

REFORMING CRITICAL OPERATIONAL STRATEGIES

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Constitutional provisions, electoral legislation, regulations and the policies and the administrative framework of the electoral management body all govern the means by which elections are conducted. Providing an opportunity for all eligible voters to choose their government representatives, through operations that are cost-effective, credible and secure is a major challenge for election management bodies.

In reviewing the operational strategies of the Independent National Electoral Commission (INEC) of Nigeria in its conduct of the 2003 federal and state elections, it is necessary to examine the major areas of its operational approach. In any electoral environment, there are similar key issues for which effective solutions have to be found if election operations are to promote public confidence in the integrity and professionalism of electoral management, and acceptance of election results.¹ Some questions to ask in conducting this review are:

1. What are the most suitable arrangements for voter registration and for voting?
2. What are the ways to ensure that registration centres and polling stations are run by trained and professional staff?
3. What materials can be used to ensure the credibility of the process?
4. What are the logistics strategies, to ensure the necessary materials are available and that the operations run efficiently?

INEC's operational strategies, within the legislative and administrative framework, dictate how the elections are conducted, and whether their outcome will be accepted by the participants. If the operational strategies are successful, all eligible voters have the opportunity to participate fully in the process; registration centres and polling stations open on time and the periods of operations are respected; materials are adequately supplied and

properly used; all necessary registration and election staff are present and conduct their duties according to the law and regulations; and the election results are compiled in a transparent manner, announced in a timely fashion and accepted, leading to the inauguration of the newly-elected officials. Shortcomings in the operational strategies lessen the credibility of the electoral process and in confidence of the electoral management body, paving the way for future difficulties with regard to respect for the conduct of elections and the democratic process as a whole.

Other speakers at this Seminar have already provided a review of voter registration and the recruitment and staffing of registration and election officials. Speakers yet to come will address the voting process, and the collation and declaration of results. These presentations have or will also touch on the materials used and the logistics under-pinning the operations of these processes. Rather than reviewing all these areas, I would instead like to suggest some possible opportunities for reform and steps that INEC can take, in both the short- and long-term, to enhance its operations and prepare for upcoming elections.

1. Arrangements: Voter Registration and Voting

Nigeria has now made a major shift from the production of a new voters' register for each election to the establishment of a computerised register, which will be continuously updated. As a result, comprehensive short- and long-term work plans and procedures urgently need to be developed and the required funding provided to support:

- the completion of the consolidation of a centralised data base;
- the reduction in the number of data centres;
- the development, production and distribution of permanent voter ID cards, with or without photos; and
- and the production of new voters' lists, and their distribution for purposes of claims, objections and updates.

Consideration should be given to the centralised printing of voters' lists and the production of voters' cards in order to enhance both security and quality control. Initially, the new voters' list should be distributed for claims, objections, revisions and additions at the earliest possible date. Display of the register should occur at the registration centres, to enable easy access to the register and to facilitate a thorough review of the register. Following this, revised lists should be issued regularly—every six months or less. In this way, no matter

when an election is called, the latest list would be the one used at that election, and not only would it be less than six months old but would have been revised in the light of any claims and objections.

In addition to the development of procedures for the continuous updating of the computerised voters' register and the issuance of voters' cards, the procedures for voting also need to be reviewed and revised, particularly while the experiences of the 2003 elections are fresh. The review of procedures for voting and the counting, collation and announcement of results would serve to inform the necessary review of the electoral legislation and would ensure that any revisions to the legislation would take into account the lessons learned from 2003. This is particularly important to ensure that the legislation is able to be implemented and that it enhances the credibility of the voting process.

Basic non-sensitive voter information from the voters' register, such as name, gender, age and voting area, should be made available to political parties in electronic form. The list of registration centres should also be widely publicised and placed on INEC's website. INEC should—while protecting sensitive information—make the register widely available.

Voting:

The secrecy of the vote, which is a basic democratic principle, has not been a part of Nigerian voting tradition. Protecting the right to secrecy of the vote should be an integral part of the training programmes for INEC polling officials, Party Agents and security officials. Additionally, materials such as voting screens or polling booths must be provided to all polling stations to ensure that the voter can mark his/her ballot papers out of the view of the public, the poll officials, the police, party agents and other observers.

Participation:

The implementation of Nigeria's electoral process disenfranchises hundreds of thousands of eligible Nigerians—these are the ad hoc registration and election officials, party agents, security officials and the domestic observers who manage and monitor the process. In Nigeria, mechanisms do not exist for these categories of people to participate in the elections as in most other countries around the world.

In addition, INEC's own permanent staff does not participate in the process—does not register and thus cannot cast ballots in the very elections that they are responsible for conducting. There is the perception in Nigeria that participation by INEC staff in the electoral process will lessen their neutrality and credibility in the eyes of the public. Certainly, most people hold some degree of “political” beliefs, and the casting of ballots should affect their ability to conduct their responsibilities in an impartial and professional manner.

It should be noted that the barriers to electoral participation for temporary staff, INEC staff, the police, observers and party agents are not legal—they are as a result of the lack of operational arrangements and of long-standing practice. It is imperative that these barriers be fully examined and mechanisms subsequently designed and implemented to ensure the full participation of these many eligible Nigerians. Enabling registration officials short periods of leave to allow them to register at their home registration centres, issuing transfer of vote certificates to election officials, party agents, observers, and security officials posted on Election Day to enable them to vote where they are posted, and doing the same for INEC permanent staff are just some mechanisms for allowing participation.

The sick and citizens with disabilities are often prevented from registering, and voting, if they are house-bound or if registration centres/polling stations are inaccessible. Consideration should be given to establishing mobile registration centres and polling stations to facilitate their participation. The physical location and set up of registration centres and polling stations require immediate review—many centres/stations are located down long drives and off the main road, making it difficult for persons who are mobility impaired to easily travel to the centre/station. Further, the registration centres and polling stations are often situated on the verandas of schools and other buildings, inaccessible to persons in wheelchairs.

2. Recruitment and Training

The delivery of good elections rests largely on the competence, neutrality and integrity of some 500,000 temporary registration and election officials. For the 2003 elections, INEC conducted an intensive training of all levels of officials, using a “cascade” training methodology, detailed procedural manuals and training materials which promoted standardization of training throughout the country.

Improvements can still be made to INEC's recruitment and training procedures, such as:

- Development of appropriate and relevant education and skill criteria for applicants to the various positions;
- Formulation of applications forms, standardised on a nationwide basis, to be used by all applicants. Application forms should request the information necessary for a proper and thorough evaluation of the applicant and form design should facilitate both the completion of the form by the applicant and its review by the recruiting officer;
- Establishment of an objective and standardised process for INEC to evaluate applicants;
- Greater transparency with regard to the selection of officials, including consultation with political parties and the early publication of lists of officials for public scrutiny;
- The establishment of a database of qualified persons for all positions; and
- Hands-on training for registration and elections officials—taking staff through a dry run of the procedures and, in particular, completing the forms, determining valid votes and undertaking the count. In this regard, kits for trainers should include non-sensitive election materials and mock-ups of sensitive materials so that trainees can practice the procedures and using the materials.

Party agents, observers and security officials are also present at the polling stations. The bodies responsible for deploying such personnel need to provide training for these officials. INEC should work closely with them to ensure that their training materials and methodology are comprehensive and fully consistent with the electoral legislation and INEC guidelines.

To operationalise these reforms, INEC needs greater capacity in the area of recruitment and training and should establish a Training Department at its headquarters. Further, training units should be developed in each of INEC's State offices to enable state officials to more effectively conduct training and monitor the training programme.

3. Materials

Properly designed and utilised sensitive and non-sensitive registration and election materials can greatly enhance the credibility of the electoral process. The materials used for the 2003 elections should be reviewed to ensure that they best support the procedures for the process

and the provision of additional types of materials should be seriously considered in the planning for future elections.

Indelible ink:

The present indelible ink used to mark the fingers of registrants and voters, to help prevent multiple registration/voting, should be replaced with ink proven to be indelible and which cannot easily be removed. There are special “felt pens” which might be considered to avoid problems of spillage of bottled ink which happens frequently. However, if bottled ink is used in the future, the simple application of double-sided sticky tape on the bottom of each bottle can reduce the problem of spillage to a minimum. If it is not necessary to mark only the cuticle of the finger, spray bottles, or non-spillable bottles containing sponges are alternatives which can be explored.

Ballot box:

INEC currently faces a massive problem in storing the hundreds of thousands of ballot boxes used for these and past elections. A decision needs to be taken with regard to the disposal of old and damaged ballot boxes. Further, the present ballot boxes are not collapsible or stackable, easily transportable, structurally secure or maintenance free, but are costly to store and are prone to damage and rust. A solution must be found to ensure that such costly and reusable election materials can be stored between elections. The design of the ballot box should also be reviewed with a view toward its modification to enhance security, durability, easy transportation and storage in the future.

Voting screen / polling booth:

The provision of collapsible voting screens or polling booths, of lightweight but durable material, would greatly enhance the secrecy of the voting process. Despite the best efforts of many election officials to provide a space where voters can mark the ballots in secret—by using classrooms or thatched screens as polling booths, or by placing the voting table a great distance from the various people at the polling station—it is difficult to ensure the secrecy of the ballot at the polling station, particularly when the polling station is in an urban area or is over-crowded. For future elections, it is strongly advisable for INEC to provide voting screens or polling booths to all polling stations.

Ballot paper:

The close of candidate nominations only 30 days before the elections, as stipulated in the Electoral Act 2002, made it impossible for INEC to list only those parties with contesting candidates on the ballot papers. It is imperative that voters know for whom they are voting, and INEC should list the names of only those candidates contesting the election on the ballot papers. In reviewing the nomination deadlines of the Electoral Act, it will be necessary for INEC and Nigeria's stakeholders to consider the amount of time necessary to print and deliver such re-designed ballot papers.

4. Logistics

Transportation

Material Delivery, Retrieval and Storage:

There is a need to streamline logistics in order to improve the storage, distribution, tracking and retrieval of sensitive and non-sensitive election materials. For instance, procedures are required to create a clear and traceable audit trail of sensitive registration and balloting materials. Registration forms, numbered ballot box seals and ballot paper serial numbers should be assigned for each polling site by INEC, and those numbers recorded by election officials, observers and party agents as appropriate.

The electronic voters' register, providing accurate and easily accessible data on the number and distribution of voters, should in future give a much sounder basis for planning logistics around the election.

In this immediate post-election period, INEC should work to conduct an inventory of all its registration and election materials and computerise the inventory to better facilitate the tracking of material. The database would form the basis for longer-term storage plans, future procurement, material tracking and delivery and retrieval of materials.

Communication

With increased delegation, there is an accompanying need for constant communications and coordination among headquarters directorate and staff and between INEC and its State Offices.

For the work of INEC to run smoothly it is essential for information to flow easily throughout all sections of the Commission. Otherwise, key members of staff remain confused, programmes are not implemented effectively, and morale declines.

It is clear that there have been difficulties in this regard both within the Headquarters and – even more acutely – between Abuja and the States. It is essential that such problems should be addressed.

--Intranet would help horizontal communications—between departments, within departments

THE WAY FORWARD

The administrative ethos of INEC remains that of the traditional civil service. It administers elections, reacting to events, rather than managing the delivery of the elections, preparing pro-actively for deadlines to come. That INEC was not able to develop a detailed election calendar because of the uncertain legal framework, which was not clarified until December 2002 and was then often contested, is just one example of this problem. Even during this time of uncertainty, detailed planning to take into account possible outcomes of the legal review could have been undertaken to enable earlier action on electoral preparations. Further, while the Commission does prepare operational plans, these do not seem to be developed as early as they should be, coordinated, implemented in a timely fashion and monitored.

The Strategic Planning conducted by the INEC in 2000 resulted in the development of clear goals and objectives to be achieved from 2000-2003 in the preparation for and conduct of the 2003 elections. The Strategic Planning exercise was certainly useful in articulating the Commission's aims but, unfortunately, many of these goals and objectives were not obtained, primarily as a result of the lack of the development and implementation of detailed operational plans.

Such operational plans are vital to ensure that: all relevant actions have been identified and assigned administrative deadlines so as to meet legal deadlines; dependencies and links between actions are in logical timeframes; responsibilities have been assigned for the many interdependent operational tasks to be completed; and targets for activity progress and monitoring are in place.²

Planning needs to begin now to prepare for the 2007 elections. The first step should be the development of an operational plan to wrap up the just-concluded electoral process, and which should include such tasks as inventory control and storage, review of electoral procedures, staff assessment, etc. Concurrently, the Commission should work to develop a general timeline, by which the legislative framework should be clarified, procedures for the elections developed and necessary systems and infra-structure designed and implemented. Following the formulation of that overall timeline, INEC should begin work on specific operational plans, engaging its senior staff at headquarters, the States and the local government level in such planning.

It should be noted that, at present, INEC's management structure is compartmentalised and does not facilitate the overall direction and coordination of all the essential inputs to the electoral process. Both cross-departmental and inter-departmental coordination of activities, essential for efficient working and to ensure that each aspect of the preparations is undertaken in the appropriate sequence, are ineffective. One way to facilitate such coordination would be the establishment of an election management group, comprising the department heads with the authority to control and direct the process.

INEC should prepare and make available a comprehensive timetable of each step in the electoral process. This might include: deadlines for the closure of the voters' register, the nomination (and withdrawal) of candidates, publication of lists of candidates, publication of the voters' register, acquisition of electoral materials, packaging and distribution to polling stations, publication of lists of polling stations, etc.

In order to ensure full compliance with such a timetable, INEC will need to embark on a major program of strategic and operational planning. Clear priorities, in regard to staffing and resources, will have to be established, activities schedule, and essential milestones identified. All electoral activities will need to be integrated with these respective deadlines.

The Election Timetable should, as proposed, be issued as a legally binding regulation of the Commission. Publication of the timetable would make it easier for INEC itself as well as

political parties and observers to monitor these processes effectively. In addition, INEC should draw up an internal timetable of the administrative actions which need to be taken to ensure that election deadlines are met.

INEC should also consider issuing a public notice that the various steps in the process have been completed and in a manner consistent with the timetable. These notices, together with information about the actions taken, such as the list of constituencies, candidates' name, etc, should all be placed on the Commission's website for public information.

¹ Administration and Cost of Elections (ACE) Project, "Voting Operations: Overview", Alan Wall (1998) and Helena Alves (2001).

² Voting Operations: Planning, Wall and Ramos., Willy (1999)