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Elections in Nigeria

2019 General Elections

Frequently Asked Questions

Africa

International Foundation for Electoral Systems

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Frequently Asked Questions

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Disclosure:

These FAQs reflect decisions made by the Nigerian elections authorities as of February 16, 2019, to the best of our knowledge. This document does not represent any IFES policy or technical recommendations.

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When is Election Day?

Elections for the office of president and vice president as well as for the National Assembly (Senate and House of Representatives) were scheduled for February 16, 2019. The governorship and State House of Assembly elections were to be held on March 2, 2019. On February 16, the Nigerian election management body – the Independent National Electoral Commission – announced a postponement of the elections by one week pushing the expected election dates to February 23 and March 9.

Who are citizens voting for?

In the 2019 elections, Nigerians will elect the president, state-level governors (29 out of the country's 36 states), members of the legislature in the National and State Houses of Assembly, and chairmen of council in the Federal Capital Territory.

How many candidates are running?

There are 73 candidates for president, of whom 66 are men, six are women, and one is undefined.

The 109 Senate seats are being contested by 1,904 candidates. The 360 House of Representative seats are being contested by 4,680 candidates.

The 991 State Houses of Assembly seats are being contested by 14,785 candidates.

The 29 open governor seats are being contested by 1,068 candidates.

The 68 Area Council seats in the Federal Capital Territory are being contested by 806 candidates.

How many youth candidates are running?

There are 1,515 youth candidates, defined as those ages 18-35, running for seats in the National Assembly, representing a total of 23 percent of all candidates. Youth candidates running for the Senate have increased to 13.5 percent of the total number of candidates as compared to 2015. Youth candidates running for the House of Representatives have increased to 27.4 percent as compared to 18 percent in 2015.¹

Who sits on the National Assembly?

The bicameral National Assembly is made up of two chambers – the House of Representatives, which is the lower house, and the Senate, which is the upper house. The current House of Representatives, formed following elections held in April 2015, has a total of 360 members who are elected in single-member constituencies using the first-past-the-post system. Members serve four-year terms. The House is presided over by a speaker elected by the members of the House.

¹ <https://www.yiaga.org/youth-candidacy-in-the-2019-general-elections/>

The Senate consists of 109 senators, including the president of the Senate, whose primary function is to guide and regulate the proceedings of the Senate. Each of the 36 states is divided into three senatorial districts that elect one senator. The entire Federal Capital Territory elects only one senator.

Who sits in the State Houses of Assembly?

Nigeria has a total of 36 Houses of Assembly, one in each state, with a total of 991 members. The total numbers of members per House depend on the population size of each state.

What is the election management body?

The elections will be conducted by the Independent National Electoral Commission (INEC). INEC was established by Section 153 of the 1999 Constitution of the Federal Republic of Nigeria as a corporate body with perpetual succession. This means that it may sue and be sued in its corporate name, and that its legal existence is separate from that of its owners or managers.

INEC supervises all elections to the offices of the president and vice president, the governor and deputy governor of a state and to the membership of the Senate, the House of Representatives and the House of Assembly of each state of the federation. It is not involved in local government elections except that of the Federal Capital Territory (FCT) for chairmanship and councilors of the six Area Councils.

Its duties include registering political parties and monitoring their operations and finances; monitoring political campaigns and providing rules and regulations to govern them; conducting voter and civic education; and conducting any national referendums.

INEC is headquartered in Abuja, with offices in the capital cities of all 36 states, including the FCT, as well as in the 774 local government areas (LGA) in the country. INEC works with the National Youth Service Corps to recruit and train its members as presiding officers, polling clerks and assistants to manage the 119,973 polling units. Approximately 1,000,000 election staff are expected to work supporting the elections, including at polling units and collation centers.

According to Section 14 (1) of the Third Schedule of the 1999 Constitution, INEC shall be comprised of the following members: a chairman, who shall be the chief executive officer, and 12 other members to be known as national electoral commissioners. Section 14 also stipulates that the chairman and the national electoral commissioners shall be persons of unquestionable integrity and not be less than 50 years old and 40 years old respectively. The chairman collates, announces the scores of candidates and declares the winner in a presidential election.

The Constitution also provides for the appointment of a resident electoral commissioner (REC) for each state of the federation and the FCT of Abuja. RECs are appointed by the president of the federation and approved by at least two-thirds of the National Assembly. RECs supervise the affairs of INEC in the state in which they are posted, report to INEC, supervise all electoral officers in the LGAs and oversee the conduct of all elections in each state.

Electoral officers lead INEC offices in the LGAs or area councils and are expected to take custody of the voter register for their LGA under the supervision of the REC for each state. They oversee the conduct of all elections in the LGA.

Supervisory presiding officers are responsible for the supervision of elections in a cluster of polling units and stations and liaise between the electoral officers and a number of presiding officers and assistant presiding officers under their supervision on all matters affecting the election, especially in the collection, distribution and retrieval of election materials.

In June 2005, a key institution within INEC – the Electoral Institute – was established to carry out the following objectives:

- Facilitate capacity building and professionalism through training and development of INEC's staff;
- Engage in vigorous voter education activities with a view to achieving increased and effective participation of the electorate in the electoral process; and
- Carry out electoral research and documentation.

How many states will hold elections in 2019?

Citizens in each one of the 36 states and Federal Capital Territory will be able to vote for members of the legislature and presidential candidates. Governorship elections will be held in every state with the exception of Anambra, Ondo, Edo, Kogi, Bayelsa, Osun and Ekiti states. The tenure of the governors in these states has not yet expired because by-elections have been held since 2015.

What is the legal framework for the 2019 elections?

The legal framework is the 1999 Nigerian Constitution as amended, the Electoral Act 2010 as amended and the Independent National Electoral Commission 2018 Election Guidelines and Procedures.

Which electoral systems will be used?

Members of the National and State Houses of Assembly will be elected using the first-past-the-post system, also known as a simple majority. The presidential and governorship elections will also use a majority system, which includes some race-specific stipulations. To be declared winner in the presidential election, the candidate must receive the highest number of votes cast in the country and receive at least one-quarter of votes in two-thirds of all the states and the Federal Capital Territory. If no candidate meets these criteria, a run-off election would be held seven days after official results are declared. Winning governors must receive the highest number of votes cast in the state and receive at least one-quarter of votes in two-thirds of all local government areas across the state.

Who is eligible to vote?

Section 12 (1) of the Electoral Act 2010 as amended states that a person shall be eligible to vote if she or he:

- Is a citizen of Nigeria;
- 18 years or older;
- Resides, works in or originates from a local government area, council, or ward covered by a registration center;
- Presents her or himself to the registration officer of the commission for registration as a voter;
- Is not subject to any legal incapacity to vote under any law, rule or regulation in force in Nigeria;
- Must present her or himself to a presiding officer in a polling unit or voting point;
- Has a permanent voter's card (PVC);
- Her or his PVC has been verified by the smart card reader; and
- Her or his name is on the electronic voter's register.

Section 12 (2) of the Electoral Act 2010 as amended states that a person cannot register in more than one registration center or register more than once in the same registration center as this amounts to an electoral offense punishable by law. As such, Section 12 (3) of the Electoral Act 2010 as amended has warned the public that offenders are liable on conviction to a fine not exceeding NGN 100,000 (approximately USD 500), up to a year of imprisonment, or both.

Who is in charge of the voter register?

The Independent National Electoral Commission (INEC) is in charge of the voter register according to Section 9 of the Electoral Act 2010 as amended. INEC compiles, maintains and updates the voter register on a continuous basis. The INEC electoral officer of each local government area (LGA) is expected to take custody of the voter register for their LGA under the supervision of the resident electoral commissioner for each state.

How many registered voters are there?

There are 84,004,084 registered voters in the national voter registry that will be used in the 2019 general elections, of whom 52.86 percent are men and 47.14 percent are women. By age group, 51.11 percent are 18-35 years, 29.97 percent are 36-50 years, 15.22 percent are 51-70 years and 3.69 percent are over 70 years.² There are 14,218,734 first-time voters registered and 8,809 registration areas.

How can voters verify their registration?

A voter is expected to check the register of voters to ascertain that his or her name is included and spelled correctly. This was done when the register was displayed for inspection from November 6- 12, 2018. Voters can also check the registration portal on the Independent National Electoral Commission (INEC) website or send a text to a voter registration platform that INEC set up for this purpose.

What is being done to ensure electoral security?

Security agents will be in place to provide security at the 119,973 polling units. The Independent National Electoral Commission is collaborating with the Inter-agency Consultative Committee on

² <http://www.inecnigeria.org/>

Election Security, a platform of various Nigerian security agencies, to bring about a peaceful election process.

What does the ballot paper look like?

Each ballot paper will include the symbols adopted by the political party of the candidate. The ballot paper will be bound in a booklet and includes a serial number. The ballots for each office being contested will be differentiated by color.

Will there be out-of-country voting?

No, there are no provisions in the law for out-of-country voting at this time. However, Section 77 (2) of the Electoral Act 2010 as amended states that every citizen of Nigeria who is 18 years or older at the time of voter registration for the purpose of election to a legislative house shall be entitled to be registered as a voter for that election. The Independent National Electoral Commission has advocated an amendment to the law that permits Nigerians living abroad to vote where they are, but this law is not yet in place.

Will internally displaced persons be allowed to vote?

The Independent National Electoral Commission has approved an internally displaced persons (IDPs) framework in an effort to ensure inclusivity of IDPs. IDP voting centers, which replicate constituencies affected by violence, will be created at IDP camps in affected states. Voting at IDP camps will be conducted at the registration area (RA) level. There are 8,809 registration areas in Nigeria. Voting points are to be created if the number of registered voters exceeds a threshold of 750 voters. Result sheets for voting at the IDP camps or voting centers will be designed specific for IDP voting at the RA level. A special IDP polling unit elections result called EC8B is designed for RA-level IDP voting. Intrastate IDPs will vote for all levels of elections, while intrastate IDPs will only vote in presidential elections.

Who is eligible to be a candidate?

Candidacy requirements differ slightly between positions. All candidates must fulfill basic minimum requirements of citizenship and be registered voters. In addition, they must show that they have been educated up to at least school certificate level or its equivalent, and that they are a sponsored member of a political party. Senate candidates must be at least 35 years old, while House of Representative candidates must be at least 30. A political party must sponsor a candidate before he or she can run for a political position. There is no legal provision for independent candidates.

What happens if only one candidate is nominated for an election at the close of nomination?

The time for nomination will be extended by seven days and if, after the extension, only one candidate remains duly nominated, he or she shall be declared unopposed and elected, except in the cases of a chairman, governorship or presidential nomination where the law requires that a vote be held and the candidate shall:

- Have a majority of “yes” votes over “no” votes cast in the election and
- Have not less than one-quarter of the votes cast at the election in each of at least two-thirds of all the area councils, local government areas or states in the Federation or the Federal Capital Territory respectively.

What is an inconclusive election?

An election is inconclusive when the total number of registered voters in polling units where the results are cancelled or where the elections are postponed are sufficient to cause a change in the outcome of the election in the affected constituency.

Can candidates or parties be disqualified?

Yes, the Independent National Electoral Commission will write to the candidate or party involved explaining why they have been disqualified. Disqualifications can be challenged in a court of law.

What are polling units, voting points and voting point settlements?

A polling unit is a public place, enclosure, booth or shade recognized by the Independent National Electoral Commission (INEC) at which voting in an election takes place. The presiding officer oversees a polling unit and is supported by other election officials, including three assistant presiding officers.

Voting takes place at polling units (PU) and voting points. In the case of the Federal Capital Territory, voting takes place at PUs, voting points and voting point settlements (VPS). Voting points are created out of polling units based on multiples of 500 and a maximum of 750 registered voters or as may otherwise be determined by INEC. VPSs may be created by INEC to facilitate access to voters in new settlements not currently served by a PU. Where a VPS is created, it shall be treated as a PU.

As much as possible, all voting locations shall be located within enclosures in public places accessible to persons with disabilities. Where they are in open spaces, canopies will be provided. Public facilities include public schools, civic centers, town halls and communal open spaces and do not include places of worship, palaces of traditional rulers and private homes.

How many parties have been registered?

The Independent National Electoral Commission has registered 91 parties for the 2019 elections.

What are the rules on campaigning?

Once the Independent National Electoral Commission gives notice of election, it also publicizes the dates of the various stages of the election. This includes a period of time in which campaigns may take place. Section 30 (1) of the Electoral Act 2010 as amended states that that the campaigning may begin no more than 90 days before an election. For these elections, campaigning began on November 18, 2018, for the presidential and National Assembly races and on December 1, 2018, for the governorship and State House of Representative elections. Section 99 (1) of the Electoral Act 2010 as amended prohibits advertisements or broadcast of campaign materials 24 hours prior to Election Day.

What are the rules for campaign finance?

The Independent National Electoral Commission (INEC) has defined expenditure limits for all candidates. All candidates are required to submit financial reports specifying their campaign income and expenditures no later than seven days after Election Day.

Candidates may accept financial donations from citizens but are prohibited from receiving any support or funds from foreign or illegal sources. The donations received by candidates shall not exceed the expenditure ceiling specified by INEC for each candidate. Financing an election campaign by means of public funds, ministries, treasuries, government companies, institutions or bodies is also strictly prohibited.

The expenditure ceiling for each candidate is summarized below:

- Presidential: NGN 1,000,000,000 (approximately USD 5 million);
- Governorship: NGN 200,000,000 (approximately USD 1,005,000);
- Senate: NGN 40,000,000 (approximately USD 200,100);
- House of Representatives: NGN 20,000,000 (approximately USD 100,500);
- State House of Assembly and Chairmanship: NGN 10,000,000 (approximately USD 50,200); and
- Councillorship: NGN 1,000,000 (approximately USD 5,000).

INEC has established the Election and Party Monitoring Department, which is tasked with watching over party finance activities.

What are the basic polling procedures on Election Day?

The procedure to be used requires a prospective voter to cast his or her vote immediately after being accredited. The accreditation process comprises the verification of voters using the card reader, cross-checking voters' names in the register of voters as well as inking of the cuticle of the specified finger.

Accreditation and voting will commence at 8:00 a.m. and close at 2:00 p.m. provided that any voters already on the queue at 2:00 p.m. shall be granted access to accreditation and voting in the prescribed manner.

What are the basic voting procedures on Election Day?

The open secret ballot system will be used, in which the voter thumbprints or makes his or her choice on the ballot paper in secret and drops it in the ballot box in full view of all present. Voting by proxy is not allowed. Voters must be physically present at the polling unit (PU) before they can vote. Telephones and other electronic devices capable of taking photos are not allowed in voting cubicles. Voters may come to the PU with telephones and other electronic devices provided that they do not take them into the voting cubicles or take pictures of other voters while they are voting.

Upon arrival at the polling unit, the voter joins the queue. When it gets to his or her turn, the voter presents a permanent voter's card (PVC) to the Independent National Electoral Commission (INEC) official, who verifies if the voter is at the correct PU. Only the PVC, not a temporary voter card, can be

used to vote. If verified to be at the correct PU, the INEC official directs the voter to the next INEC official.

The next INEC official, using the card reader, verifies if the PVC presented by the voter is genuine and has the bearer's biometrics. If the photograph is same as the bearer but the biometrics are not the same, the official recaptures the biometrics.

The next INEC official verifies if the details of the voter are in the voter register, ticks the name on the register and applies the indelible ink to the cuticle of the voter's appropriate finger. This step shows that the voter has been accredited to vote. (If a voter's name is not found on the register, he or she will not be allowed to vote.) The next INEC official stamps, signs, and writes the date at the back of the ballot paper, and any failure to do so renders the ballot paper invalid. The official then folds and flattens the ballot paper and gives it to the voter, who goes to the voting cubicle to vote in secret. The voter applies the ink from the ink pad with the thumb and places it in the space or box provided on the ballot paper for the preferred candidate and party. The voter then folds and flattens the marked ballot paper in the manner the official presented. The voter then leaves the voting cubicle and drops the ballot paper in the ballot box in full view of all others present. Additional ballot boxes will be provided where necessary. The voter leaves the PU or waits for the result in an orderly and peaceful manner if he or she so chooses. The law prohibits loitering and other disruptive activities within a 300-meter radius of the PU.

Voters are not allowed to vote more than once, for more than one candidate or to record more than one vote in favor of any candidate in any election. If caught, a voter may be fined or jailed.

When are ballots rejected?

A ballot shall be rejected if:

- The choice of the voter is not clear;
- The back of the ballot paper has not been stamped and signed by the presiding officer (PO);
- The ballot does not contain a voter's thumbprint;
- The ballot contains any writing or mark that identifies the voter; or
- The ballot is thumbprinted for a party not contesting the election.

If a ballot paper is badly torn by the PO when detaching it from the ballot paper booklet or the ballot paper is damaged by the voter in such a way that it cannot be used for voting, the PO shall write the word "spoiled" on the front of the ballot paper and place it in the envelope provided. The PO shall then issue a new ballot paper to the voter.

Who are party agents?

A party agent represents a political party or candidate at the polling unit (PU) or collation center on Election Day. Election officials shall allow each party to be represented by one agent at a time in PUs and collation centers provided they are accredited by the Independent National Electoral Commission (INEC). Parties may also appoint a representative at each point of distribution of electoral materials in the constituency where they are sponsoring candidates for an election. To be accredited, the party must

submit the names of the agents to the INEC no later than seven days before the election. A party agent present at a PU may demand to have the votes recounted, but only once. Refusal of any party agent to countersign the result sheet will not invalidate the result of the poll.

Who are election monitors?

Election monitors are Independent National Electoral Commission officials deployed to oversee the conduct of elections. Election monitors can interfere with the conduct of elections, especially when they notice that poll officials are not adhering to the approved procedures.

Who can observe on Election Day?

Civil society organizations and concerned local and international bodies must formally write to the Independent National Electoral Commission's (INEC) Election and Party Monitoring Department and await approval to observe the elections. Interested parties will receive observer kits on approval. Observer groups are expected to submit a detailed list of their observers as well as photographs of each observer. Badges with photographs will be printed by INEC and issued to each observer. Observers must wear their INEC issued observer badges on Election Day or risk arrest.

Observers are not permitted to interfere with the conduct of elections. They are only permitted to observe the process and to call the attention of officials to any irregularity without interfering with the process. It is unlawful for election observers to handle election materials. Domestic and international observers are appointed by their respective organizations and accredited by the INEC. They have the right to observe the entire voting process and the counting of ballots at the polling stations and the collation and declaration of results at the collation centers.

Election officials shall check that all observers are duly accredited and wear their observer badges while in the polling station; allow observers to watch the distribution of election materials, conduct of the voting, sorting and counting of ballots, and announcement of results; and allow observers to call any irregularities to their attention.

Will journalists have access to polling units on Election Day?

Yes, but only accredited journalists are permitted into the polling units on Election Day on the condition that they do not interfere with the conduct of elections. The media cannot announce election results before returning officers do, as the latter are the only ones permitted by law to declare the result of an election.

What provisions are in place to guarantee equal access to the electoral process for persons with disabilities?

The Independent National Electoral Commission's (INEC) procedures and framework for access for persons with disabilities allows persons with disabilities to move to the front of the lines in polling units (PUs) when voting or registering to vote. People with disabilities may also be accompanied into the PU by a person of their choice, other than a poll agent. Braille ballot guides and magnifying glasses will be

available for voters with disabilities in the 2019 elections. A tactile ballot paper is a specially designed ballot paper that enables a visually impaired person to make his or her choice on the ballot paper unaided (i.e., in secret, independently).

Persons with disabilities can observe the election, provided they are appointed by an organization and accredited by INEC.

Can there be separate queues for men and women?

Yes, where a culture does not allow men and women to mix in a queue, separate queues are formed for men and women.

What is a smart card reader?

A smart card reader (SCR) is a device used to scan the permanent voter's card (PVC) to confirm its ownership by the presenter and authenticate voters' fingerprints. SCR will be used in the 2019 elections. The SCR stores voters' information such as physical attributes, thumbprints, etc., and protects information stored in the card. The information on the PVC is electronically programmed and can only be read or accessed electronically with the card reader. If a voter has no fingers, indelible ink shall be applied on his corresponding toe. If the voter has no fingers or toes the indelible ink is applied on the corresponding toe of the person brought by the voter to assist him.

In accordance with Section 49 (2) of the Electoral Act, a person intending to vote shall be verified to be the same person on the Register of Voters by use of the SCR in the manner prescribed in the Independent National Electoral Commission's Regulations and Guidelines. Any poll official who violates the provision above will be deemed guilty of an offense and liable to prosecution.

What is a tendered ballot paper?

A tendered ballot paper is a ballot paper that is issued to a voter whose right to vote has been used by another voter. After marking, the tendered ballot is delivered to the presiding officer and not allowed to be put inside the ballot box.

What happens when the votes cast at an election is higher than the number of accredited or registered voters in a polling unit?

The result of the election in that unit will be canceled.

Does the election management body have a 24/7 contact or emergency line?

The Independent National Electoral Commission (INEC) has opened an INEC Citizens' Contact Center (ICCC), which gives the public access to the INEC for inquiries and information and is designed to enhance transparency and public participation in the electoral process. The ICCC is open daily between 9:00 a.m. and 5:00 p.m. and, as the elections near, will scale up to 24-hour service. The ICCC offers the

public real-time responses to inquiries, incident reports, complaints and queries about any aspect of the electoral process. The ICCC:

- Facilitates access to election-related information and knowledge;
- Contributes to voter education efforts;
- Provides information on how to transfer registered voters; and
- Facilitates verification of voters' status.

Contact information for the ICCC is below:

- Telephone: 07098116381, 07098115257, 07098117563 or 07098110916
- E-mail: iccc@inec.gov.ng
- Facebook: <http://www.facebook.com/inecnigeria>
- Twitter: <http://www.twitter.com/innecnigeria>
- Website: www.inecnigeria.org
- Glo: 09050858629, 09050858676, 09050858649
- Etisalat: 08180958715, 08180958717, 08180958709
- Airtel: 09025038466, 07086945927, 08120183663
- MTN: 07062896047, 08105119010, 08146697603
- Office: 2nd floor, ICT Building, INEC HQ, Maitama, Abuja

When will election results be announced?

Results will be announced at the polling unit (PU) immediately after collation, sorting, and counting of votes at the PU level. Following this announcement, results are transferred on to and collated at the collation centers at the ward, local government area, state and national levels. The level of the final announcement of results depends on the type of seat in question. The presidential results will be announced at the national Presidential Collation Center. Governorship, House of Representatives and Senate races are announced at the state level.

The time of the announcement will depend on the speed of collation and tabulation of the results. On average, results are announced 48 hours after the election is complete. However, this may take longer in certain cases.

How will election disputes be adjudicated?

Only registered candidates or parties can challenge results. These challenges must be submitted to a court. Section 138 (1) of the Electoral Act 2010 as amended states that an election may be brought into question on the following grounds:

- That a person was not qualified to run at the time of the election;
- That the election was invalid by reason of corrupt practices or noncompliance with the provisions of the Electoral Act 2010 as amended;

- That the respondent was not duly elected by the majority of lawful votes cast during the election; and
- That the petitioner or its candidate was validly nominated but was unlawfully excluded from the election.

Challenges must be submitted within 21 days.

An electoral offense is any violation of a regulation or law passed by the Independent National Electoral Commission (INEC). Examples of electoral offenses on Election Day include vote buying, campaigning during the silence period, multiple voting and voting despite ineligibility. Voters, polling agents and candidates can submit a written complaint to the nearest INEC local office; all claims will be reviewed by INEC.

Who has access to polling units and collation centers?

The following shall be allowed access to the electoral material distribution centers, polling units (PUs), polling stations and collation centers:

- Voters (at PUs only);
- Independent National Electoral Commission officials on election duty;
- Security agents;
- Candidates or their accredited polling agents;
- Accredited journalists and members of the media; and
- Accredited domestic and foreign observers

Resources

- [Independent National Electoral Commission \(INEC\) Website](#)
- [INEC Facebook](#)