



## NIGERIA 2023: A MAJOR TEST FOR DEMOCRACY IN NEED OF CRITICAL SUPPORT



Nigerians will head to the polls on 25 February 2023 to select a new president and national assembly, and on 11 March to select new governors and State Houses of Assembly.<sup>1</sup> Current President Buhari is set to step down after serving eight years in office. He has promised free, safe, and transparent elections,<sup>2</sup> but the government's ability to deliver on this promise is in question. The three leading candidates appear to be former Lagos governor Bola Tinubu, representing the All-Progressives Congress (APC), former vice president Atiku Abubakar of the opposition the People's Democratic Party (PDP), and former governor of Anambra state, Peter Obi of the Labour Party (LP). Other party candidates, however, could play an important role. As important as the winner is likely to be the way in which the contests play out, whether they are seen as free and fair and whether violence ensues.

Nigeria has already been struggling with serious insecurity, gross human rights violations and mass atrocities. Large swathes of the country are insecure, with multiple armed groups operating in the territory. According to Nigeria Security Tracker, at least 5,797 people were killed in political violence in January through July 2022.<sup>3</sup> This insecurity both complicates efforts to hold free and fair elections and raises the stakes of doing so, as an inadequate process is likely to spark further violence. In parts of Kaduna State in north-west Nigeria for instance, terrorist and outlaw groups are reported to have banned election campaigns in some communities under their control, making it unlikely that the Independent National Election Commission (INEC) can safely deploy election workers or conduct elections safely in much of the state.<sup>4</sup>

The outcomes of this election will also impact the region and the world. Nigeria is Africa's most populous nation and is an important player in its region and the continent. Its fate is a critical indicator of the prospects of democracy – which is increasingly under threat globally. Nowhere is this more relevant than in West Africa, where a string of coups d'état have disrupted governance since 2020 and put the stability of large parts of the region in serious jeopardy. Successful elections in Nigeria will play a key role in reinforcing democracy in the region, whereas an unsuccessful process may accelerate a slide into autocracy and regional instability.

In this context, the international community has a vested interest in supporting a free, transparent and secure electoral process in Nigeria. With a mere six months to go, such engagement must be focused and is indeed overdue. This briefing is intended to lay out some of the key issues that will determine the integrity and legitimacy of Nigeria's elections and to both inform international actors and make recommendations as to where they can have an impact.

### **The Electoral Act**

Nigeria's 2023 elections will be conducted under the new electoral framework established under the Electoral Act 2022, which replaces the previous 2010 law. Changes include but are not limited to:

- the extension of the time for campaigning from 90 to 150 days;

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<sup>1</sup> <https://inecnigeria.org/timetable-and-schedule-of-activities-for-2023-general-election/>

<sup>2</sup> RFI, "Nigerian president promises 2023 election will be free, safe, transparent," 12 June 2022, <https://www.rfi.fr/en/africa/20220612-nigerian-president-promises-2023-election-will-be-free-safe-transparent>

<sup>3</sup> Nigeria Security Tracker, <https://www.cfr.org/nigeria/nigeria-security-tracker/p29483>, visited 28 August 2022.

<sup>4</sup> Godfrey George, "B'Haram has seized parts of Kaduna, banned election campaigns – Researcher", *Punch* Newspaper, 27 August, 2022, available at [B'Haram has seized parts of Kaduna, banned election campaigns – Researcher \(punchng.com\)](https://punchng.com/b-haram-has-seized-parts-of-kaduna-banned-election-campaigns-researcher/)

- the prohibition of substitution of candidates;
- An increase in campaign finance caps for the presidential election from N1bn to N5bn, representing a 5-fold increase in the campaign finance limit for presidential candidates; and
- use of new technologies to minimise the possibility of inaccurate results and in cases of overvoting.<sup>5</sup>

This new framework has generally been lauded as progressive but remains untested.

### **Key factors that may influence and determine the 2023 presidential election outcomes**

Several key factors are likely to play a critical role in determining the success of the elections, influencing these can significantly increase the likelihood of success.

#### **Insecurity**

Nigeria has endured multiple security challenges for more than a decade. On the one hand, Boko Haram has been active in the country since the early 2000s. Based originally in the north-eastern part of the country, it has now also established extensive presence in the seven states of north-west Nigeria and parts of the north-central, including Niger and Kogi States, both of which share boundaries with Abuja, the Federal Capital Territory. At the beginning of August 2022, it was reported that the governor of the strategically significant Kaduna State in the north-west had written to President Buhari to complain that factions of Boko Haram had established a 'parallel government' in parts of the state, including 'banning all forms of political activity or campaign ahead of the 2023 elections.'<sup>6</sup> The terrorists are also active in the neighbouring countries of Chad, Niger, and northern Cameroon, where they are known to have conducted deadly operations.

The group has now split into several factions, including Islamic State's West Africa Province (ISWAP) and Ansaru. These factions continue to attack civilians, government institutions and security agencies in Nigeria.

Separately, violence from criminal gangs locally known as bandits is predominant in the northwest and north-central zones, where these groups carry out widespread killings, kidnappings, and looting. In January 2022, under the Terrorism Prevention Act, the government of Nigeria designated bandit groups as "terrorists."<sup>7</sup> The Global Terrorism Index 2022 ranked Nigeria as the sixth country most impacted by terrorism, and it has been placed among the top ten countries most affected by terrorism in the last ten years.<sup>8</sup> In early July 2022, these groups showed their ability to reach the capital when militants attacked a prison facility freeing nearly 900 inmates.<sup>9</sup> This incident happened about 24 hours after another such group attacked the advance team of the presidential convey in Katsina state.

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<sup>5</sup> Mondaq, "Nigeria: The Electoral Act 2022: Key Changes And Impact On The 2023 Elections," 26 April 2022, <https://www.mondaq.com/nigeria/constitutional-administrative-law/1185368/the-electoral-act-2022-key-changes-and-impact-on-the-2023-elections->

<sup>6</sup> Taiwo-Hassan Adebayo, "EXCLUSIVE: El-Rufai writes Buhari, says terrorists creating 'parallel' government in Kaduna", Premium Times, 11 August, 2022, available at [El-Rufai writes Buhari, says terrorists creating 'parallel' govt in Kaduna \(premiumtimesng.com\)](https://www.premiumtimesng.com/news/1185368/the-electoral-act-2022-key-changes-and-impact-on-the-2023-elections-)

<sup>7</sup> The Guardian, "FG declares bandits as terrorists," 5 January 2022, <https://guardian.ng/news/fg-declares-bandits-as-terrorists/>

<sup>8</sup> Institute for economics and peace, Global Terrorism Index 2022, March 2022, [GTI-2022-web.pdf \(visionofhumanity.org\)](https://www.economicshome.com/2022/03/global-terrorism-index-2022/)

<sup>9</sup> PBS News Hour, "Nearly 900 inmates escape Nigerian prison following attack by Islamist extremist rebels," 6 July 2022, <https://www.pbs.org/newshour/world/nearly-900-inmates-escape-nigerian-prison-following-attack-by-islamic-extremist-rebels>

In the southeast the Indigenous People of Biafra (IPOB), a separatist movement that launched its paramilitary arm, the Eastern Security Network (ESN) in December 2020,<sup>10</sup> may disrupt elections to drive home their secessionist agenda. Already, they impose 'sit at home' orders every Monday across the region.

There has also been an increase in the profile and frequency of religious violence in the country. In May, Deborah Samuel, a Christian student in Sokoto in northern Nigeria was killed by her fellow students after having been accused of blasphemy.<sup>11</sup> In June, at least 40 people were killed after gunmen stormed St. Francis Catholic Church in Owo, Ondo State in southwestern Nigeria.<sup>12</sup> These incidents are among 23 incidents targeting church premises in the first half of 2022, compared with 31 in all of 2021 and 18 in 2020. This pattern shows increasing religious tension that could be exploited by political actors in the event of more widespread tensions.

2023 would not be the first Nigerian elections affected by violence. In 2015, elections were postponed due to insecurity.<sup>13</sup> The 2019 elections, were marred by violence, with 11 deaths specifically related to violent interference in the election process were documented.<sup>14</sup>

Insecurity is already having an impact on this round of elections. The Independent National Electoral Commission has reported that it is unable to deploy to some areas of the country.<sup>15</sup> If the commission is unable to deploy it cannot register voters and if the situation persists will be unlikely to be able to set up polling stations, leaving many of the country's most vulnerable disenfranchised.

Recent electoral experiences in Nigeria are a sign of the potential stakes. In June 2022, there was an off-cycle governorship election in Ekiti State in south-west Nigeria. A gubernatorial election also took place in Osun State in July. Both states have also seen worrisome acts of violence in the lead up to the election and it could be a reflection of what is to come. Representatives of parties were killed,<sup>16</sup> or attacked,<sup>17</sup> and in some areas, violence in voting stations led to a discontinuation of voter registration.<sup>18</sup>

### **Hate speech**

Hate speech may also play a significant role in the election process, related to, but distinct from, that of insecurity. Nigeria has a history of hate speech being used during the election period. A presidential panel into the post-election violence that followed the 2011 general election found that "the inflammatory campaign utterances of politicians were reinforced by the preaching of divisive sermons

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<sup>10</sup> Al Jazeera, "Nigeria: Separatist leader to appear in court for treason trial," 9 November 2021, <https://www.aljazeera.com/news/2021/11/9/nigeria-ipob-leader-nnamdi-kanu-appear-court>

<sup>11</sup> Nwankanma, Obi, "Killing Deborah, killing Harira, when does it end?" *Vanguard*, 5 June 2022, <https://www.vanguardngr.com/2022/06/killing-deborah-killing-harira-when-does-it-end/>

<sup>12</sup> Burke, Jason, "Islamic State affiliate suspected of Catholic church massacre, Nigeria says," *The Guardian*, 9 June 2022, <https://www.theguardian.com/world/2022/jun/09/islamic-state-affiliate-suspected-catholic-church-massacre-nigeria-iswap>

<sup>13</sup> BBC, "Nigeria postpones presidential vote over security," 8 February 2015 <https://www.bbc.com/news/world-africa-31221545>

<sup>14</sup> Human Rights Watch, "Nigeria: Widespread Violence Ushers in President's New Term," 10 June 2019, <https://www.hrw.org/news/2019/06/10/nigeria-widespread-violence-ushers-presidents-new-term>

<sup>15</sup> National Endowment for Democracy, "Nigeria Prepares for the 2023 Elections," 28 April 2022, <https://www.ned.org/nigeria-prepares-for-the-2023-elections/>

<sup>16</sup> *The Guardian*, "Police confirm killing of APC Chairman in Osun," 11 April 2022, <https://guardian.ng/news/police-confirm-killing-of-apc-chairman-in-osun/>

<sup>17</sup> ACLED data, Regional Overview: Africa 2-8 April 2022, 13 April 2022, <https://acleddata.com/2022/04/13/regional-overview-africa-2-8-april-2022/>

<sup>18</sup> ACLED data, Regional Overview: Africa 9-15 April 2022, 21 April 2022, <https://acleddata.com/2022/04/21/regional-overview-africa-9-15-april-2022/>

of hate and hostility in mosques and churches across the country.”<sup>19</sup> As Dr. Olusola Isola put it in 2018, the nature of the state in Nigeria sets the stage for hate speech. The state is highly centralized and controls resources, which are often seen to be deployed on behalf of the winning group at the expense of others. In this context, elections are seen as a time to vent grievances and hate speech has been a way to do that. In previous campaigns inflammatory rhetoric was used in political ads and campaign slogans. In 2015, hate speech in local languages was used and may have incited violence. The Nigerian National Human Rights Commission recorded violent incidents in at least 22 of Nigeria’s 36 states during the 2015 election cycle, some of them linked to hate speech.<sup>20</sup> For example, Adeyinka Grandson, a diaspora Yoruba activist was jailed in the UK for inciting hatred. The Arewa Youth Consultative Forum issued a public notice in June 2017 calling on all Igbo living in the North to leave within three months.<sup>21</sup>

Hate speech has also been deployed in the current election cycle. Social media has been an attractive mechanism for the deployment of hate speech as there are over 100 million internet users in Nigeria<sup>22</sup> and the nature of social media can allow individuals to communicate without revealing their own identity.<sup>23</sup> In addition, bots and human trolls (both paid and unpaid) are now freely leveraged to spread this messaging efficiently and effectively. The Nigerian government claims that it is working with Google to curb the spread of hate speech and disinformation on social media, in particular on YouTube<sup>24</sup> and has made similar calls on Facebook.<sup>25</sup> The government, however, lacks credibility on this issue and there is a strong “perception that an increasingly intolerant ruling party has cottoned onto hate speech not out of any altruistic reasons but to undercut free expression.”<sup>26</sup>

### **Independent National Electoral Commission (INEC)**

Ensuring that the Independent National Electoral Commission (INEC) is actually independent will be vital to the success of the elections. The INEC, led by Professor Mahmood Yakubu, is responsible for overseeing the elections. The transparency and independence of the Commission has been an issue, sources indicate commissioners have been threatened to comply with corrupting elections, in other

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<sup>19</sup> Federal Republic of Nigeria, *Federal Government Investigation Panel on 2011 Election Violence and Civil Disturbances, Main Report, Vol. 1*, Executive Summary, p. 2, para 9 (Sept. 2011)

<sup>20</sup> Wilson Center, “Hate Speech and the Challenges of Post-Election Peacebuilding in Nigeria,” May 1, 2018, <https://www.wilsoncenter.org/event/hate-speech-and-the-challenges-post-election-peacebuilding-nigeria>; Peace Tech Lab, “Social Media and Conflict in Nigeria: A Lexicon of Hate Speech Terms,” [https://static1.squarespace.com/static/54257189e4b0ac0d5fca1566/t/5ad8ac65352f53351112a200/1524149358850/4.18+Nigeria+Lexicon\\_v4.pdf](https://static1.squarespace.com/static/54257189e4b0ac0d5fca1566/t/5ad8ac65352f53351112a200/1524149358850/4.18+Nigeria+Lexicon_v4.pdf)

<sup>21</sup> SPD Nextier, “A Cautionary Note on Hate Speech and Violence: The Forthcoming 2023 General Elections in Nigeria,” April 2022, <https://reliefweb.int/report/nigeria/policy-weekly-vol-6-issue-9-april-18-25-2022-cautionary-note-hate-speech-and-violence>

<sup>22</sup> Nurudeen Akewushola, “Nigerian government to collaborate with Google to tackle hate speech, disinformation,” *Fact Check Hub*, 5 August 2022, <https://factcheckhub.com/nigerian-government-to-collaborate-with-google-to-tackle-hate-speech-disinformation/>

<sup>23</sup> Wilson Center, “Hate Speech and the Challenges of Post-Election Peacebuilding in Nigeria,” May 1, 2018, <https://www.wilsoncenter.org/event/hate-speech-and-the-challenges-post-election-peacebuilding-nigeria>; Peace Tech Lab, “Social Media and Conflict in Nigeria: A Lexicon of Hate Speech Terms,” [https://static1.squarespace.com/static/54257189e4b0ac0d5fca1566/t/5ad8ac65352f53351112a200/1524149358850/4.18+Nigeria+Lexicon\\_v4.pdf](https://static1.squarespace.com/static/54257189e4b0ac0d5fca1566/t/5ad8ac65352f53351112a200/1524149358850/4.18+Nigeria+Lexicon_v4.pdf)

<sup>24</sup> Nurudeen Akewushola, “Nigerian government to collaborate with Google to tackle hate speech, disinformation,” *Fact Check Hub*, 5 August 2022, <https://factcheckhub.com/nigerian-government-to-collaborate-with-google-to-tackle-hate-speech-disinformation/>

<sup>25</sup> Camillus Eboh, “Nigeria asks Facebook, other platforms to curtail hate speech,” *Reuters*, 18 May 2022, <https://www.reuters.com/technology/nigeria-asks-facebook-other-platforms-curtail-hate-speech-2022-05-17/>

<sup>26</sup> Chidi Anselm Odinkalu, “Let’s Talk about Hate Speech”, *The Guardian*, 13 September, 2017 available at [Let’s talk about hate speech | The Guardian Nigeria News - Nigeria and World News — Opinion — The Guardian Nigeria News — Nigeria and World News](https://www.theguardian.com/technology/2017/sep/13/let-s-talk-about-hate-speech)

cases experienced commissioners have been replaced.<sup>27</sup> Moreover, at least 20 of the National and Resident Electoral Commissioners (REC) tenures have recently expired.<sup>28</sup> This is a matter of concern as recent nominations have gone to “establishment people that could be susceptible to manipulations by those that planted them.”<sup>29</sup> Many of the persons nominated by President Buhari as their replacements are known members of the ruling party, despite the fact that the Electoral Act makes it unlawful for such persons to be nominated for such position in the INEC. These nominations have been described as “an attempt to capture INEC.”<sup>30</sup>

The international community should support the process by insisting on the naming of qualified and manifestly non-partisan election commissioners at both national and state levels, offering technical support to increase the commission’s capacity, and signalling that they respect the independence of the commission, and that Nigerian government officials and politicians should do so as well.

### **Voting technology**

The Electoral Act 2022 allows for new voting technologies to be utilised in the election, a central electronic voter database will exist with the aim to promote transparency and effectiveness in record-keeping and in tracking the number of registered voters, prior only hard copies were kept. The use of electronic devices such as smart card readers, electronic voting machines and other technological devices will be allowed as well as the electronic transmission of results.<sup>31</sup>

The Bi-Modal Voter Accreditation System (BVAS) is designed to solve voter accreditation. The 2023 election will be the first time the system is tested on a national scale, and its implementation could be challenging with the limited footprint of broadband across the country.<sup>32</sup> Despite this, the system has proven useful to detect voter fraud, in preparation for governorship elections in Ekiti State INEC detected 47,633 voters’ double registration on its portal.<sup>33</sup>

If the necessary technological infrastructure for the elections to take place smoothly fails there could be backlash. Nigeria already faces low public trust in its election process and a poorly functioning system could further undermine this. This is particularly likely if certain areas are differentially impacted by technological roll out, which is likely to be the case given the realities that the north is much less densely populated and has less internet connectivity.

### **Judicial engagement**

It is likely election results will be disputed in the courts and judges may play a critical role in the outcome. The Electoral Act 2022 took measures to tackle some of these problems. To reduce opportunities for judicial “forum-shopping” it centralised first instance jurisdiction. Electronic records

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<sup>27</sup> Premium Times Nigeria, “Five factors will determine #NigeriaDecides2023, By Chidi Anselm Odinkalu,” 16 January 2022, <https://www.premiumtimesng.com/opinion/506072-five-factors-will-determine-nigeriadecides2023-by-chidi-anselm-odinkalu.html>

<sup>28</sup> Sahara Reporters, “20 Resident Commissioners In Electoral Body, INEC To Go Before 2023 Elections,” 15 March 2022, <https://saharareporters.com/2022/03/15/20-resident-commissioners-electoral-body-inec-go-2023-elections>

<sup>29</sup> *Vanguard*, “2023 : Anxiety in INEC over exit of Commissioners with civil society background, proven integrity,” 31 December 2021, <https://www.vanguardngr.com/2021/12/2023-anxiety-in-inec-over-exit-of-commissioners-with-civil-society-background-proven-integrity/>

<sup>30</sup> “An Attempt to Capture INEC’: Itodo Asks Senate to Reject Buhari’s Nominees”, *Channels Television*, 29 August, 2022, available at [‘An Attempt To Capture INEC’: Itodo Asks Senate To Reject Buhari’s Nominees – Channels Television \(channelstv.com\)](https://www.channelsstv.com/news/2022/08/29/an-attempt-to-capture-inec-itodo-asks-senate-to-reject-buhari-s-nominees)

<sup>31</sup> *Ibid.* 5

<sup>32</sup> *Ibid.* 13

<sup>33</sup> This Day, “INEC: 2023 Elections Can’t Be Rigged,” 12 June 2022, <https://www.thisdaylive.com/index.php/2022/06/12/inec-2023-elections-cant-be-rigged/>

may also enable courts to rely on documentary evidence rather than oral witness testimonies as the Electoral Act 2022 asserts the primacy of documentary evidence over oral evidence.<sup>34</sup>

Unfortunately, the track record of the courts on these issues has already been problematic. In March 2022, a Federal High Court ruled that Section 84(12) of the Electoral Act was unconstitutional. The proceedings in the case were highly irregular, with the case taking less than 10 days from filings to judgement and response filings filed prior to the documents to which they were responding.<sup>35</sup> In addition, key legal issues were not addressed. This undermines the credibility of the court.<sup>36</sup> If these issues are not addressed and a judicial process is not seen as credible, this may increase frustration and increase the risk of violence.

### **Media and communications**

Media plays a crucial role in informing and educating citizens on the importance of voting and the power of a democratic system, especially in a context like the one ongoing in Nigeria, where voter turnout is very low. Reporters Without Borders world press freedom index for 2022 ranks Nigeria in 129th place, making it one of the most difficult countries in Africa for journalists and the level of governmental interference in the media is significant, the interference can implicate pressure, harassment of journalists and censorship.<sup>37</sup> There is also a risk of disinformation and inflammatory rhetoric marring the elections, as they reportedly did in 2019.<sup>38</sup>

### **Voter registration**

Voter registration for the 2023 elections was originally intended to conclude on 30 June but was extended to 31 July. In all INEC reported that it registered 12,298,944 voters short of the goal of 20 to 36 million set out at the start of the process. About 70% of these voters were under 35.<sup>39</sup> There were serious capacity constraints. The registration centres were criticised for being few and far between, unfairly burdening Nigerians with having to travel long distances to access them. INEC was also criticized for not doing enough to inform the public about where they could go and what to do to complete the process.<sup>40</sup>

The registration process was extended to 31 July 2022 following advocacy from Nigerian human rights organizations such as the Socio-Economic Rights and Accountability Project (SERAP). SERAP had asked for three additional months.<sup>41</sup> An unprecedented number of youth came forward to register in the last weeks of the process.<sup>42</sup> The fact that 70% of all registrations are youth and the particular heightening of youth registrations near the end of the process shows that there is interest, but also suggests that youth are probably disproportionately represented among those who missed the

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<sup>34</sup> European Union, 2022 Election Follow-up Mission to Nigeria-final report, March 2022, Page 17,

[https://www.eeas.europa.eu/sites/default/files/eu\\_efm\\_nigeria\\_final\\_report.pdf](https://www.eeas.europa.eu/sites/default/files/eu_efm_nigeria_final_report.pdf)

<sup>35</sup> Chidi Anselm Odinkalu, "When Courts of Law Become Political Sex Workers", *Premium Times*, 20 March, 2022, available at [When courts of law become political sex workers, By Chidi Anselm Odinkalu \(premiumtimesng.com\)](https://www.premiumtimesng.com/news/top-news/546547-16-things-to-know-about-just-concluded-voter-registration.html)

<sup>36</sup> Arise News, "Dr Chidi Odinkalu Condemns Court Ruling Declaring Section 84(12) of Electoral Act Unconstitutional," 20 March 2022, <https://www.youtube.com/watch?v=o7gQuP5reB0>

<sup>37</sup> Reporters Without Borders, 2022 World press freedom index, Nigeria, <https://rsf.org/en/country/nigeria>

<sup>38</sup> Congressional Research Service, "Nigeria: Key Issues and US Policy," 25 March 2022, <https://crsreports.congress.gov/product/pdf/R/R47052/2>

<sup>39</sup> Samson Adenekan, "16 things to know about the just-concluded voter registration," *Premium Times*, 3 August 2022, <https://www.premiumtimesng.com/news/top-news/546547-16-things-to-know-about-just-concluded-voter-registration.html>

<sup>40</sup> Leadership, "EDITORIAL: As INEC Extends Voter Registration," July 2022, <https://leadership.ng/editorial-as-inec-extends-voter-registration/>

<sup>41</sup> Vincent Ufuoma, "Voter registration to end July 31, says INEC," International Centre for Investigative Reporting, 15 July 2022, <https://www.icirnigeria.org/voter-registration-to-end-july-31-says-inec/>

<sup>42</sup> Redaction Africanews and Michael Dibie, "Surge in voter registration in Nigeria – INEC," Africanews, 22 June 2022, <https://www.africanews.com/2022/06/22/surge-in-voter-registration-in-nigeria-inec/>

deadline and they may experience anger and frustration if efforts are not made to extend registration. The INEC reported that out of 10,487,972 Nigerians who completed the pre-registration process online, only 3,444,378 completed the process at a physical registration centre. SERAP has urged the government to extend registration to allow these people to complete the process and vote. In their words, "Closing the gates on eligible Nigerians and denying them the time and opportunity to complete their registration cannot preserve trust in the electoral process."<sup>43</sup>

### **Voter turnout**

A key indicator of the extent of public confidence in the elections is likely to be voter turnout. Only 34.75% of registered voters exercised their right to vote in the 2019 presidential elections, in the last two electoral cycles voter turnout oscillated between 30% to 35%. INEC attributed this to several determining factors: "lack of civic motivation, ineffective voter mobilisation, fear of violence, unfulfilled promises by elected officials and low public trust in state institutions."<sup>44</sup>

There are indications that the situation may be worsening. In 2021, 70% of Nigerians expressed desire to leave the country if given the opportunity, this is a worrisome 41% increase from 2019. Only 23% of the population expressed trust in the judicial system or the Nigerian police.<sup>45</sup> On the positive side, in Osun, turnout was 42.37% which is less than 2018 but more than has been registered in other elections since 2019 which is a positive sign that popular interest and buy in may be increasing.<sup>46</sup>

### **International engagement**

The international community has a stake in a credible process taking place in Nigeria, given both its implications for peace and security in Nigeria and beyond. In this context, the international community should consider how it can better support a free, fair and credible process. In particular, this could be done by:

- **signalling that they are paying attention to the process.** The first step in influencing the electoral process will be to signal to Nigerian authorities that they are closely watching the process. Such actions could include the UN Security Council requesting a briefing on the electoral process from the Special Representative of the Secretary-General and Head of the UN Office for West Africa and the Sahel to update them on progress and potential issues; the Economic Community of West African States and the African Union which should signal that they are assessing the extent to which the process complies with the ECOWAS Good Governance Protocol and the AU has the Charter on Democracy, Elections and Governance. In addition, intensive monitoring for hate speech can give clear insights into where violence may be more likely to erupt.
- **insist on key electoral principles.** The international community should reiterate its commitment to key electoral principals such as the need for inclusivity in terms of access to the polls and support for the independence and integrity of the INEC. International actors should also insist that fundamental voting rights trump administrative convenience and should encourage INEC to review its procedures to expand access to voter registration.

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<sup>43</sup> SERAP, "Allow 7m Nigerians to complete voter registration or face legal action, SERAP tells INEC," 13 August 2022, <https://serap-nigeria.org/2022/08/14/allow-7m-nigerians-to-complete-voter-registration-or-face-legal-action-serap-tells-inec/>

<sup>44</sup> Premium Times Nigeria, "Voter turnout in Nigerian elections around 35%- INEC," 9 February 2021, <https://www.premiumtimesng.com/news/more-news/441649-voter-turnout-in-nigerian-elections-around-35-inec.html>

<sup>45</sup> Africa Polling Institute, The Nigeria social cohesion survey (report), August 2021, <https://africapolling.org/wp-content/uploads/2021/12/API-Social-Cohesion-Report.pdf>

<sup>46</sup> Yusuf, Kabir, "Data Analysis: Osun governorship election offers hope ahead 2023 polls," 23 July 2022, <https://www.premiumtimesng.com/news/headlines/544331-data-analysis-osun-governorship-election-offers-hope-ahead-2023-polls.html>

- **improve security support.** The US government has been providing the government of Nigeria with significant security assistance over the past few years, in an effort to reinforce efforts against terrorism. Nigeria has benefitted from an estimated \$10.6 million worth of training, equipment and other support through the Trans-Sahara Counterterrorism Partnership and also buys hundreds of millions of dollars of weapons from the US government.<sup>47</sup> Unfortunately, this partnership has failed to deliver security for ordinary Nigerians. The US government should consider how it could better calibrate engagement for a practical impact on security.
- **support Nigerian civil society to engage.** The international community should consider offering financial and technical assistance to local Nigerian organizations working on the elections and related issues. This would include support for media monitoring to identify hate speech, disinformation or other potential threats to the process as well as to muster educational and counter-speech programming; monitoring violence and the way in which insecurity may affect the elections as well as traditional voter education and election monitoring programs. Adequate and timely information is critical to ensuring that both national and international policy makers with the right information to determine effective policies.
- **ensure international media focus.** Early international media focus will ensure that the key players realise that the rest of the world is watching and that while they might be able to gag the local media to some level, the international media is at liberty to amplify the truth while maintaining its objectivity.
- **increase consequences for disruptors.** The US State Department has imposed visa restrictions on individuals that it has not named publicly for “undermining democracy in Nigeria.”<sup>48</sup> Other countries should consider imposing similar sanctions on persons indicted for electoral malpractice or committing or condoning violence or have condoned it. They should take a further step to issue a joint pre-election note, and warn persons or groups who are heating the polity.

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<sup>47</sup> US Department of State, “US Security Cooperation with Nigeria,” 14 April 2022, <https://www.state.gov/u-s-security-cooperation-with-nigeria/>

<sup>48</sup> Congressional Research Service, “Nigeria: Key Issues and US Policy,” 25 March 2022, <https://crsreports.congress.gov/product/pdf/R/R47052/2>