol was larger than the other. The observers helped channel the voters' frustrations to the polling officials who had created the symbols, and they calmed the situation so that people were content to continue voting.

They also intervened at a polling station in Port Harcourt, where observers found that party agents were challenging polling officials' actions. The observers called the police to deal with the dispute. The police officer who tried to intervene was harassed by political thugs.

Mr. Esele also recalled that NYSC members were harassed at several polling stations; he hoped reports of this behavior could be used to hold the perpetrators accountable so that the situation could be improved for future elections.

He challenged the participants to go "beyond talking. You and I must be practically involved, hence, we have to make election conductors accountable." Mr. Esele emphasized that all actors in the electoral process must be held accountable, including election officials, security agents, political parties, civil society, and Nigerian citizens.

### **CITIZEN PARTICIPATION**

***Etannibi Alemika, Professor, University of Jos***

#### KEY POINTS:

- Citizen participation in elections is crucial for a strong democracy, and the April 2011 elections saw high levels of both voter registration and turnout.

- Despite the post-election violence and challenges to the results, a majority of Nigerians viewed the elections as free and fair and approved of INEC's performance.
- Despite the high level of positive participation, there was also an alarming rate of negative mobilization, as evidenced by the post-election violence.

**SUMMARY:**

Democracies are based on the expression of the public will through periodic free and fair elections. However, a number of factors have inhibited Nigerians' ability to express their choices freely in elections. These include a flawed constitutional and legal framework; INEC's administrative lapses and institutional weakness; electoral violence; fraud, interference, and manipulation by candidates and political parties; poverty; and religious and cultural biases, especially against women.

Professor Alemika discussed two surveys that showed the anticipated and actual levels of citizen participation in the elections, and Nigerians' assessment of the conduct of the elections. The first survey, conducted by the Centre for the Study of African Economies at the University of Oxford in December of 2010, found that nearly two-thirds (64.7 percent) of Nigerians planned to register and vote in the April 2011 elections. Nearly half of those polled expected the elections to be free and fair with either no or minor problems, and only 15.3 percent expected that the elections would not be free or fair.

The second survey, by the CLEEN Foundation in July 2011, showed that actual levels of participation were even higher than had been anticipated in December 2010; more than 90 percent of those polled had registered, and more than 90 percent of registered voters cast ballots. A large proportion also believed that the elections were well conducted; 87 percent thought that INEC was prepared for the polls, 81 percent were satisfied with INEC's performance, and 78 percent thought the elections were free and fair with either no or minor problems. (See chart below for details.)

<b>CLEEN Foundation July 2011</b>		
<b>Question</b>	<b>Response</b>	
Election registration	– Able to register	90.6%
	– Decided not to register	2.9%
	– Could not locate registration center	1.0%
	– Prevented from registering	1.4%
	– Did not register for other reasons	3.8%
Registered voters – participated in voting?	– Voted	90.5%
	– Decided not to vote	3.7%
	– Could not locate polling center	0.3%
	– Could not find name on the voting register	0.7%
	– Prevented from voting	0.5%
	– Afraid to vote	0.4%
	– Did not vote for other reasons	2.9%
INEC's preparation for the election	– Strongly felt INEC was not adequately prepared	3.3%
	– Felt INEC was not adequately prepared	5.2%

	<ul style="list-style-type: none"> <li>– Neither felt INEC was not adequately prepared nor that INEC was adequately prepared 3.1%</li> <li>– Felt INEC was adequately prepared 55.4%</li> <li>– Strongly felt INEC was adequately prepared 31.9%</li> </ul>
Satisfaction with INEC's performance	<ul style="list-style-type: none"> <li>– Not at all satisfied 4.1%</li> <li>– Not satisfied 6.1%</li> <li>– Neither satisfied nor dissatisfied 7.0%</li> <li>– Satisfied 51.8%</li> <li>– Very satisfied 29.9%</li> <li>– Don't know 1.2%</li> </ul>
Freeness and fairness of 2011 Elections	<ul style="list-style-type: none"> <li>– Completely free and fair 41.5%</li> <li>– Free and fair with minor problems 36.7%</li> <li>– Free and fair with major problems 10.2%</li> <li>– Not at all free 8.7%</li> <li>– Don't know 3.0%</li> </ul>

Despite this positive assessment of citizen participation in the elections, Professor Alemika noted that there were also high levels of negative mobilization, as evidenced by the high degree of post-election violence. The violence against both NYSC ad hoc staff and regular citizens shows that more should be done to ensure that citizens are only participating in constructive, positive ways. While he noted that public demonstrations are not a form of mobilization that is ingrained in Nigerian culture, this could be a positive outlet for citizens' frustrations as long as demonstrations remain non-violent.

Professor Alemika urged citizens and civil society to be more vigilant of the political and social triggers of violence and sustain demands for electoral reform. Political parties, he said, should develop more democratic internal structures and eschew the use of criminal networks to accomplish their goals. He called upon INEC to build on its performance in 2011, develop its capacity, reform its procedures, modernize operations, and introduce continuous registration and a voting system less susceptible to fraud. To ensure the widest possible citizen participation, he suggested removing all impediments to voting facing women and other vulnerable and excluded groups.

## **CURBING IMPUNITY FOR ELECTORAL OFFENDERS**

**Festus Okoye**, *Executive Director, Human Rights Monitor (HRM)*

### KEY POINTS:

- While the laws defining electoral crimes and their penalties are largely in place, they are not always enforced.
- Laws are often not enforced because of lack of will and capacity; sometimes political parties and security officials do not have an interest in prosecuting, and INEC and the judiciary do not always have the ability to prosecute.
- To ease the burden on INEC to prosecute electoral offenders, INEC could contract private legal practitioners to try cases, or the National Assembly could create a separate Electoral Offenses Commission.

## SUMMARY:

While the Constitution and the Electoral Act define electoral crimes and their penalties, there is a wide gap between what the law requires and the actual enforcement. Impunity exists for a number of reasons.

Some actors have an interest in not prosecuting offenders. Political parties are reticent to push for the strict enforcement of penalties because all of them have members who engage in electoral offenses. Security officials sometimes deliberately misread or misinterpret laws so that they do not need to arrest offenders.

In some cases, there is not a well-defined penalty associated with an offense. Section 45 of the 2010 Electoral Act requires political parties to register with INEC the names of party agents who will observe at polling stations. However, the law does not include any penalty for failing to do so, and many parties did not comply with this provision for the 2011 elections. Without this



Participants reviewing materials and preparing discussion points

record, polling officers could not know who was authorized to represent the parties, and so they often allowed multiple representatives of the same party into a station at once.

Other actors, particularly INEC and the election tribunals, do not have the capacity to enforce the laws. Under Section 150(2) of the 2010 Electoral Act, INEC's legal officials or INEC-appointed legal practitioners have the responsibility to prosecute those arrested for electoral offences. However, INEC

has been slow to fulfill this mandate because it does not have the time, expertise, resources, or capacity to manage the responsibility effectively alongside its

other duties for conducting elections and managing post-election challenges.

Election tribunal judges have also failed to utilize the power they are granted in Section 149 of the Electoral Act to identify and recommend for prosecution those who have been incriminated during hearings on election petitions. As a result, these individuals are by and large not prosecuted for their offenses.

Lack of cooperation from political parties and sometimes security officials and the failure on the part of INEC and the judiciary to enforce laws are challenges that must be addressed to ensure that electoral offenders are held accountable. The first step in addressing these challenges would be to lift the burden on INEC to prosecute offenders. This responsibility could be contracted to private legal practitioners. Alternatively, the National Assembly could create an Electoral Offenses Commission that could prosecute electoral offenders independently of INEC.

## PRESENTATION OF RECOMMENDATIONS FROM INTERNATIONAL AND DOMESTIC OBSERVATION BODIES

**Suleiman Bogoro**, Executive Director/CEO, FAcE-PaM

Professor Bogoro introduced the NDI-compiled document, “The Catalogue of Recommendations to Improve the Nigerian Electoral Process Based on Observation of the 2011 Nigerian Election Process.” The catalogue lists the recommendations included in the statements and reports of international observer groups, including the delegations from the African Union, the Economic Community of West African States, the European Union Observer Mission, the International Republican Institute, and NDI; of citizen observation groups, including CLEAN Foundation and Human Rights Monitor, the Domestic Election Observer Groups, the Election Situation Room, and Project Swift Count; and of a series of conferences on elections, including the Pre-election Colloquium (February 2011), the INEC/Civil Society Retreat (July 2011), and the National Conference on Youth in the 2011 Elections (August 2011).

The catalogue served as the basis for discussion during the breakout sessions on the second day of the multilogue. Professor Bogoro asked the participants to consider which recommendations were actionable and of the highest priority. (One group’s analysis is included as Appendix IV.)



Discussants at the high table , L-R: Festus Okoye (HRM) , Peter Esele (TUC), Joseph Yisa (former NYSC), Dr. Abdulkadir Oniyangi (INEC) , Prof. Etannibi Alemika (University of Jos) & Prof. Suleiman Bogoro (FACe-PAM)

## DAY TWO: WORKING GROUPS AND RECOMMENDATIONS

### BREAKOUT SESSIONS

On Day Two of the multilogue, participants were divided into four groups to discuss their priority recommendations on key issues. The topics and discussion leaders were as follows:

#### **GROUP 1: INEC REFORM AND RE-ORGANIZATION**

Suleiman Bogoro, *Executive Director/CEO, FAcE PaM*

#### **GROUP 2: ELECTION ACCOUNTABILITY**

Peter Esele, *President, Trade Union Congress*

#### **GROUP 3: CITIZEN PARTICIPATION**

Etannibi Alemika, *Professor, University of Jos*

#### **GROUP 4: CURBING IMPUNITY BY ELECTORAL OFFENDERS**

Olasupo Ojo, *Executive Director, Committee for the Defence of Human Rights/ Center for the Rule of Law*

These working groups examined their respective issues based on their personal expertise and the recommendations made by the various international and domestic observer groups. They discussed needed reforms and ways for stakeholders to address these issues. While all four groups worked on different topical areas, all of the groups' recommendations included the same three overarching reform priorities:

1. INEC should be unbundled and relieved of its duties for:
  - a. political party registration
  - b. prosecution of electoral offenders
  - c. polling unit delineation
  - d. voter and civic education
2. An Electoral Crimes Commission should be established
3. A new round of polling unit delineation should be conducted

In addition to these priorities, the four working groups also suggested the following recommendations:

#### **INEC**

- INEC should improve constructive dialogue and collaboration with civil society.
- There needs to be a provision for special needs voters, e.g. Braille ballots for the blind, a special line for the elderly, and interpreters for the deaf.
- The voting procedures and list of voting units should be made available on time.
- INEC leadership should be selected based on character and integrity, not on presidential appointment or partisan affiliation.
- CSOs should engage with INEC to implement the provisions of the Constitution and the Electoral Act, especially conducting a new constituency delineation to produce a new list of polling units.
- CSOs should engage INEC to make sure it implements recommendations early in the electoral process.
- INEC must have a stakeholders' conference to sensitize all political parties on the electoral process.
- INEC must curb impunity by electoral offenders.

- INEC should impose appropriate sanctions on political parties.
- There should be clear guidelines for election observation accreditation.
- INEC should conduct trainings on election observation best practices and procedures.
- There must be continuous multilogues between INEC and other stakeholders, including international organizations, faith-based organizations, and CSOs.
- Local languages must be used in voter and civic education campaigns.
- INEC must announce in advance and physically mark out polling, balloting, and collation centers.
- INEC should not conduct political party registration.
- An electoral offenses commission needs to be created.
- Voter education should be done by a Centre for Democratic Studies.
- Provision should be made for those on special duty to cast their votes.
- INEC and other stakeholders should institute an advisory committee for political party accountability and enforcement of the party code of conduct.
- INEC needs the powers to vet and also prosecute dubious characters, impersonators, criminals, and certificate forgers who present themselves as candidates for election.
- INEC needs to be unbundled.

#### LEGAL FRAMEWORK & NATIONAL ASSEMBLY

- The National Assembly must pass the Electoral Offences Commission Bill.
- The National Assembly should create an Electoral Offences Commission, order the re-delineation of polling units, and ensure that the voters register is upgraded to assist in curbing impunity.
- If need be, there should be mass action by CSOs to ensure that the National Assembly passes the bills and amends the laws as recommended.

#### CIVIL SOCIETY

- There is an immediate need to mobilize key CSOs to form a co-ordinated platform to drive the implementation of all recommendations; the platform should review the state of the nation monthly, or at least once every quarter, and issue a common statement on electoral matters
- There needs to be advocacy efforts and capacity building programs to foster CSO activities.
- CSOs have to sensitize citizens on the need to shun violence and avoid being used by nefarious individuals and groups to perpetrate electoral violence.
- CSOs should strengthen their own financial capacity to sustain their operations.
- CSOs should recommend and/or facilitate the production of a Code of Conduct on Elections for the police and other security agencies to make them more effective in their electoral duties.
- CSOs should call for the removal of the Inspector General of Police and other security agency heads if recommendations are not implemented after a specified time period elapses.

## SECURITY AGENCIES

- An inter-agency body should monitor the activities of the security agencies; if the security agencies have failed to adhere to their code of conduct, then it means there is a flawed accountability process and reforms must take place.
- Security assessment findings should be made public.
- The leadership of security agencies involved in elections should take appropriate steps to discipline erring security officials/personnel.

## POLITICAL PARTIES

- Political parties should have clearly defined issues and ideologies.
- INEC should compel political parties, through appropriate sanctions, to comply with their internal democratic structures.
- There should be standardized representation of political party in the Interparty Advisory Council.
- Political parties should be encouraged to set up research and policy units, submit meaningful manifestos to INEC, and have a director of policy and research on their board.
- Political parties should encourage women to contest for all positions.
- Political parties should engage their members periodically in order to sell their ideologies and build their capacity.
- Political parties should adhere to provisions enshrined in the Electoral Act for political party and campaign finances.

## MEDIA

- Media organizations and CSOs must work towards ensuring that all recommendations are implemented
- The National Broadcasting Commission should equitably apportion airtime coverage of political party activity.

## INTERNATIONAL COMMUNITY

- The international community should allow local ownership of the reform process.

## APPENDICES

### Appendix I: List of Attendees

Name	Organization
Dr. Abdulkadir Oniyangi	INEC
Nick Dazang	INEC
Chinwe Ogbuka	INEC
Princess Hamman-Obels	INEC
CSOs	
Asuzu Echezona	Alliance for Credible Elections
Blessing Egumamhe	ActionAid Nigeria
Onyinye Okechukwu	ActionAid Nigeria
Uchenna Arisukwu	African Centre for Leadership, Strategy & Development
William Peter	Bamoch Foundation
Mbasekei Martin Obono	CAFA Foundation
Dr. Joe Okei-Odumakin	Campaign for Democracy
Olasupo Ojo	Committee for the Defense of Human Rights
Sebastian Kpalap	Center for Environment and Human Rights Development
Innocent James	Centre for Democracy
Oluchi Agbanyam	Centre for Democracy and Development
Lucy Usen	Centre for Community Health and Development
Chinedu Nwagu	CLEEN Foundation
Shaba Temitope	Electoral Reform Network

Yisa Joseph Taidi	NYSC, Ex Corper
Festus Okoye	Human Rights Monitor (HRM)
Onimisi A. Joseph	HRM
Rev. Fr. Asogo	Justice, Development, and Peace/ Caritas (JDPC)
Ireti Disu	JDPC Ijebu-Ode
Wale Austine	League of Democratic Women, Nigeria
Gyang Pam Vincent	League of Human Rights
Tijani Abdulkareem	NAMU Nigeria Development Foundation
Adebanke Aderogba	Nigerian Bar Association (NBA) - Election Working Group
Dafe Akpedeye (SAN)	NBA
Emeka Diru	Nigerian Youth Manifesto Project
Uchenna Ekwe	Nigerian Labour Congress
S. F. Olowokere	National Orientation Agency (NOA)
Adelaja A. F.	NOA
Aulu B. J.	NOA
Mshelia Suleiman	Project Swift Count
Mashood Erubami	Transition Monitoring Group
Ezenwa Nwagwu	Transparency in Nigeria/ACE
Peter Esele	Trade Union Congress (TUC)
Jerry Amah	TUC
Professor E. Alemika	University of Jos
Lilian Ekanem	Women, Youth, and Children Upliftment Foundation
Mbamalu Cynthia	Youth Action Initiative Africa (YAIA)
Samson Itodo	YAIA

Babatunde Oluajo	Zero Corruption Coalition
<b>MEDIA</b>	
Ijeoma Uka	Africa Independent Television (AIT)
Lawal Ibrahim	AIT
Onimisi Alao	Daily Trust
Bala Mohd Jamil	Freedom Radio
Helen Ijaja	Kapital FM
Ateko Usman S.	News gallant
Niyi Marayesa	Ray Power
<b>Political Parties</b>	
Abubakar Kari	Action Congress of Nigeria
Abdullahi Yusuf Gashua	All Nigeria Peoples Party
Greg Odogwu	Congress for Progressive Change
Maj. Gen. B. S. Magash	Democratic People's Party
Chinwe Nnorom-Onwuha	Peoples' Democratic Party
<b>International Partners</b>	
Alexandra Mackenzie	Canadian High Commission
Trina Oviedo	Canadian High Commission
Shinichi Maruo	Embassy of Japan
Belen Calvo	European Union
Jide Ojo	International Foundation for Electoral Systems
Bodurin Adebo	United Nations Development Programme (UNDP)
Prof Sam Egwu	UNDP
Diana Arnaudova	United States Agency for International Development

## Appendix II: Reform Pledge

# Work Towards Change

Post-Election Conference  
September 15, 2011

I, \_\_\_\_\_, recognize the recommendations and action-points from this week's Post-Election Conference need to be realized, not just discussed. I will strive to work towards this goal. If we, a committed group of individuals and organizations, advocate for these changes we will be more successful than working as individuals. To support our efforts in seeing our recommendations implemented, I will share and coordinate with other individuals and organizations working to achieve our objective.

Signed

Name  
Organization  
Contact Information

## Appendix III: Professor Bogoro's List of Recommendations

1. **Scheduling of elections and litigation time-frame:** There is need to consider organizing the inaugurations of newly elected officials about six months after the elections to allow for electoral litigations to conclude.
2. **Constituency delimitation:** There is a serious challenge in respect of many existing electoral constituencies; many were created through gerrymandering. INEC needs to address this problem within the next two years.
3. **Improvement on or outright replacement of the DDC machines:** There were numerous problems witnessed during the last voter registration exercise in January 2011.
4. **INEC Legal Dept. reorganization and reinvigorate:** The department has lost the confidence of the people due to the glaring problems before and after the last elections.
5. **ID card:** A case should be made for the conduct of the planned national I.D. card exercise by the DNCR before the next elections in 2015.
6. **Voter registration:** There is need for another VR exercise before the 2015 elections.
7. **Creation of more polling units:** Many polling units had far in excess of the INEC-prescribed standard of 500 voters, aimed at making it easier to manage these polling units during elections. There were cases of more than 5,000 voters in many polling units, which naturally gave room for confusion and manipulation.
8. **Review of SIEC's:** There is need to revisit the call for the scrapping of State Independent Electoral Commissions (SIECs), and to have INEC take over their responsibilities, due to continued concern over electoral malpractices.
9. **Local Council term of office:** There is need to have a nationally-accepted reasonable term of office for local councils.
10. **Use of NYSC:** The use of NYSC members as ad hoc staff in the last elections was an excellent innovation by the Prof Jega INEC, and so it should be retained.
11. **Ad hoc INEC staff payments:** Ad hoc election officials' payments must be prompt and transparent. Specifically, information on entitlements and allowances must be made public.
12. **Access to Information:** INEC needs to provide more regular information on rights and procedures to voters and the public.
13. **INEC's mandate review:** INEC needs to review its mandate and powers to ensure it facilitates more internal democracy and also sanction for parties that breach the same.
14. **Political party primary monitoring:** INEC needs to commit more resources and time monitoring and assessing political party primary election conduct.
15. **Candidate screening:** INEC needs to acquire, through electoral reforms, the powers to scrutinize, screen-off and prosecute dubious characters, impersonators, criminals and certificate forgers who present themselves as candidates in elections.
16. **Innovations:** INEC should retain and even improved upon, where possible, commendable new innovations, such as not allowing political office holders and public officials from moving freely between polling units and town or villages during elections, and the posting of results at all polling units.

17. **INEC management:** The appointment of questionable characters at the managerial and other levels of INEC must stop. Although there has been improvement in this regard since the appointment of Prof Jega and the advent of President Jonathan, it could still be further improved upon.
18. **Use of Vice Chancellors:** INEC's use of Vice Chancellors of Universities as returning officers for key elections, though welcome, could also be improved upon; some VCs are known to be partisan. There are many non-partisan very senior university lecturers that can be called upon to play these roles.
19. **Political party code of conduct:** INEC needs to enforce the political party code of conduct.
20. **Polling unit security:** Many Polling units during the last election were not adequately secured, leading to chaos, and encouraging vote rigging.
21. **Voting procedures:** INEC needs to ensure uniform voting procedures and protocols.
22. **Publishing voters list:** INEC needs to eliminate possible voter register manipulation by publishing the final voter register at least one month before elections.
23. **Timely governing documents review:** INEC needs to propose the revision and amendment of the Electoral Act and Constitution no later than mid-2012 to address all of the actionable recommendations following the 2011 elections.

**Appendix IV: Recommendations made at the February 2011 Pre-election Colloquium, and their Outcomes  
(Produced by Group 4)**

<b>PRE-ELECTION RECOMMENDATION</b>	<b>IMPLEMENTATION STATUS</b>	<b>OUTCOME</b>
<b>LEGAL FRAMEWORK</b>		
That the Attorney General and Minister for Justice, in his capacity as the chief law officer for the country, should make available the official gazette copy of the 2010 Electoral Act that reflects the amendments passed by National Assembly.	Not done	Impunity continued
The process of electoral adjudication should explore the possibilities of alternative electoral dispute mechanisms.	Not done	Impunity continued
Judges presiding over election offense tribunals should be appointed and trained ahead of elections.	Not done	Impunity continued
<b>NATIONAL ASSEMBLY</b>		
The National Assembly should amend the Evidence Act so that electronic evidence can be admissible in elections tribunals.	It was not done before elections but was implemented after the general elections.	Impunity continued. But will not for future elections.
Nigerian legislators should respect African and International standards respecting limitations to amending the electoral legal framework to six months prior to elections.	There was non-compliance to this as prescribed by the ECOWAS protocol that nations should amend their electoral acts no later than 6 months to elections. Nigeria defaulted on this on the basis of overriding national interest that election must hold.	Outcome was both positive and negative.
<b>INEC</b>		
INEC should engage in constructive dialogue and collaboration with civil society, political parties, security, media and other stakeholders on a formal and regular basis.	This was done but could be improved upon.	Impunity was curbed to a large extent.
Provision should be made for special needs citizens including the disabled and elderly in order to access voter information and to vote on election day.	There was a move in this direction but there were no stated rules to cater for the physically challenged.	Impunity may be identified in the case of a blind voter who may have been misled in his choice.

INEC should make available and on time voting procedures and list of voting units.	The voting units were inadequate therefore so many could not vote.	Impunity was not curbed in this regard.
INEC should strengthen its party and campaign monitoring mechanism and refer offenders to appropriate authorities for prosecution.	The Electoral Act was violated as no one was recommended for prosecution.	Impunity continued.
INEC should take up the offer by the Nigeria Bar Association to provide legal aid service to the commission in prosecuting electoral offenders	NBA offered INEC free legal service but INEC declined this offer.	Impunity continued.
INEC should carry out timely recruitment and training of ad hoc staff.	Not implemented due to shortage of time.	Impunity continued.
The timing of the payment of allowances for officials needs to be reviewed, allowing for part of the stipend in advance and the balance at the end of the exercise.	Not done	Impunity continued
INEC should make extended efforts to translate voter education messages into local languages.	Not done	Impunity continued
INEC should review past observation reports by local and international observer groups and act on recommendations which move Nigeria's electoral process to meet regional and international standards.	Not done	Impunity continued
The Commission should make known its plans for continuous voter registration after the elections And guidelines for accrediting observers, and this process should take place at the local level rather than requiring groups to travel to Abuja	Not done	Impunity continued
The Commission should make available information about how to interact with it and police on security issues.	Not done	Impunity continued
<b>CIVIL SOCIETY ORGANIZATIONS</b>		
Domestic observer groups should strive for coordinated and strategic deployment.	Not done. Observers were not much in rural areas in particular.	Impunity inevitable.
CSOs should strengthen their own financial capacity to sustain their operations.	This could not be influenced since it is internal to each CSO group except if there is a united platform of all CSOs	Impunity continued.
Civil society should form a stakeholder advisory committee that advises INEC on issues relating to elections.	It was done with a lot of efforts but its result was not astronomical since CSOs were more interested in the Niger Delta issues.	Impunity was minimal.
CSOs should take a lead role in defining and amplifying public debate and discussion on critical social issues, then mobilizing citizens around those policy issues.	Not done effectively.	Impunity continued.
Civil society should take an active role in educating people on the technical voting process, and encourage greater participation.	Not enough	Impunity continued
Civil society should maximize the power of new social media to enlighten and mobilize young Nigerians to participate in elections.	It was done to a large extent but should have been started lots earlier	Curbed impunity minimally.

	than the period it did.	
<b>INTERNATIONAL COMMUNITY</b>		
Should note that elections are a process and not an event and as such should take such a view in providing increased development assistance to INEC, civil society groups, and other relevant stakeholders.	Not enough	Curbed impunity minimally.
International partners should support and facilitate reform processes rather than lead them.	Yes, adequate facilitation was made but not in leading capacities.	Helped in curbing impunity.
<b>POLITICAL PARTIES</b>		
Parties should base campaigns on relevant issues and defined ideologies.	Not done	Impunity continued
Inter Party Advisory Council (IPAC) should work with INEC to ensure compliance with internal democratic structures.	Not done	Impunity continued
Parties should create institutes to define their visions and seek advice from academic and research institutes to inform their policies. Parties should encourage more women to emerge as candidates in winnable contests.	Not done	Impunity continued
Political parties should continuously engage with their members, not only during election periods.	Not done	Impunity continued
Political parties should play the intermediary role of linking the institutions of government to economic, ethnic, cultural, religious, and other societal groups.	Not done. Political Parties are more interested in capturing the power seats.	Impunity continued
<b>SECURITY AGENCIES</b>		
The Inspector General of Police should make public the police code of conduct for elections and commence the process of training and retraining of security personnel on elections duties.	Not done. There is no Code of Conducts.	Impunity continued
The interagency security committee should be strengthened for effective coordination, information exchange, and strategic deployment.	Not enough coordination.	Impunity was not curbed.
During election periods there is a need for a central command to coordinate among all the security branches.	Not enough.	Impunity was not curbed.
Provide access to security information by law abiding citizens.	Not done. The security agencies impeded the access.	Impunity was not curbed.
Security agencies should keep to their dedicated roles without partisan influence.	Not implemented. They were partisan.	Impunity not curbed.
There should be a security assessment in order to identify electoral problems for the future.	Some programs were held in this regard. Security personnel were deployed in this regard.	Curbed impunity to a large extent.
Hotlines for police should be publicized so that concerned citizens can contact them with election incidents.	Not enough Hotlines were publicized.	Impunity curbed minimally.

<b>MEDIA</b>		
Media should report holistically on the election process, focusing on the political perspectives on critical social issues in need of policy address.	Some media stations implemented this but it was not enough.	Curbed impunity minimally.
Media should be fair, objective, and balanced in their reporting.	Not enough	Curbed impunity minimally
Greater critical analysis should be employed particularly in reporting on opinion polls.	Not enough. Publishing reports were without adequate investigation.	Curbed impunity minimally
Media should provide public service air time for civil society's voter education messages, as well as fair levels of coverage for political parties.	Not enough. Could be improved upon.	Curbed impunity minimally
The National Broadcasting Commission should enforce the relevant legal framework for media, including the ban on party monopoly of airtime.	Not enough	Curbed impunity minimally
Media houses should provide specialized training for journalists who cover election matters, both in topical issues and investigative methods.	Trainings organized by some CSOs were limited	Impunity curbed minimally.
<b>RELIGIOUS AND TRADITIONAL INSTITUTIONS</b>		
Religious and traditional leaders and institutions should take a constructive role in encouraging among their constituents peaceful political conduct, and condemn vigorously any use of electoral violence.	Not enough. Although some religious sects and traditional institution sensitized its members.	Impunity minimal
Religious and traditional institutions must take a leadership role in encouraging citizens to participate fully in the election.	Not enough	Curbed impunity minimally