KEYNOTE ADDRESS BY THE HONOURABLE CHAIRMAN, INDEPENDENT NATIONAL ELECTORAL COMMISSION (INEC), PROFESSOR MAHMOOD YAKUBU AT THE 12TH NATIONAL DELEGATES’ CONFERENCE OF THE FORUM OF STATE INDEPENDENT ELECTORAL COMMISSIONS OF NIGERIA (FOSIECON) ON WEDNESDAY, 9 MAY 2019 AT CREST HOTEL AND SUITS, JOS, PLATEAU STATE

PROTOCOL

INTRODUCTION
I welcome all of you to this 12th National Delegates’ Conference of the Forum of State Independent Electoral Commissions of Nigeria (FOSIECON) and thank the Executive Council of FOSIECON for inviting me to give this keynote address. This conference is significant for two reasons. First, it is coming three years after the last one in Kano in February 2016. It therefore provides an opportunity after a period of lull for the Chairpersons, Members and Administrative Secretaries of all the State Independent Electoral Commissions to meet, share experiences, exchange ideas and discuss issues that are germane to the management and conduct of local government elections in Nigeria. Secondly, the conference is holding two and half months after the 2019 General Elections. In consonance with the INEC/FOSIECON MOU, it affords us a veritable platform to review the elections by highlighting the opportunities and challenges as well as the lessons that should be learnt by all of us as election management bodies.

POWERS AND FUNCTIONS OF INEC AND SIECs
The Independent National Electoral Commission and the 36 State Independent Electoral Commissions are creation of the 1999 Constitution in Sections 153(1f) and 197(1b) respectively as independent election management bodies with distinct roles and functions. For the avoidance of doubt, while INEC is empowered by Section 103(1) of the Electoral Act (2010) as amended to conduct elections into the offices of Chairman, Vice Chairman and members of the Area Councils of the FCT, the State Independent Electoral Commission (SIEC) is empowered by Parts II (4a) of the third schedule of the 1999 Constitution (as mended) “to organize, undertake and supervise all elections to local government council within the State”. I hope this will help to clarify the misperception often expressed in the public domain that SIECs are extensions of INEC. SIEC are independent entities and their role and functions is central in the efforts towards democratic
consolidation in Nigeria. This is given their pivotal role and responsibility of conducting elections at the local government level, which is the foundation of our democracy.

**REVIEW OF THE 2019 GENERAL ELECTIONS**
The 2019 General Elections (Presidential, National Assembly, Governorship, State Houses of Assembly and FCT Area Councils election) is the largest electoral exercise undertaken by any Electoral Commission in the history of Nigeria. The election was contested by 91 registered Political Parties with a total registered voting population of 84,004,084. The election took place in 1,558 Constituencies and 774 Local Government Areas. The Collation of Results took place in 8,809 Registration Areas/Wards and in 119,973 Polling Units and 57,023 Voting Points nationwide.

The Presidential Election was contested by 73 candidates, while 1,068 candidates contested the Governorship election in 29 States of the Federation. The 109 Senate seats were contested by 1,904 candidates, while the 360 seats in the House of Representatives was contested by 4,680 candidates. 14,785 candidates contested the 991 State Constituency seats, while 806 candidates contested the 68 Area Council seats in the Federal Capital Territory. The implication is that INEC conducted elections in 1,558 Constituencies involving a total of 23,316 candidates.

**LESSONS LEARNED FROM THE ELECTIONS**
1. **Clear and Unambiguous Constitutional and Electoral Framework.** It is important to have a clear and unambiguous constitutional and electoral framework at least six months before elections. Uncertainty relating to the constitutional and electoral framework that will govern the conduct of elections creates uncertainty and undermines the confidence of the people in the elections. A clear and unambiguous constitutional and legal framework is good for planning and aids early procurement of sensitive and non-sensitive materials.

2. **Deployment of Election Technology.** INEC took a pioneering decision to introduce technology in our elections in 2015 with the use of the Smart Card Reader to verify and authenticate voters. The Smart Card Readers were upgraded to expand and enhance their functionality for the 2019 General Elections. We cannot continue to operate manual elections any longer and the time has come for the State Independent Electoral
Commissions to adopt technology in the conduct of Local Government Elections in order to enhance integrity of the process and safeguard the will of the people. The Independent National Electoral Commission will support any State Independent Electoral Commissions that signify their intention to deploy the SCR in the conduct of Local Government Elections.

3. **Release of Funds for the Electoral Process.** Early appropriation and release of funds is fundamental to the success of the electoral process. Concrete planning and procurement cannot take place and be sustained unless the Commission is sure that the funds are there and or will be available at the appropriate time. For the States Independent Electoral Commission, it damages the credibility of the Commission to fix a date for election without having the money for the election in the kitty. Postponing elections over and over on account of non-release of funds does not help the credibility of the Commission.

4. **The Party Nomination Processes.** The party nomination processes have profound impact on the preparations and conduct of elections. Refusal of Political Parties to abide by and respect the Constitution of their parties, the electoral framework and the rules and regulations governing nomination processes and the resort to litigation by aggrieved aspirants and candidates affects the conduct of elections. When nominations are hazy and issues go to the Courts, Court judgements, Orders and pronouncements affects procurement, the printing of ballot papers and result sheets. It is important to put in place a legal regime that allows for the disposal of all pre-elections matters at least 60 days before the conduct of elections. Removing names and logo of political parties and changing the names and parties of candidates up until the eve of election on account of court orders and pronouncements is very problematic and confusing and put the electoral management body on edge, with profound impact on the conduct of elections.

5. **Harvesting and Training of Ad-Hoc Staff.** The Independent National Electoral Commission will design and generate a template for better protection of the recruitment process of ad-hoc staff as well as their safety in the electoral process. While the recruitment of members of the National Youth Service Corp and students of Federal tertiary institutions as ad-hoc staff will continue, some desperate politicians have designed
ways and methods of reaching them and corrupting some of them. These set of politicians have also unleashed violence on others to the extent that it is now difficult to get the leadership of NYSC to release Corp members for ad-hoc staff duty in certain communities. It is also imperative to have a plan B in terms of the recruitment and deployment of ad-hoc staff to avoid last minute disappointment occasioned by insecurity in some of our communities, Act of God and other vagaries or emergencies that may not be envisaged at the point of planning for elections. The payment of allowance of ad-hoc staff must also be properly structured as some of the ad-hoc staff will report to the Registration Area Centre and collect their transport refund and simply disappear while others will nominate a replacement that never attended any training and at the end bungle the election process. It is better to have good hold on the ad-hoc staff and have a reserve poll that can be called upon to fill gaps left by those that abscond and those that are unable to continue on account of one challenge or the other.

6. **Recruitment, Training and Deployment of Collation Officers.** The Independent National Electoral Commission is thinking through the recruitment, training and deployment of Collation and Returning Officers. While a large proportion of the Collation/Returning Officers performed creditably, some politicians already know the pool from which Collation and Returning Officers are drawn and sometimes attempt to compromise the recruitment process. Furthermore, some of the Collation and Returning Officers are not amendable to training resulting in elementary mistakes that are made in the filing of result sheets and the collation of results. Safeguarding the recruitment process and reviewing it as the election progresses is very important as the politicians now go to the same market for recruitment. Sometimes it is better to draw Collation and Retuning Officers from contiguous states and centralize their deployment.

7. **Communicating Clearly and Plainly:** It is important to communicate clearly and explain processes and procedures to the public. The Chairman of the Commission is the Chief Spokesperson of the Commission, but he cannot be everywhere and respond to everything involving the Commission. It is imperative to structure the communication channel to avoid misrepresentation and conflicting opinions. Those that speak for the Commission must be knowledgeable
on the issues and communicate in the language of the people. The electoral process is a complex and technical area and it is not safe to assume that people know and or understand it. The Independent National Electoral Commission was aware that it must compete for media space with Political Parties and the media owners as well as the “editors at large” of the social media. What is important is being focused and communicating processes and procedures clearly and competently.

8. **Movement of Materials and the Mischief of Transporters.** Good election and the confidence of the people that things are being done professionally and competently sometimes depend on the timely deployment of materials and personnel to the registration areas and the polling units. More often, the Commission enters into contractual relationship with private transporters who sometimes supply rickety vehicles or breach their contractual relationship with impunity. It is important to pay attention to what Electoral Officers are doing in terms of transportation and the ownership of some of the vehicles used for conveying materials and personnel. It is also important to ensure that the commercial vehicles conveying officers and materials to the polling units stay behind to convey them back. Some of the transporters simply disappear and leave the ad-hoc staff at the mercy of party agents and hoodlums. It is also important to have backup vehicles in the registration areas that can move quickly and intervene where transporters breach the intendment of their contract.

9. **Vote Buying and Electoral Malfeasance.** The Commission reconfigured the voting centers and the voting cubicles to curb incidents of vote buying and selling. The sanctity of the vote must always be protected, and the voting preferences of the people must never be compromised. The reconfiguration of the polling unit, restriction of the use of mobile phones in voting cubicles and posting of plain-clothes security agents to the polling centers were all designed to curb vote buying and selling. The State Independent Electoral Commissions must design their own template of curbing incidents of vote buying and selling taking into consideration the peculiarities of each state.

10. **Safety of Collation Centers and Collated Results.** Securing the electoral environment is fundamental to the success of electoral process. The Police as the lead agency in election security must be seen to hold a
balance between all the contending political parties and candidates in the electoral process. Voter apathy will set in if the people believe that their security is not assured at the polling units and collation centers. The State Independent Electoral Commissions must continuously and continually review the security architecture with the various security agencies at the State and Local Government Level with a view to increased professionalism and ethical conduct. It is important to know who or where and how many security agencies are deployed to the polling units and collation centers. The payment of the allowances of the security personnel is crucial to their performance as the electoral process will be thrown out of gear if the security agencies refuse to deploy or escort materials and personnel to the polling units and guard the collation centers.

11. **Degrading Violence and Party Agents.** Documenting party agents is fundamental to degrading violence. Sometimes, political thugs are recruited and tagged party agents and some of them perpetrate violence or unleash violence on voters and ad-hoc staff. Violence is inimical to the electoral process and constant dialogue with political parties and other stakeholders is fundamental to degrading violence in the electoral process.

12. **Actions and Inactions of other Stakeholders.** Domestic and international election observers, the media, political parties, religious and traditional rulers and other critical stakeholders should constantly be engaged and imputed into the electoral process. Inclusivity and not leaving anyone behind are critical to the success of the electoral process.

13. **Persons with Disability.** The Independent National Electoral Commission has a disability policy that enables it document persons with disability and deployed braille jackets, magnifying glasses and posters for persons with disability. The State Independent Electoral Commissions must also follow suit as inclusivity gives credibility to the electoral process and a sense of belonging to all those that feel neglected.

**CONCLUSION**
I want reassure FOSIECON that INEC will continue to partner with SIECs. This is with specific regard to our collaboration in the area of knowledge
sharing, training and capacity building, mutual election observation and access to election materials. It is also within the remit of the States Independent Electoral Commission to render such advise as it may consider necessary to the Independent National Electoral Commission on the compilation of and the register of voters in so far as that register is applicable to local government elections in the State.

Permit me to say that most of the observations made during our joint Second Annual Conference at Ilorin in August 2012 remain valid today. At the Conference, we recognized the need of regular local government elections as provided by law, the importance of the independence and financial autonomy of State Independent Electoral Commissions (SIECs) as well as the development of model electoral laws and guidelines to serve as a benchmark for the conduct of local government elections. These issues as well as other issues such as the recurring incidents of violence, increased voter education, increased capacity building and professionalization remain critical to the capacity of SIECs to conduct free, fair and credible elections. The success of this conference will be measured by the adoption of appropriate strategies and the will to take necessary measures towards addressing these issues. You can count on INEC support in your pursuit.

You will recall that during the visits of the Executive Council of FOSIECON to the Commission in May2016 and February 2018, I also stated the need for the review of the existing INEC/FOSIECON MoU. This review needs to be undertaken as a matter of urgency. Furthermore, the INEC/SIECs Interactive Committee must be resuscitated and reconstituted and should meet as soon as possible to plan for our joint annual conference, which was last held in 2014. Such regular engagements are required to reawaken and strengthen the tenets of our MoU, as well as to pursue and achieve our core mandate of conducting free, fair and credible elections at all levels.

Thank you for your attention and I wish you fruitful deliberations and a successful 12th delegates’ conference.