

Chapter 6

CONCLUSIONS AND RECOMMENDATIONS

CONCLUSIONS

The 2011 elections marked a genuine celebration of democracy in Africa's most populous country and a key member of the Commonwealth. As a consequence, previously held notions that Nigeria can only hold flawed elections are now being discarded and the country can now shake off that stigma and redeem its image. Notwithstanding the organisational deficiencies that resulted in the 2 April National Assembly elections being aborted after they had started, and in spite of persistent procedural inconsistencies and technical shortcomings, the elections for the National Assembly and the Presidency were both credible and creditable and reflected the will of the Nigerian people.

The success of the electoral process must be attributed in large measure to the respect and confidence enjoyed by INEC, and in particular by its Chairman, Professor Attahiru Jega. In him, the nation was able to look up to a person of deep integrity, transparency and commitment, who was determined to make every Nigerian's vote count. His willingness to accept full responsibility for the postponed elections of 2 April, and his readiness to defer the National Assembly elections a second time in response to requests by the stakeholders, helped Nigerians keep faith in INEC and INEC eventually did not let them down.

The Group took note of the positive contribution made by the National Youth Service Corps, whose members worked as ad hoc INEC staff for the elections. These young Nigerians, a large number of whom were women, showed dedication and courage in helping to deliver a transparent electoral process, often in difficult conditions. They are a source of pride and hope for Nigeria.

The Group also recognised the role played by the Nigerian security forces, drawn from various services, whose strenuous and co-ordinated efforts ensured that the elections were largely held in an atmosphere of peace and order.

On the whole the credit for the success of the electoral process must go, most of all, to the people of Nigeria themselves. Right from when the Group arrived in Nigeria, it was struck by the popular mood of determination to realise genuine democracy. It noted the deep-seated public frustration at the history of deficient elections and the desire to make a new beginning. It was instructive to note that across the length and breadth of the country, the people of Nigeria demonstrated exemplary dignity, responsibility and forbearance, and in many cases waiting the entire day peacefully and patiently under the hot sun to exercise their franchise.

RECOMMENDATIONS

In previous chapters we have set out our recommendations under the relevant headings. Here we have sought to bring them together for ease of reference. We hope that these recommendations will receive the consideration they merit and that they will be implemented.

The Electoral Framework and Election Administration

- It is important that the appointment mechanism for the Chairman, Commissioners and RECs is inclusive and ensures broad political and public confidence. To reiterate the recommendation from the 2007 COG, there are many different models to achieve this but direct appointment of national Commissioners and RECs by the President should be avoided, unless the shortlist had been provided by a more inclusive, representative body. At the very least, direct appointment by a President who may be a contestant in the poll or otherwise an interested party can raise the spectre of undue political influence over the appointed officials.
- Timelines for the conduct of a poll need to be defined to provide enough time for all stages of the process to be adequately completed so as not to impact negatively on other aspects of the process, notably in confirming candidate nominations in good time for the poll, ballot printing and distribution of materials. Further, all printing of ballots and other sensitive materials should be conducted with safeguards, so as to avoid the damaging delays that affected the 2 April postponed polls.
- Comprehensive voter education and voter awareness programmes need to be undertaken, with special focus given to women, youth, marginalised groups. INEC also needs to remain engaged with other stakeholders, especially civil society groups and professional organisations to help conduct voter education and awareness programmes.
- Late changes to the Electoral Act need to be avoided. It is undesirable to amend an Act so close to the conduct of the elections, as it creates uncertainty and a lack of clarity and awareness among stakeholders as to the procedures and institutional responsibilities.
- There remain shortcomings with the voter registration, based on the number of people with voter cards but missing from the voter register. This needs to be urgently addressed.
- It is important for INEC to regularly clean and verify the voter register, implementing the continuous process envisaged in the Act. The new register is an improvement, but needs to be properly maintained, with continued checks to address anomalies, thereby making sure that Nigeria maintains a credible voter register and it does not become a fractious issue as it has been for past elections. This will also avoid the enormous expense involved in conducting registration again.

- There must be an end to the culture of impunity for those committing electoral offences. Prosecution of such offences needs to be effective and timely, ensuring that serious breaches of the Electoral Act are appropriately dealt with. The creation of a dedicated body capable of handling such matters in an independent and professional manner would be helpful.
- Petitions resulting from disputed elections should be determined within six months, if necessary through an appropriate fast-tracking mechanism.
- Participation rights would also be more fully provided for if the minimum age requirements for National and State Assembly candidates were appropriately reduced. This would offer Nigerians between the ages of 18 and 35 the opportunity to seek elected office.
- There needs to be a mechanism by which persons performing election duty on polling day can exercise their right to vote. There are a number of models providing for this, including advance voting or allowing those on duty to vote at the polling station at which they are serving.

The Election Campaign

- The Code of Conduct for Political Parties is a valuable feature of the campaign that needs to be consolidated and implemented in both letter and spirit.
- The Inter-Party Advisory Committee established under the Code of Conduct should become a standing mechanism for resolving differences and promoting consensus among political stakeholders.
- Political leaders carry a heavy responsibility and we urge them to ensure that their supporters reject violence as an instrument of politics.
- INEC's capacity to monitor and enforce the legal provisions on campaign financing and political party expenditure should be enhanced, so as to ensure full compliance with the regulations.
- The provision forbidding the display of campaign material at polling stations should be fully implemented.
- We urge the prompt implementation of the National Gender Policy to enhance gender participation in Nigeria's political system.
- We encourage political parties to mainstream gender policies so as to realise the goal of at least 30 per cent of women's participation in decision-making processes.

The Media

- The National Broadcasting Commission should ensure that the state media accords equitable coverage to all stakeholders, particularly during the campaign period.
- The private media must also transcend narrow partisan considerations and report objectively and in the larger interest of the nation.
- Public debates on television and radio among presidential and other candidates are a welcome development and should be encouraged for future elections.

Voting, Counting and Results Process

- Overall, INEC needs to improve on its organisational capacity. INEC must ensure that materials for the election are printed and delivered in good time to enable the timely delivery across the country. Further, INEC must ensure that the delivery of sensitive materials to and within States, and the deployment of staff on polling day, is done to provide for the timely opening of polling stations.
- It would be worth reviewing the advantages and disadvantages of the Modified Open Ballot system. A drawback of a two-stage accreditation and voting process is its complexity and its impact on turnout. Aspects of the current system are time consuming and create confusion among the voters.
- INEC needs a more effective communication system, so that central and state level officials can communicate with lower level staff, and polling staff can seek clarification or advice as required.
- There needs to be stricter safeguards against underage voting. There needs to be stricter measures during the voter registration to prevent their registration in the first place. But in polling places there could also be more effective measures to address the problem.
- INEC needs to clarify as to who has ultimate authority in the polling unit, with regard to the presiding Officer and security officers.
- INEC needs to assess the current locations utilised for voting in order to make sure that the space identified is suitable and adequate. There also needs to be better planning to ensure that adequate and suitable furniture is provided and that some form of lighting is available.
- Secrecy of the vote needs to be better protected. This could be achieved by making sure polling units are laid out in an appropriate manner.
- There needs to be a stricter enforcement on the number of Party Agents from any one party in polling unit and Collation Centres.
- Training provided to polling officials must be improved to ensure greater consistency in the application of procedures and increased awareness among staff of the correct modalities for each stage of the process.