

DASHED HOPES?

Yiaga Africa Report on Nigeria's 2023 General Election

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Acronyms and Abbreviations

APC	All Progressives Congress
BVAS	Bimodal Voter Accreditation System
CSO	Civil Society Organization
CVR	Continuous Voter Registration
IFA	Inclusive Friends Association
INEC	Independent National Electoral Commission
IREV	INEC Result Viewing Portal
LGA	Local Government Area
LP	Labour Party
LTO	Long-Term Observer
NOA	National Orientation Agency
NNPP	New Nigeria People's Party
PDP	Peoples Democratic Party
PREO	Pre-election Observation
PRVT	Process and Results Verification for Transparency
PWD	Persons with Disabilities
PU	Polling Unit
PVC	Permanent Voters Card
RAC	Registration Area Center
RATECH	Registration Area Technical Support
SDP	Social Democratic Party
SFP	State Focal Point
TARF	The All Rights Africa Foundation
WTV	Watching the Vote

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Itodo Samson
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Executive Summary



Regular elections are a permanent feature of Nigeria's democracy. The 2023 general election, Nigeria's seventh consecutive general election in its 25 years of uninterrupted democratic practice, tested Nigeria's democratic credentials. The Presidential and National Assembly elections took place on 25 February 2023, while the Governorship and State Assembly elections, initially scheduled to hold on 11 March 2023, finally took place on 18 March 2023 following a one-week postponement by the Independent National Electoral Commission (INEC or the Commission).

The 2023 general election is one of the most meticulously planned since 1999¹. INEC produced a four-year strategic plan² and a detailed Election Project plan ahead of the election. A new Electoral Act enacted one year in advance of the election stipulated the early release of election funds to INEC and empowered the electoral commission to deploy election technology, including electronic transmission of results. The Act made it possible for INEC to introduce new technologies for the general election such as the Bimodal Voter Accreditation System (BVAS) and INEC Election Results Viewing Portal (IReV)³. The introduction of improved technology

1 <https://inecnews.com/2023-general-election-outcome-fairly-reflects-nigerias-complex-multi-party-democracy-says-yakubu/>

2 <https://inecnigeria.org/wp-content/uploads/2022/04/INEC-STRATEGIC-PLAN-8-1-1.pdf>

3 <https://placng.org/i/wp-content/uploads/2022/02/Electoral-Act-2022.pdf>

for voter registration by INEC, especially online pre-registration to vote, increased voter interest in the election. The Commission also established new polling units to decongest overcrowded ones and to locate polling units closer to voters to facilitate easier access.

These positive developments raised public optimism and expectation that the 2023 general election would guarantee free choice, fair contest, and credible outcomes. The pre-election period saw a resurgence of active citizenship, and the resilience and power of young people was on full display. Young people leveraged technology and social media to influence political debates, voting attitudes, and transparency of the electoral process. The emergence of a 'third force' gave voters multiple voting options, making the elections exciting and competitive⁴. Amidst the insecurity, currency redesign policy, and fuel scarcity in the country, citizens exhibited unprecedented resilience to cast their votes and demand accountable political leadership.

Drawing on its experiences in previous elections, INEC produced sensitive materials such as ballot papers and results sheets locally to avoid logistical challenges that may prompt the rescheduling of the polls. Remarkably, it is the first time since 1999 that sensitive materials have been produced locally for general elections. INEC demonstrated institutional resilience as the Commission proceeded with electoral preparations despite incessant attacks on its offices in certain parts of the country. The nationwide deployment and high functionality rate of the BVAS for voter accreditation in the February 25 and March 18 elections are bright spots in the 2023 general election that should be strengthened and sustained. While the election produced the most politically diverse National Assembly ever, citizens' enthusiasm and interest to vote prior to the election did not reflect the turnout at the polls, as the election produced the lowest voter turnout in recent election history. The resort to the courts by aggrieved parties and candidates to ventilate electoral grievances signals advancement in Nigeria's democratic culture

INEC and other electoral governance actors did not meet public expectations for the 2023 elections despite the confidence-building and voter mobilization initiatives that preceded the elections. INEC's extensive preparations and public communications set the bar high for the election. Unfortunately, the Commission did not meet these expectations. The Judiciary delivered judgements that undermined provisions of the 2022 Electoral Act and rolled back reforms seeking to improve the candidate nomination process in political parties⁵. The elections represent a missed opportunity, as incremental

4 <https://www.premiumtimesng.com/news/headlines/595007-analysis-the-impact-of-a-third-force-on-nigerias-democracy.html>

5 <https://www.channelstv.com/2022/05/11/breaking-court-sets-aside-judgement-on-section-8412-of-electoral-act/>

electoral reforms to enhance electoral integrity failed to deliver desired outcomes. Factors including poor logistics⁶ on election day, especially during the February 25 election; the failure of the technology designed to drive transparent result management, namely the result collation system and the INEC Results Viewing (IReV) Portal; poor communication provided by INEC at critical points in the process; tactical use of violence to influence electoral outcomes; voter suppression; vote buying; non-compliance with electoral law and guidelines; and apparent manipulation of results during collation cast doubts on the credibility of the process, resulting in broken public trust in INEC and the overall outcome of the elections. Processes and procedures influence the integrity of electoral outcomes. Therefore, a compromised process will produce questionable outcomes.

Yiaga Africa's observation found that the February 25 election was fraught with widespread logistical challenges resulting in the late arrival of polling officials and late opening of polling units across the country, particularly in the South East and South-south geopolitical zones. Yiaga Africa noted a marked improvement in the management of election logistics during the March 18 governorship election, as polling units opened early resulting in timely commencement of accreditation and voting. In both elections, the BVAS performed optimally during voter accreditation, which limited manual accreditation and votes padding. However, delays in uploading polling unit results for the presidential election on the IReV Portal blighted the credibility of the results. The results portal however functioned optimally during the governorship election, enabling citizens to download polling unit-level results.

Several procedural infractions by multiple stakeholders also impugned the quality of the elections and undermined Nigeria's democratic reform project. In some instances, Yiaga Africa observed that the returning and collation officers demonstrated a poor understanding of the election guidelines and misapplied the rules. Yiaga Africa observed inconsistencies in implementing the 2022 Electoral Act provisions and INEC guidelines on overvoting and cancelling votes in applying the Margin of Lead principle⁷. In many collation centers, the collation officers and returning officers failed to verify and compare the results recorded on hardcopy results sheets (Form EC 8A) with those uploaded on IReV. Security agencies, party supporters, and political thugs denied accredited observers access to the results collation centers. Thugs also attacked collation centers, and unruly party agents interfered with the collation process in states like Rivers, Abia, Delta, Ebonyi, Gombe, and Enugu.⁸

The 2023 elections reinforce four undisputed factors central to rebuilding public trust and enhancing the integrity of Nigerian elections. First, the electoral governance architecture,

6 <https://yiaga.org/wp-content/uploads/2023/05/Mid-day-Situational-Statement-2023-Presidential-Election.pdf>

7 <https://guardian.ng/news/nigeria/yiaga-africa-calls-for-probe-of-errant-inec-officials/>

8 <https://www.vanguardngr.com/2023/03/march-18-polls-yiaga-africa-commends-inec-over-irev-portal-functionality/>

especially INEC, requires fundamental reforms. Second, the 2022 Electoral Act contains complexities, ambiguities, and inadequacies that make the electoral process susceptible to capture and manipulation. Third, the right to vote requires additional legal and administrative protection as voter disenfranchisement and suppression intensify in each electoral cycle. Fourth, accountability institutions must function effectively and impartially to abate rising electoral impunity and deviant political behaviour.

Electoral democracy is at an inflection point in Nigeria owing to weak electoral governance, procedural shortcomings, the zero-sum nature of politics, and electoral impunity. Nigeria needs legislative, administrative, and policy action to enhance the integrity of elections, restore public trust, and guard against ephemeral enthusiasm in the electoral process. To achieve this, Yiaga Africa outlines the following key messages from the elections and a pathway for reform and action.

Big lessons from the 2023 general election

1. **Electoral reforms can deliver credible elections if stakeholders, especially INEC and political parties, comply with the rules and guidelines:**

Several innovations were introduced prior to the election to combat electoral fraud and enhance the integrity of the process. Innovations such as use of the BVAS for voter accreditation improved the transparency of the accreditation process. While it is unclear if the technical glitch that resulted in the delay of upload of presidential results was accidental or deliberate, the IReV would have deepened the credibility of the election, assuming the results were uploaded to the portal in real-time as provided in INEC's guidelines. The newly introduced timelines in the 2022 Electoral Act availed INEC and political parties with sufficient time to plan for the elections. Full compliance with the guidelines on results management enshrined in the electoral law would have inspired public confidence in the electoral outcome. Unfortunately, the guidelines were observed in breach in several collation centers.

2. **The constellation of electoral technology, the 2022 Electoral Act and new political actors heightened optimism and appetite to participate in the elections:**

Citizens exhibited increased enthusiasm in the lead up to the elections due to the combined effect of the new electoral law, introduction of technology such as the BVAS and IReV, and new faces on the ballot. The enthusiasm displayed by voters especially young voters demonstrates belief in the power of the ballot to safeguard popular choice. The high turnout for the Continuous Voter Registration (CVR) and collection of the Permanent Voter Card (PVC) are indicative of improved public trust in the process before the election. In cases where voting rights were threatened by INEC's poor handling of the PVC collection process, citizens instituted legal action

to enforce their right to vote.

3. Electoral technology is no silver bullet:

To deliver its promise of transparent elections, the competence, integrity, and neutrality of vendors, operators and managers of electoral technologies must be guaranteed. It takes more than electoral technology to protect the integrity of elections. Additional oversight from political parties, civil society groups, media and citizens is required on all aspects of the election value chain.

4. INEC requires fundamental reforms:

An overhaul of the appointment process of INEC commissioners is needed to restore public confidence in the electoral commission. The commission showed signs of institutional capture following the controversial appointments of commissioners into INEC before the election. Some Resident Electoral Commissioners (REC), collation and returning officers sabotaged the elections through non-implementation of the logistics plan for the election, misapplication of guidelines on results management and manipulation of election results at collation level. In addition, there is a pressing need to unbundle the commission and shift certain institutional responsibilities it bears currently to other institutions. For instance, the responsibility of political party registration and regulation, and electoral offenses prosecution should be divested from the commission.

5. The election reveals ambiguities, complexities and inadequacies with the election legal framework:

The implementation of the 2022 Electoral Act for the first in a general election reveals existing gaps that constitute the basis of electoral disputes. The ambiguity with the provisions on results collation, margin of lead and electronic transmission of results made the process susceptible to manipulation and misinterpretation. Although the Act gives INEC powers to review election results declared under duress, the modalities and procedures for the exercise of this power were not prescribed in the Act or guidelines leaving a vacuum for controversies and uncertainties. Also, the legal framework places no statutory obligation on INEC to subject its electoral technologies to testing and verification. Standard practice requires institutions deploying electoral technologies to test and verify equipment, software and tools within a reasonable time before deployment for elections.

Yiaga Africa framework of legislative, administrative and electoral policy reforms

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Rebuilding public confidence in the electoral process

- 1. Independent audit/review of the elections:** A comprehensive multi stakeholder independent audit of the 2023 general election is crucial for inspiring public confidence and ensuring accountability for operational lapses, electoral impunity and identifying fundamental changes required to enhance the quality of elections.
- 2. Prosecution of electoral offenders:** Investigation and prosecution of electoral offenders especially collation and returning officers engaged in results manipulation and flagrant violations of the guidelines on results collation. INEC is encouraged to provide regular updates on the prosecution and list of electoral offenders and convictions on its online and offline communication channels.
- 3. Proactive communication:** INEC should improve its communication and public engagement on critical electoral issues. The commission should adopt a culture of proactive disclosure and strategic communications in its engagement with the public. Transparent, timely, and effective communication will rebuild public confidence in the electoral process.

Strengthening INEC's institutional Independence and effectiveness

- 4. Review the process of appointments into INEC:** The National Assembly should amend the constitution to divest the power of appointing the Chairman, National Commissioners and Resident Electoral Commissioners in line with Justice Uwais electoral reform committee recommendations.
- 5. Professionalize INEC appointments:** The criteria of non-partisanship and unquestionable character prescribed by the constitution have proven to be inadequate. Therefore, professional skills and qualifications should be considered when making appointments into INEC. Election administration requires individuals with diverse legal, IT, logistics, statistics, and communications skills. The appointing authority should also consider the age, health status and gender of nominees when making appointments into the commission.
- 6. Integrate and safeguard public participation in the appointment process:** The appointing authority should subject nominees to public scrutiny before transmitting nominations to the Senate for confirmation. Screening of nominees into INEC by the Senate should be executed diligently and devoid of partisanship. Additionally, the Senate should issue guidelines for submitting petitions against nominations into INEC to promote effective public participation.

7. **Unbundle INEC:** The National Assembly should, through legislation, establish a Political Party Registration and Regulatory Commission and an Electoral Offences Commission to reduce INEC's enormous and onerous responsibilities.
8. **Mandatory training and utilization of technological tools:** INEC should enforce mandatory training for all its permanent and adhoc staff on election administration and utilization of technological tools designed by INEC to improve efficiency and limit human interference in election logistics management.
9. **Reduce over dependence on third party vendors and transport providers:** INEC should recruit or build internal capacity for the design, production and maintenance of its technology. The commission should explore the use of private logistics companies or safe local facilities to reduce dependence on transport providers.

Addressing the ambiguities, complexities and inadequacies of the electoral legal framework

10. **Fix the ambiguities in the results management process:** Further review to the electoral act to address the ambiguities in the results collation and transmission process and the role of technology in the results management value chain.
11. **Align reconfiguration of technological devices with election dates:** Timelines for the reconfiguration of technological devices should be considered when preparing the timetable and schedule of activities for elections to avoid complications during general elections. The reconfiguration process should be open to political parties, media and election observers.
12. **Issuance of additional guidelines:** INEC should issue additional guidelines to strengthen the electoral legal framework and improve the integrity of election. For instance, a guideline for reviewing election results declared under duress or in contravention of the Electoral Act, INEC guidelines and Manual is necessary.

Enhancing the integrity and accuracy of the voter register

13. **Audit the voter register:** INEC should undertake a comprehensive audit of the voter register to eliminate duplications, multiple registrants and ineligible voters to enhance the credibility of the voter register. The audit process should be subjected to public scrutiny to improve its transparency.
14. **Generate the voter register from the civil registry:** The National Assembly should amend the electoral legal framework to enable INEC produce the voter register from the national identify database compiled by the National Identity Management Commission (NIMC). This will reduce the cost of elections, facilitate regular update to the register and foster harmonization of the national database.

●
15. Review the requirement for voter identification: With the successful introduction of the BVAS that stores biometric information of voters, INEC should abolish the use of Permanent Voter Card (PVC) and adopt the use other legally acceptable means of identification for voter verification such driver's license, international passport, national identity card amongst others.

Protecting voting rights and inclusiveness of elections

16. Early voting: Amendments to the legal framework is necessary to introduce early voting for eligible voters on essential election duties such as security personnel, INEC staff, election observers, journalists etc. INEC should develop a framework for stakeholder engagement on early voting.

17. Diaspora voting: The National Assembly should make further amendments to the Constitution and Electoral Act to address the exclusion of Nigerians in diaspora from voting and protect their voting rights.

18. Revisit voter allocation to polling units: INEC should undertake a comprehensive audit of voter allocation to polling units and equitable distribution of voters and timely communication of the voter reallocation to polling unit.

Safeguarding the use of electoral technologies

19. Introduce legal timelines for testing, and mock exercise of electoral technologies: The National Assembly should make further amendments to the 2022 Electoral Act to establish the principles and introduce timelines for the mandatory conduct of testing and mock exercises for electoral technologies deployed by the electoral commission.

20. Compulsory electronic transmission of results: Strengthen the electoral law to make electronic transmission of results mandatory including the upload of polling unit level results and results sheets used at different levels of results collation.

Improving election security

21. Limit excesses of incumbents: The use of state institutions by incumbents to bully and intimidate political opponent should be resisted by all security agencies.

22. Neutralize pre-election threats: Security agencies should take seriously the responsibility of addressing early warning signs of electoral violence and professionally neutralize security threats to avoid escalation or spill over on election day.

Raising the quality of political engagement and candidate selection

- 23. Reform party primaries:** Political parties should eliminate the use of tactical and covert strategies of undermining the emergence of women, youth and PWD as candidates during primaries. The imposition of prohibitive nomination fees, forceful withdrawal, and unlawful substitution of candidates should be abolished to promote inclusive politics.
- 24. Practice issue-based politics:** Political parties and campaigns should be driven by issue-based politics. Candidate debates, townhalls and meetings with candidates should be encouraged to promote informed decision-making at the polls.
- 25. Integrate governance accountability in voter education:** Civil society, media, and other stakeholders should integrate governance accountability in voter education and citizen mobilization to sustain citizens' participation beyond election day. Democracy doesn't equate elections; therefore, citizens should be engaged in the post-election phase to hold elected leaders to account for campaign promises and pressure leaders to undertake governance and electoral reforms before the next elections.
- 26. Boost voter turnout:** Voting at elections is a constitutional right bestowed on citizens to participate in decision making that affects their lives, society and future generations. Therefore, citizens should cultivate the culture of voting in exercise of their sovereign power to elect leaders. Democracy only delivers if citizens participate.
- 27. Curb vote trading:** Citizens should curb the menace of vote trading by resisting all the tactics employed by politicians to compromise their voting choices.

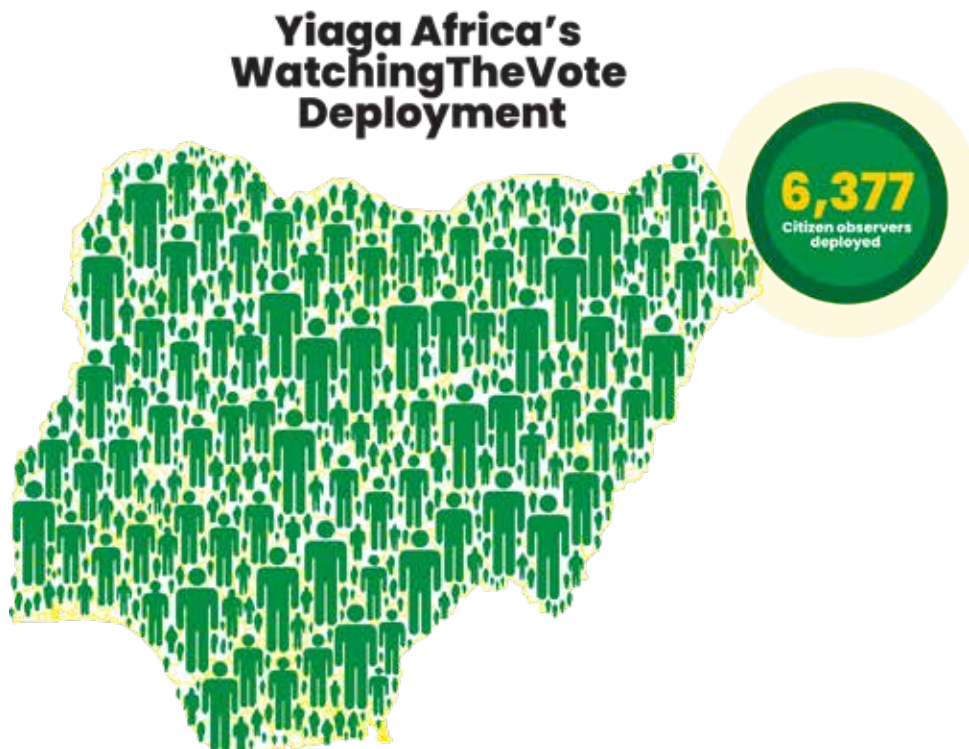


CHAPTER 1

YIAGA AFRICA'S ELECTION ENGAGEMENT STRATEGY FOR THE 2023 GENERAL ELECTION

Yiaga Africa deployed a comprehensive election engagement strategy for the 2023 General elections. Given the strategic importance of the election for Nigeria's evolving democracy and stability in the West Africa region, informed, deliberate and impact-driven electoral engagement became salient. Against this backdrop, Yiaga Africa developed its strategy to equip the organization to respond to emerging issues, risks and threats to electoral integrity at the local and national level. The strategy sets out to achieve four-pronged strategic objectives. First, provide citizens with a repository for accurate, simplified and concise information on the electoral process to improve voter turnout and quality of public participation in elections. Second, limit election manipulation through trends analysis and strategic advocacy. Third, protect the integrity of the 2023 elections through data-driven citizens observation of elections, and fourth, provide technical support to youth and women candidates. Three workstreams were established to deliver on the objectives, namely election observation, voter education and citizens mobilisation and lastly political inclusion. The repertoire of actions includes citizens election observation, advocacy, direct mobilization and community outreach.

To advance electoral integrity, Yiaga Africa deployed a mixed methodology to ensure a comprehensive observation of the election. A total of 6,377 citizen observers were deployed for the 2023 general election⁹



9 <https://www.vanguardngr.com/2023/01/2023-yiaga-africa-discloses-deployment-of-822-ob-servers>

Pre-election deployment

- In the pre-election phase, 822 long-term observers were deployed across the 774 Local Government Areas (LGAs) in Nigeria from November 2022 through February 2023. The long-long term observers observed the pre-election landscape and reported their observations bi-weekly. Yiaga Africa observed party primaries, Continuous Voter Registration (CVR), Collection of Permanent Voter Card (PVC), INEC testing of the BVAS machines and Mock accreditation.

Election day deployment

On February 25, Yiaga Africa deployed the Process and Results Verification for Transparency (PRVT) methodology formerly known as PVT- Parallel Verification Tabulation, to observe election day process. The PRVT leverages proven statistical principles for systematic observation the election day processes. Yiaga Africa deployed 3,014 observers to a random representative statistical sample of 1,507 polling units. An additional 822 mobile observers were deployed to specifically provide information on the election process in each LGA and observe the result collation process in the LGA and state collation centre. With the introduction of the INEC Election Result Viewing Portal (IReV), Yiaga Africa launched the Election Results Analysis Dashboard (ERAD) as a complimentary tool to monitor the INEC IReV portal. 1,561 data clerks were trained to observe and download the results from the IReV portal for the Presidential election. The citizen observers observed the entire election day process from the set-up of the polling units, balloting counting, result announcement, posting of the official results and uploading of the polling units to the INEC Election Result Viewing Portal.

For the March 18th election, Yiaga Africa deployed a total of 1,547 citizen observers across 28 states to observe the governorship election. In Benue, Delta and Kano, the Process and Results Verification for Transparency (PRVT) methodology was employed while the observers relied on traditional observation methods in the other 25 states. In the states where the PRVT methodology was employed, Yiaga Africa deployed 300 citizen observers to a representative random sample of 300 polling units in each state. An additional 97 mobile observers also covered each LGAs in the three states. Yiaga Africa deployed 550 citizen observers to other 25 states. 84 data managers and data clerks monitored the IReV during the governorship election.

Supplementary election held on April 15, 2023 to conclude elections in 96 constituencies and 3 governorship polls suspended as a result of violence or the application of the margin of lead principle.¹⁰Yiaga Africa deployed citizen observers to all 69 polling units in Adamawa and the state results collation centre in Adamawa state.

10 <https://www.thecable.ng/yiaga-africa-to-inec-conclude-collation-declare-results-of-adamawa-guber-poll>

Yiaga Africa's Watching The Verification observation of the 2023 General election achieved four strategic objectives. First, the comprehensive observation of the election enabled Yiaga Africa to provide timely, accurate, and reliable information on the conduct of elections which informed evidence-based assessment of the election before, during and after the elections. Secondly, with PRVT methodology, Yiaga Africa detected and revealed electoral fraud and manipulations, especially during the presidential election. For instance, the early detection of non-negligible manipulation of the official results of the presidential election for Rivers and Imo states as announced by INEC. Lastly, notwithstanding the diminished citizens' trust in the elections, the findings in the election provided accurate data on the prospects for future elections. For instance, the data on the deployment, usage and functionality of the Bi-Modal Voter Accreditation System (BVAS) indicates that Nigeria is ready for electoral technology. In addition, the findings from Benue, Delta and Kano states where the PRVT was deployed inspired confidence in the outcome of the elections in those states.

Understanding the Process and Results Verification for Transparency (PRVT)

Yiaga Africa's Watching the Vote employed an advanced election day observation methodology called the Process and Results Verification for Transparency (PRVT). The PRVT is an election day observation methodology that leverages statistics and technology for the observation of the process of voting and counting and tallying of results. Citizen observers were deployed to randomly sampled polling units to collect data on the conduct of elections and official polling unit-level results. With the results assembled from the sampled polling units, Yiaga Africa released projected estimates and assessed the accuracy of results declared by the electoral commission.

The following steps are employed in the PRVT deployment;

1. Selecting a statistical sample of polling units
2. Recruiting observers who live near sampled polling stations
3. Training observers on how to observe and report
4. Deploying observers on Election Day
5. Observing on Election Day
6. Reporting on Election Day
7. Analysing Election Data
8. Sharing findings with stakeholders

#WatchingTheVote PRVT is not an exit poll. No voter is asked for whom he/she voted. Instead, the methodology relies on the official results announced and posted at polling units by INEC. #WatchingTheVote citizen observers observe the counting process and report on the conduct of that process and the official result for polling units as announced by the poll officials.

The PRVT methodology was first developed by citizen observers in the Philippines in 1986

and has now been used by civic organizations around the world - more than 200 PRVTs have been conducted in 52 countries. In Africa, the methodology has been deployed in Burkina Faso, Côte d'Ivoire, Ghana, Kenya, Malawi, Sierra Leone, Tunisia, and Zambia. In Nigeria, the PRVT has been deployed in four presidential elections and has been adopted for 20 off-cycle elections and Yiaga Africa has adopted the PRVT in the 2019 Presidential election and in 12 off-cycle elections including the 2022 Ekiti and Osun governorship election.

The PRVT differs from other forms of observation in four major ways:

- 1. Strict reliance on statistical principles in determining deployment to polling units:** While other forms of observation adopt different modes of deploying observers, the PRVT deploys statistical principles by randomly sampling polling units and deploying observers to only those sampled polling units. Other observation deployment plan may be based on hotspots, proportionality or strength and presence of the organization in a community. The unique feature of the PRVT is its discipline to only deploy observers to sampled polling units. This does not invalidate whatever means other forms of observation adopt. With the PRVT, stationary observers are deployed to observe in the sampled polling units and to give reports based on their observation of the process and results.
- 2. Representation to eliminate bias:** With the use of statistical tools such as; stratification and randomization as well as technology, polling units are randomly sampled to ensure that every Local Government Area (LGA) in a state is represented and that every polling unit in a local government has an equal chance of being selected to eliminate any form of bias or prejudice. The goal is to ensure that the sampled polling unit is representative when compared with the percentage of the electoral Commission's polling units distribution.
- 3. Timely and accurate information:** With the use of technology, the PRVT enables observer groups to provide accurate information on the conduct of elections in near real-time. Based on reports received from observers, the PRVT can track election trends across regions with a high degree of accuracy. This is made possible by its discipline to uphold standards and principles. PRVT observers are trained with a checklist for assessing every aspect of the election process and collect granular results from the polling units. Technology enables the observer to send reports from the field to the database where it is analyzed and shared in near-real-time.
- 4. Projected results estimate for assessing accuracy of election results:** This is perhaps the most unique feature of the PVT. So far, the PVT is the only trusted and tested methodology that can verify if official results announced by the election management body is accurate or detect fraud in the results collation and transmission value chain.

Limitations of the PRVT and mitigation measures

The PRVT, though a trusted and reliable election observation methodology that relies on quantitative, and qualitative election data, certain limitations exist. These include:

1. PRVT is an election day Observation methodology: The PRVT provides information on what happens on election day. It cannot speak on what happens during the pre-election period. That is why Yiaga Africa deploys a separate set of observers to observe the pre-election environment and preparatory activities.
2. Processes at polling units and collation centers: In view of the difficulty to deploy observers to all polling units and voting points (as is it requires heavy resources and time), the PRVT, using statistics, deploys to only sampled polling units and not to all the polling units. As such, PVT results are not exact but estimates of what happens in the entire polling units where elections are conducted. Additionally, the PRVT cannot document events that occurred out the polling since observers are confined to randomly selected polling units. Roving or mobile are deployed to provide other information on critical incidents not captured by the PRVT.
3. PRVT can provide information on the secrecy of the ballot but cannot provide information on whether individuals chose to vote based on monies paid to them or perceived threat outside the polling unit.



Mid-day Situational Statement on the 2023 Presidential Election



CHAPTER 2

FIVE (5) BIG ISSUES THAT SHAPED THE 2023 GENERAL ELECTION

1. Nigeria's new election legal framework:

The 2023 general election was the first general election to be conducted under the 2022 Electoral Act after a prolonged period of citizens clamour for electoral reform. The Act introduced substantial alteration of timelines for election activities such as the party primaries, publication of notice of elections, public campaigns, voter registration etc. New procedures for results management, and voter accreditation were also prescribed in the new legal framework. INEC also issued new Regulations and Guidelines for the elections. The Regulations and Guidelines prescribed the detailed procedure for the conduct of the election. It expands on the provisions of the Electoral Act. For instance, while the Electoral Act provides for 360 days for notice of election, the Guidelines provides that the Presidential and National Assembly Election shall hold on the third Saturday of February of any general election year while the Governorship and State Assembly election shall hold two weeks after the presidential election. The guidelines articulate the procedure and different scenarios for voter accreditation and voting, process for results collations and electronic transmission of results, making returns and the application of the margin of lead principle. While the guidelines reasonably make explicit provisions for election day process, its implementation, however, exposed some ambiguities on election day.

The new legal framework addressed several loopholes often exploited to undermine the integrity of elections hence the renewed public trust in the electoral process. The Act guaranteed INEC's financial independence by ensuring that all funding required for a general election is released not later than one year before the next general elections¹¹. The mandatory requirement for the provision of assistive devices for persons with disability ensured the rights of PWDs to vote was protected. The revised mode of party primaries and the new timeline for the submission of list of candidates compelled political parties to conduct early primaries using multiple methods of candidate selection.

The signing of the 2022 Electoral Act on 25th February 2022 was widely celebrated as victory for democracy due to the collective action undertaken by citizens to demand electoral reforms after seven years of intense advocacy, intrigues and controversies. Undoubtedly, the new legal framework inspired public of confidence in the electoral process before the election. Many citizens believed the 2022 Electoral Act contained provisions that deepens the integrity of elections and ensures the vote count.

2. Electoral technology:

INEC's incremental deployment of electoral technology has boosted its efficiency and improved citizens participation in the electoral process. Electoral technology

11 <https://placng.org/i/wp-content/uploads/2022/02/Electoral-Act-2022.pdf>

drives several components of the electoral process. Online voter registration, the portal for submission of list of candidates, party agents and election observers accreditation portal are some of the technological platforms introduced by INEC to scale its operations and engender effective stakeholder engagement that deepens trust.

As part of efforts to improve transparency of elections and limit human interference with the elections, INEC introduced the BVAS for voter accreditation and electronic transmission of results and the IReV for uploading election results to facilitate public access to polling unit level results. Both technologies enjoyed legal protection in the 2022 Electoral Act because of the potential to enhance the transparency of election results and boost public trust in election results management process.

The BVAS is a technological device used to identify and accredit voters' fingerprints and facial recognition before voting. The device is also used for capturing images of the polling unit result sheet (Form EC8A) and uploading the image of the result sheet online. IReV is an online portal where polling unit level results are uploaded directly from the polling unit, transmitted, and published for the public. At the front end of the online portal, members of the public can create personal accounts with which they can gain access to all uploaded results stored as PDF files.

After successfully deploying the BVAS and IReV in over 105 elections preceding the 2023 general election, INEC was determined to deploy both tools for the general election. Although there was huge public support for the BVAS and IReV, the deployment of the technologies was met with stiff opposition from some political actors who instituted legal action to prevent INEC from deploying the technology. Prominent political leaders also expressed concerns and misgiving about the technologies. INEC's 'no BVAS, no Voting' policy inspired public confidence in the Commission as it projected INEC as resisting pressures from external actors to halt the deployment of the BVAS and IReV.

As it is customary, standard practice requires institutions deploying electoral technologies to test and verify equipment, software and tools before deployment for elections. Pre-tests and evaluations of electoral technologies create opportunities for improving public understanding of new electoral technologies and it gives electoral commissions ample time to fix identified software, hardware and operational challenges including possible scenarios for effective response.¹² INEC conducted nationwide testing of the Bimodal Voter Accreditation System (BVAS) devices to be utilised in the general elections. The activity was conducted from 4th

12 In other climes, election management bodies are required by law to conduct testing and verification of electoral technologies before deployment for nationwide elections. Nigeria's electoral legal framework places no statutory obligation on INEC to subject its electoral technologies to testing and verification.

– 11th January 2023 in INEC state headquarters. The mock accreditation exercise held on 4th February 2023 in 436 polling units across the 36 states and the FCT.

The BVAS testing and mock accreditation was implemented too close to the date of election. For instance, the mock accreditation was conducted 20 days to the date of the Presidential and National Assembly elections. This gives INEC limited time to resolve issues and challenges identified during the testing or mock accreditation. During the mock exercise, the BVAS declined to accredit some voters who showed up at the polling units with their INEC-issued PVCs. Their names were not found on the BVAS for the polling unit because they have been migrated to new polling units without prior notice. INEC conceived the BVAS testing as a routine internal exercise hence the limited participation of stakeholders, while the mock accreditation was open for public participation. This posture may have precipitated the scarcity of information on the BVAS testing. Most of the key stakeholders were unaware of the exercise and clear communication and information weren't provided by INEC.¹³Yiaga Africa's report on the BVAS testing and mock accreditation exercise revealed concerns about the failure of the BVAS to verify and authenticate PVCs of some voters, the reports of internet/server issues which affected the upload of results in some Polling units, the BVAS not recalling biometric data of some voters that registered in 2011 and some noticeable hardware flaws such as a non-working camera, a faulty screen, and a faulty fingerprint scanner, all of which were presumably addressed before the 2023 general elections.

The BVAS was deployed and used across all polling units that Yiaga Africa observed during the Presidential Election on February 25. Based on reports from WTV field observers during the presidential election, the BVAS was used throughout the day for accreditation of voters in 99% of polling units, this ensured that the number of voters does not exceed the accreditation figure at their polling units, eliminating the possibility of multiple voting by only accepting one accreditation per person per permanent voter card. The greatest technological shortcoming was experienced during the presidential election. Significant delays in the upload of results for the presidential election on the IReV raised fundamental questions on the integrity of the results and it eroded public trust in the elections.

3. Naira redesign policy:

The Naira redesign policy introduced by the Central Bank of Nigeria led to disruptions in the social and economic space and it brought untold hardships to citizens. The ill-conceived and poorly implemented policy led to scarcity of Naira in Nigeria's largely cash economy¹⁴. The policy impacted INEC logistics preparations for the elections and security deployment for the election. Both INEC and the Nigerian police expressed

13 <https://yiaga.org/publications/report-of-bvas-testing-and-mock-accreditation/>

14 <https://punchng.com/cash-scarcity-crippled-nigerias-economy-says-un/>

concerns about the impact of the policy on electoral preparations. Transporters involved in the deployment of election materials requested cash payments before deploying their services. Security officers also argued the scarcity of cash might affect operations in unbanked locations. Although both institutions received assurances of access to liquidity from the CBN, citizens and voters were abandoned to deal with the harsh impact of the policy.

According to the Federal Government,¹⁵ the Naira redesign policy was aimed at mopping up excess cash in circulation to curb corruption and currency fraud, tackle the growing menace of kidnapping for ransom, lower inflation and lastly reduce vote buying and influence of money politics in the elections. As observed on election day, the reduction of cash in circulation did not eliminate vote buying as politicians resorted to other forms of inducements. There were reports of politicians and campaign agents collecting voters' banking details for digital transfers. On election day on February 25, Yiaga Africa's observers reported situations that are identified as likely voter inducements. There were reports of party agents handing out wrappers, foodstuffs, beverages and in some instances alcoholic drinks to voters in exchange for votes. Vote buying climaxed during the March 18 governorship and state assembly elections as the politicians became even more daring and devised more dastardly means to induce voters;¹⁶ Yiaga Africa received 44 reports of vote buying through cash inducement and distribution of food items.

For instance, in polling unit 003, Gidan Bunu Ward of Zuru LGA in Kebbi, persons wearing APC agents' tags openly distributed textile clothing to women and rice while fertilisers were given to men (15 persons/bag). Agents believed to be APC agents also distributed textiles to voters in polling units under Tree (021), Gidan Alhazai ward, Wudil LGA in Kano. In Sarkin Mudu Polling Unit (016) in Giade LGA of Bauchi, PDP agents were sighted bribing accredited voters with N1,000, a wrapper and a pack of spaghetti. The voters deliver their ballot papers to party agents in exchange for the bribe. A similar report of the distribution of wrappers, N2,000 and a pack of spaghetti to voters was received from PU 006 Rangan Ward, Warji LGA of Bauchi. Party agents for the APC and PDP party reportedly distributed food, cash and alcoholic drinks to some voters in exchange for votes in Apir Market Square 1, Makurdi, Benue state. A case of bribery was reported in PU O6 Ward 05 Isoko North, Delta State, where INEC officials received a cash gift from the APC party agent in the polling unit.

15 <https://www.cbn.gov.ng/Out/2023/CCD/CBN%20UPDATE%202023%20February%20Edition.pdf>

16 <https://businessday.ng/news/article/how-politicians-bribed-voters-with-alcohol-food-yiaga-africa/>

4. Voter suppression:

Voter suppression was employed as a tactical strategy to influence electoral outcomes by discouraging or preventing specific groups of people from voting. Yiaga Africa observed deliberate attempts to deny eligible voters the opportunity to register to vote or vote during elections with a view to diluting their voting strength or power as a group. In the pre-election period, Yiaga Africa received reports that some voters were denied the opportunity to register to vote in some of parts of the South West and South east. Poor management, corrupt practices and lack of transparency affected several voters who couldn't collect their PVCs despite INEC's insistence that the PVCs were produced.

During the Presidential and governorship elections, citizens were denied the right to vote in some states especially Lagos and Kano state¹⁷. Voters were profiled based on political affiliation or ethnic identity and denied the opportunity to access polling units to vote. Instances of disruption and hijack of election materials by thugs also suppressed the votes cast in the affected locations. For instance, a bus conveying election materials and personnel were hijacked in Ward 10, Unit 2 in Emohua LGA of Rivers State. WTV observer in Oshodi/Isolo LGA, Lagos state reported armed thugs shot sporadically and disrupted the voting process in 2 PUs located in Okota grammar school and 5 PUs in the Isolo community. At Kabuga PU 022, Gwale LGA of Kano State, thugs snatched ballot boxes for the PU making it difficult for voters to vote. Election materials for Wuryo Ward in Gassol LGA in Taraba, were also hijacked by armed thugs. Voter suppression in whatever form, has a direct impact on voter turnout and electoral outcomes. The 2023 general elections reinforced the urgent need to devise legal and administrative mechanisms for eliminating all forms of voter suppression in Nigerian elections.

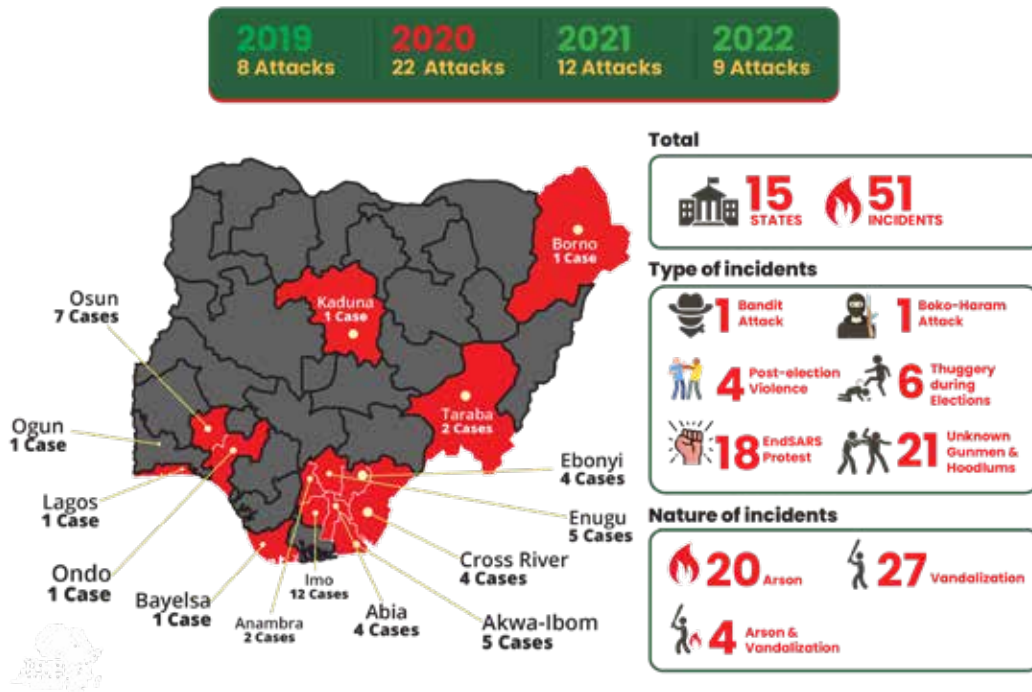
5. Violence:

The integrity of democratic processes, political stability, and societal well-being are threatened when confronted with complex and varied threats of violence in elections. Fierce political rivalry coupled with Nigeria's existential security crises heightened public apprehension before, during and after the elections. Yiaga Africa noted tactical use of violence to intimidate political opponents, prospective voters and democratic institutions like INEC. Throughout the pre-election period, security challenges persisted across several locations. Aside insurgency, banditry and kidnapping, the prevailing security situation leading to the 2023 Presidential

17 <https://saharareporters.com/2023/03/20/yiaga-africa-condemns-violence-voter-suppression-vote-buying-political-thuggery-win>

election was exacerbated by vandalism and destruction of properties belonging to political parties or candidates. Specifically, within the pre-election reporting period, ¹⁸Yiaga Africa WTV long-term observers reported cases of vandalism and destruction of parties' campaign billboards and attacks on party supporters in almost all of the 36 states and FCT. These incidents were frequently reported by observers in Benue, Kogi, Nasarawa, Niger, Plateau, Adamawa, Bauchi, Borno, Gombe, Taraba, Yobe, Jigawa, Kaduna, Kano, Katsina, Kebbi, Sokoto, Zamfara, Abia, Anambra, Ebonyi, Enugu, Imo, Akwa Ibom, Bayelsa, Cross River, Delta, Edo, Rivers, Ondo, Osun, Oyo and Lagos states. Yiaga Africa observed a notable increase in the activities of armed bandits, terrorists, herdsmen, or secessionist groups. Across the South East, the activities of the secessionist group intensified as the seat-at-home order was religiously enforced every Monday in the region.

Attacks on INEC offices



The pre-election period was signposted with sustained and coordinated attacks on INEC facilities, materials and staff. These attacks threatened the preparations for the election and created a climate of uncertainty and fear that election may hold in those locations. This prompted the House of Representative to host a public hearing on the attacks. Fifty-one cases of arson and vandalization of INEC facilities and election materials were recorded in 15 states. ¹⁹INEC officials were attacked during the CVR in Imo resulting in fatalities. In Abeokuta South LGA in Ogun and Ede South LGA of Osun state where the commission LGA offices were

¹⁸ Yiaga Africa-Road to 2023 Tensions, Ungoverned Spaces, Limited Access <https://yiaga.org/publications/road-to-2023-tensions-ungoverned-spaces-limited-access-for-elections/>

¹⁹ Yiaga Africa-Road to 2023 Disruptions, Distortions, and Discordance, <https://yiaga.org/publications/road-to-2023-disruptions-distortions-and-discordance/>

set ablaze by hoodlums which resulted in the destruction and loss of 65,699 uncollected Permanent Voters Cards (PVCs), 904 ballot boxes, 29 voting cubicles, 30 megaphones, 57 election bags, and eight electric power generators²⁰. Similar incidents occurred in INEC offices in Izzi LGA, Ebonyi State, Orlu LGA in Imo state, Ikpoba Okha LGA in Edo and Onyagede Ehaje, Ohimini LGA, Benue State to mention a few. INEC exhibited institutional resilience amidst the incessant attacks. The commission ensured damaged election materials were reproduced and destroyed offices were rebuilt or relocated to safer zones making it possible for the commission to conduct elections in those affected locations.



20 <https://www.thisdaylive.com/index.php/2022/11/11/suspected-hoodlums-set-inecs-offices-ablaze-in-ogun-osun>



CHAPTER 3

COMPLIANCE WITH ELECTORAL INTEGRITY STANDARDS

Transparency

Credible elections must adhere to the principles of transparency. Transparent electoral processes ensure all stakeholders such as political parties, election observers, and voters can independently verify that every process is carried out in accordance with the rules and regulations governing election. Transparent elections build trust and public confidence in the process when voters have unfettered access to election information, operations of election stakeholders like INEC and political parties as well as the means to verify the results and affirm that the results accurately reflect the will of the people. This reduces the possibility of electoral fraud, and manipulation. Lack of transparency leads to erosion of public trust in the electoral process.

Political Party Primaries

Under the Nigerian electoral laws, political parties are required to hold party primaries to select candidates for elective offices through direct, indirect or consensus mode for conducting party primaries. Yiaga Africa's Watching The Vote (WTV) deployed observers to observe the 2023 presidential primaries elections for APC, PDP, NNPP and SDP. The aim was to observe the degree to which political parties complied with the relevant electoral laws as well as other acceptable standards for primary elections.

Based on reports from Yiaga Africa observers for the presidential party primaries of APC, PDP, NNPP, and SDP held across the country, the party primaries fell short of the standard of transparency in most cases. In most instances, the guidelines for party primaries, delegates list and register of party members were not accessible to aspirants, party members and media organisations. Most of the parties created bottlenecks to limit access to these documents. Parties also restricted non-delegate accreditation to selected media organisations while civil society groups were denied accreditation. Only the SDP was transparent and responsive to stakeholders especially observer groups. Other political parties especially the APC and PDP were reluctant to share information with stakeholders.

In the lead-up to the 2023 general elections, INEC maintained a degree of transparency that helped shore up citizens' interest in the elections. The Commission's transparency declined gradually as the election drew closer. The Commission issued a 14-item timetable for the election one year before the date of the election. INEC also produced election manuals, regulations, and guidelines in line with the provisions of the 2022 Electoral Act. Voter registration data was released weekly to provide the public with updates on the Continuous Voter Registration (CVR). INEC conducted online claims and objections, which opened the voter register for public scrutiny. The Commission also maintained regular press releases and intensified its engagement with stakeholders by hosting a quarterly meeting with relevant election stakeholders (CSOs, Security Agencies, Political Parties, and media). INEC

partnered with different stakeholders on critical aspects of the electoral process. For instance, INEC partnered with Yiaga Africa on PVC collection, CVR, and voter mobilization. Action Aid supported the Commission on election logistics, Center for Democracy & Development (CDD) partnered with the Commission on strategic and crisis communications. Some of the communication from the Commission contained analysis that deepened citizens' understanding of the elections and election data.

Transparency of key electoral processes and INEC

In the lead-up to the 2023 general elections, INEC maintained a degree of transparency that inspired public confidence and helped shore up citizens' interest in the polls. However, The Commission's transparency declined gradually as the election drew closer. The Commission issued a 14-item timetable for the election one year before the date of the election. INEC also produced election manuals, regulations, and guidelines in line with the provisions of the 2022 Electoral Act. Voter registration data was released weekly to provide the public with updates on the Continuous Voter Registration (CVR). INEC conducted online claims and objections, which opened the voter register for public scrutiny. The Commission also maintained regular press releases and intensified its engagement with stakeholders by hosting a quarterly meeting with relevant election stakeholders (CSOs, Security Agencies, Political Parties, and media). INEC partnered with different stakeholders on critical aspects of the electoral process. For instance, INEC partnered with Yiaga Africa on PVC collection, CVR, and voter mobilization. Action Aid supported the Commission on election logistics, Center for Democracy & Development (CDD) partnered with the Commission on strategic and crisis communications. Some of the communication from the Commission contained analysis that deepened citizens' understanding of the elections and election data. As the elections approached INEC transparency dwindled in several ways. First, there was limited information in the public on the fulfilment of CBN's promise to make the new naira notes available to the commission to handle election logistics. Second, the communication on the technical glitched that occasioned delays in the upload of presidential election results hurt the commission's transparency credentials. Third, the inability to communicate the Commission's stance on its interpretation of the threshold for determining a presidential election winner further blighted the Commission's transparency.

BVAS Deployment and Testing

In the last quarter of 2022, INEC took delivery of a substantial number of the BVAS machines. The last consignment of the BVAS machines arrived the country on 3rd January 2023 on the eve of the commencement of the testing exercise. INEC conducted a nationwide testing of the Bimodal Voter Accreditation System (BVAS) devices on 4th – 11th January 2023 and a mock accreditation exercise held on 4th February 2023. The testing of the BVAS device focused on two critical components of the device; the Hardware component which entails fingerprint scanner and camera

and the Software component comprising INEC BVAS application, Google Chrome, PDF reader, IReV offline application and Endpoint security. The testing process was structured on two key actions; activation and configuration of the BVAS machines. To activate the device, the BVAS is connected to the internet while the configuration entails update of the INEC BVAS app and other pre-installed apps on the devices. For the mock accreditation, the INEC officials were required to undertake normal voter accreditation processes using the BVAS and upload the accreditation data and mock result sheet on the mock results viewing portal provided for the exercise.

INEC announced the dates for the mock accreditation one week to the exercise which limited the opportunity for adequate publicity, and citizen mobilization resulting in poor turnout for the exercise. The Commission conceived the BVAS testing as a routine internal exercise²¹ hence the limited participation of stakeholders, while the mock accreditation was open for public participation. This posture may have precipitated the scarcity of information on the BVAS testing. Most key stakeholders were unaware of the exercise and clear communication and information wasn't provided by INEC. Given the importance of transparency in boosting public confidence, pilot and testing operations should be carried out with a high level of openness and stakeholder participation.

Observed challenges with the BVAS testing and mock accreditation include failed activation and configuration procedures due to hardware failures such as problematic cameras, screens and power buttons. In addition, the mock exercise revealed underlying challenges with migration of voters to polling unit and missing names on the voter register. Despite calls from stakeholders to INEC to share its report from the exercises specifically set-up and testing of the BVAS and mock accreditation, as well as steps taken to address the challenges identified, the commission failed to issue an official report to the public.

Continuous Voter Registration and Collection of the Permanent Voter Card (PVC)

The Continuous Voters Registration (CVR) which lasted between June 2021 to August 2022 recorded impressive turnout by Nigerians. INEC maintained regular public updates on the CVR process. It went further to upload the voter register on its website for online claims and objections. While introducing the online claims and objection improved INEC's transparency, the legal conditions for removing unqualified persons on the voter register made it difficult for citizens to maintain a successful objection. At the end of the CVR exercise and clean up exercise, the commission registered 12,298,944 voters out of which 9,518,188 were valid registrations and 2,780,756 registrants were identified as ineligible registrants and their records were invalidated. INEC's data showed that 59.8 per cent of the total new registered voters were delisted in the South-East. Overall, Bayelsa, Ebonyi and Rivers top the list of states

21 <https://yiaga.org/publications/report-of-bvas-testing-and-mock-accreditation/>

with the highest number of invalid registrations. INEC's process of deregistering deceased, under aged and non-Nigerians on the voter register is not subjected to public engagement. This lack of transparency fuels public concerns with the accuracy and integrity of the voter register.

PVC collection was conducted between 12th December 2022 to 22nd January 2023 at INEC offices in the 774 LGAs and later devolved to the ward level to ease the collection process. INEC reports 87,209,007 PVCs were collected and the figures of uncollected PVCs was fixed at 6,259,229. Yiaga Africa received complaints regarding uncollected PVCs, many of which were caused by the unavailability of cards, inadequate information on the collection procedure, and the occasional absence of officials at the collection centres. Eligible voters with accurate information on the INEC verification portal couldn't collect their PVCs before the election. In most cases, the PVCs were either not printed or not found at the collection centres, and INEC was not forthcoming with information to address citizens' concerns.

Elections Results Management

Legal provisions that guarantee the transparency of the election results management process are contained in the 2022 Electoral Act and INEC guidelines. Provisions such as electronic transmission of results and the power conferred on INEC to review questionable election results seek to limit manipulation of election results. Notwithstanding the expansive provisions in the legal framework, some provisions were drafted in ambiguous terms which created confusion and uncertainty in the results management process. These uncertainties could have been averted if INEC proactively disclosed its interpretation of the provision requiring the winner of a presidential election to score 25% of votes cast in two-thirds of the 36 states and the FCT. Added to this was the legal provision requiring Collation officers and Returning officers to compare electronically transmitted results and hardcopy results where an election result is disputed. The legislative intent was to ensure the comparison is performed at all stages of result collation; however, INEC designed the IReV to handle only polling unit level results (EC8A) thereby limiting the comparison to ward level collation.

The electoral legal framework conceives a hybrid results management process that entails manual collation and electronic transmission of results from the polling unit. This informed INEC's vigorous public campaigns on the BVAS and IReV where the commission assured citizens that polling units level results will be transmitted electronically in real-time for public viewing. In the course of the presidential election, Yiaga Africa observed a delay in uploading polling unit results for the presidential election on the INEC Election Results Viewing Portal (IReV). Curiously, results for the National Assembly elections conducted on the same day were uploaded on the portal. As at 10:00pm on election day,

presidential results were not uploaded on the portal despite Yiaga Africa PRVT data which indicates that Presiding officers used the BVAS to scan/take a snapshot of the result sheet (Form EC 8A) in 83% of polling units. On 1st March 2023 when the commission declared a winner in the presidential election, only 73% of results for presidential election were on the IReV.

Yiaga Africa observed that there were two portals with two different distinct features available for the upload of election results on election day. They include “v2.inecelectionresult.ng” used during the mock and “https://inecelectionresults.ng” used during the off-cycle governorship elections. By 7:00 pm on election, the main IReV portal “https://inecelectionresults.ng” started redirecting visitors to the mock accreditation Uniform Resource Locator (URL). Yiaga Africa also observed that due to many Application Programming Interface (API) changes on both IReV portals on election, the token assigned to a user at login expired on each API change. This made the portal difficult to use as it kept logging out users after some time. Yiaga Africa observation reveals that about 40% of the files uploaded to the backend servers had the .jpg file extension as against the .pdf file extension as indicated by INEC before the election. It was also observed that most of the result files were uploaded using other smart devices (e.g., phones, tablets etc) other than the BVAS.

All these technological shortcomings cast doubt on the credibility of the results management process and resulting in broken public trust in the electoral commission. The shadow of distrust was compounded by INEC’s ineffective and ill-timed communication on the reasons for the delay. In a statement released by INEC 48 hours after the incident, the commission attributed the delay to technical glitches related to scaling up of the IReV from a platform for managing off-cycle and state elections to one for managing the nationwide general election. INEC’s explanation suggests the issues identified during the mock accreditation and BVAS testing were not addressed before the election.

Yiaga Africa noted a marked improvement in the management of election results during the March 18 governorship and state house of assembly elections. The INEC Election Results Viewing (IReV) portal functioned optimally enabling citizens to download polling unit-level results. The results uploaded enhanced the transparency of the process. However, returning officers demonstrated a poor understanding of the guidelines and misapplied the rules. Yiaga Africa’s observers reported inconsistencies in enforcing the 2022 Electoral Act and INEC guidelines on overvoting and cancellation of votes in the application of the margin of lead principle. In a significant number of collation centres, the collation officers and returning officers failed to verify and compare the results recorded in hardcopy sheets (Form EC 8A) with the results uploaded onto the INEC Election Result Viewing Portal (IReV).

PRVT findings on presidential election results

Yiaga Africa conducted a Process and Results Verification for Transparency (PRVT) for the presidential election and governorship election in three states. Based on the reports received from 97% (1,453 of 1509) of sampled polling units, the All Progressives Congress (APC) should receive between 34.4% and 37.4% of the vote, Labour Party (LP) should receive between 24.2% and 28.4% of the votes, the New Nigeria People's Party (NNPP) should receive between 4.6% and 6.4% of the vote, People's Democratic Party (PDP) should receive between 28.3% and 31.1% of the vote, while no other political party should receive more than 0.3% of the vote. INEC's official results indicate the APC received 36.6% of the vote, PDP 29.7%, LP 26.3% and NNPP 5.5%. INEC's official results for every candidate fall within the estimated PRVT range. The PRVT statistical analysis is based on the number of registered voters and not on the number of PVCs collected. These numbers do not reflect voters who were denied access to vote either as a result of delay in election logistics or cases of violence and voter intimidation. Realistically, we do not know how it affected result outcomes.

Yiaga Africa exposed inconsistencies and significant manipulation of the results collation process. The state-level presidential results for Imo and Rivers were inconsistent with the Yiaga Africa WTV projections for both states because the results were altered at the collation level. For Rivers, INEC announced 231,591 votes for APC or 44.2%; 175,071 for LP or 33.4%; and 88,468 for PDP or 16.9%. This is in sharp contrast to the Yiaga Africa WTV estimates for Rivers which are: APC 21.70% \pm 5.0%; for LP 50.8% \pm 10.6%; and for PDP 22.2% \pm 6.5%. For Imo, INEC announced 66,406 for APC or 14.2%; 360,495 for LP or 77.1%; and 30,234 for PDP or 6.5%. Again, this is at variance with the Yiaga Africa WTV estimates for Imo which are: APC 5.1 \pm 2.3%; LP 88.1% \pm 3.8%; and PDP 5.7% \pm 2.3%. The manipulation of the results in Imo and Rivers does not affect the overall outcome of the presidential election.

Yiaga Africa compared its observer data for Imo and Rivers state with scanned images of the INEC Presidential Results Forms (EC 8A) for sampled polling units on the IReV portal. As of 3:30am on Wednesday 01 March only 55% of Imo's and 63% of Rivers' EC 8A's had been uploaded. Yiaga Africa was able to locate EC 8As for approximately half of the sample polling units for each state. In all cases, Yiaga Africa observer data aligned with the figures on the official EC 8A scanned images.

Yiaga Africa estimates show that national voter turnout for the 2023 Presidential election will be 29.4% \pm 1.0 based on registered voters and will be 31.3% \pm 1.0% based on the number of PVCs collected. INEC's official turnout rate of 27% fell within the margin of error. Nationally, the percentage of rejected ballots is projected to be 3.6% \pm 0.3%. Yiaga Africa observed 8 instances (0.5% of polling units) of irregularities in voter turnout where turnout was over 100%.

Table 1: INEC Official Results for Rivers and Imo Do NOT Match with Yiaga Africa WTV PVT Projections for the 2023 Presidential Election

Party	RIVERS			IMO			MATCH
	INEC	PVT Estimate	PVT Range	INEC	PVT Estimate	PVT Range	
APC	44.2%	21.7% +/-5.0%	16.7% - 26.7%	14.2%	5.1% +/-2.3%	2.8% - 7.4%	NO
LP	33.40%	50.8% +/-10.6%	40.2% - 61.4%	77.1%	88.1% +/-3.8%	84.3% - 91.9%	NO
PDP	16.9%	21.8% +/-6.5%	15.3% - 28.3%	6.5%	5.7% +/-2.3%	3.4% - 8.0%	YES

Inclusiveness

A key element of democratic elections is inclusivity. Inclusive elections guarantee equal opportunity to vote and be voted for. INEC’s introduction of online pre-registration created an opportunity for eligible voters to commence the voter registration process online and subsequently visit an INEC registration centre for biometric capture. The online registration improved access to the voter registration process and encouraged unregistered voters especially young voters to participate in the CVR process. Young people represent the largest demographic in database of newly registered voters and the final voter register. The complexities associated with completing the offline component of the voter registration process was a disincentive for many voters who commenced the online pre-registration but failed to physically present themselves for biometrics capture.

Notable progress was recorded in the 2023 election cycle. New provisions in the Electoral Act 2022 improved the participation of the special interest groups in our elections. For instance, Section 54 (2) of the Electoral Act 2022 mandates the INEC to take reasonable steps to ensure that persons with disabilities, special needs and vulnerable persons are assisted at the polling unit by the provision of suitable means of communication, such as Braille, Large embossed print or electronic devices or sign language interpretation, or off-site voting in appropriate cases. INEC set up an inclusivity desk to handle issues of mainstreaming persons with disability in the electoral process. The commission procured assistive aids (Braille guides and Magnifying glasses), and maintained engagement with the disability community ahead of the elections. Despite all these efforts, reports by the TAF Africa revealed a low participation of PWDs in the CVR. According to the report “The INEC did not adequately engage PWDs in the electoral process, especially in the voter education and registration exercises. Quite a few eligible voters with disabilities did not participate in the CVR to update their status as PWDs, while others were unable to collect their voters’ card, due to lack of accessibility, hence the low number of PWDs

indicated in the INEC register”²²

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In the February 25th presidential election, Yiaga Africa’s data showed that PWD voter information and statistics (Form EC 40H) were sighted in 82% of observed polling units, PWD posters (Poster EC 30E) were posted on the wall in 85% of observed polling units, magnifying glasses were sighted in 19% of polling units. 30% of polling units were not accessible as voters had to go up steps to access the polling units. For the March 18th governorship election in the 28 states, Yiaga Africa’s data shows PWD voter information and statistics (Form EC 40H) were sighted in 67% of observed polling units, PWD posters (Poster EC 30E) were posted on the wall in 63% of observed polling units, magnifying glasses were sighted in 21% of polling units. 28% of polling units were not accessible as voters had to go up steps to access the polling units.

Findings by the TAF Africa Foundation also corroborated Yiaga Africa’s findings as they reported poor deployment of assistive tools. According to the report, TAF Africa observed “the inadequate and poor deployment of assistive tools such as braille ballot guides for the visually impaired, magnifying glasses for persons with albinism, and large font graphic posters for the deaf, from 532 and 331 polling units observed during the presidential and governorship elections respectively”.²³ Reports by the Inclusive Friends Association (IFA) also revealed that persons with albinism and low vision did not use the magnifying glasses in 61% of polling units observed because magnifying glasses were not deployed at most polling units”.²⁴

Although efforts were made through an improved electoral legal framework to ensure the participation of all eligible voters, not everyone who was eligible voted due to certain inhibitions. For instance, the PVCs of some voters were not available for pick up making it impossible for the affected voters to vote. Voters affected by the polling unit relocation encountered challenges with identifying the new voting locations on election day. Nigerians on election duties such security personnel, INEC staff, election observers, prisoners and Nigerians in diaspora are denied the right to vote due to perceived conflict of interest or legal restrictions. Early voting or advance polling allows citizens to cast ballots in person at a polling place prior to an election. There are currently no provisions to accommodate these categories of voters thereby disenfranchising them from the process.

22 The All Rights Foundation Africa - <https://tafafrica.co/wp-content/uploads/2023/05/TAF-NL-March-2023-v2.pdf>

23 The All Rights Foundation Africa - <https://tafafrica.co/wp-content/uploads/2023/05/TAF-NL-March-2023-v2.pdf>

24 Inclusive Friends Association - <http://inclusivefriends.org/wp-content/uploads/2023/06/Electoral-Inclusions-Thus-Far-2023-General-Elections-2.pdf>

Special interest groups as election workers

Yiaga Africa's findings from the observation of the Continuous Voter Registration (CVR) indicates INEC mainstreamed gender in its deployment of registration officials. Two of the four officials deployed in all registration centres were women. Yiaga Africa's report on presidential and governorship elections shows the deployment of an average of one female officer in the northern zone and two female officers in the southern zone. IFA reports that "INEC deployed an average of four polling officials in 66% of polling units observed during the presidential election, and 26% of these officers were PWDs".²⁵

Expanding Voter Access to Polling Units

In 2021, the commission created additional polling units to expand voter access to polling units on election days as response to the age-long crisis of insufficient polling units and wrongly located polling units. An additional 56,872 polling units were created bring the number of polling units to 176, 846. Although the expansion was aimed at improving voters' access to polling units, stakeholders including Yiaga Africa raised concerns about INEC's strategy for allocating voters to polling units, the timing of the exercise and public communication. As was noticed during the mock election as conducted by the commission on February 4, 2023, barely 20 days before the election, some voters arrived at the polling unit and discovered they had been migrated to other polling locations without prior notification. To salvage the situation, the commission hurriedly sent out communication on how voters should confirm their voter locations ahead of the election day. As anticipated, voters encountered difficulties locating polling units assigned to them on election day. Some voters did not receive the SMS notification sent by the commission, this created confusion in some polling units.

Voter Turnout by States

The official voter turnout of 26.7% for the February 25 election is the lowest in the history of elections in Nigeria. This indicates 9%-point drop from the 35.72% voter turnout in the 2019 presidential and national assembly elections. Stakeholders have expressed divergent opinions about the voter turnout rates. Against the background of an over bloated voter register, some stakeholders consider the turnout rate as a true reflection of the 'real voters' and that the BVAS curtailed manual accreditation. Others feel strongly that the acts of voter suppression and late commencement of voting owing logistics challenges may have contributed to the drop in voter turnout. Yiaga Africa's data on the 2023 presidential and national assembly elections on the opening and commencement of polls shows that the south-south and south-east were the most affected by the logistical shortcomings. By 9:30am on election day,

25 Inclusive Friends Association - <http://inclusivefriends.org/wp-content/uploads/2023/06/Electoral-Inclusions-Thus-Far-2023-General-Elections-2.pdf>

voting had commenced in 29% of polling units in south-south and 14% of polling units in the south-east.

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No state in Nigeria achieved 45% voter turnout. Jigawa had the highest voter turnout at 40.61% with a sharp decline of 14.06% from the 54.63% turnout in 2019. 11 states recorded 30% or more voter participation in the election although turnout declined from 2019 elections. Turnout in Plateau was 39.83%, followed by Osun at 38.71%, Adamawa at 34.67%, Gombe at 33.87%, Kaduna and Bauchi at 32%, Ekiti and Katsina at 31%, FCT and Niger at 30%. Voter turnout in Benue, Kano, Kebbi, Kwara and Nasarawa states was 29%. Ondo and Sokoto states recorded 28% each. States with the highest number of registered voters such as Lagos recorded 18.92% turnout, Kano 29.49% voter turnout and Rivers 15.66% turnout. The lowest turnout was recorded in Rivers (see appendix xxx for a comparison of voter turnout in 2019 and 2023 by states)

Fairness

Fair competition deepens democratic culture and enhances the acceptability of electoral outcomes. Creating a level playing field for all actors to contest for power and participate in election gives voters the opportunity to express their sovereign power in electing public leaders. The high cost of nomination fees imposed by political parties created unfair competition as young and female aspirants were disproportionately affected. The ruling All Progressives Congress (APC) fixed the cost of nomination forms for President at N100million (\$240,884), Governorship at N50million (\$85,470), Senate at N20million (\$34,188), House of Representatives at N10million (\$17,094) and State Assembly at N2million (\$3,418). The leading opposition party, the People's Democratic Party (PDP) pegged N40million (\$68,376) as the cost for Presidential nomination forms, N21million (\$35,897) for Governorship, N3.5million (\$5,982) for Senate, N2.5million (\$4,273) for House of Representatives and N1.5million (\$2,564) for State House of Assembly. While the two main parties introduced concessions for women and a 50% discount for young aspirants, aspirants were still subjected to paying other high sundry fees for administrative costs and state secretariat fees before nomination forms are submitted for processing.

Restrictions on campaigns and imposition of fines

However, as political competition became intense, executive rascality or impunity also intensified. Incumbency power was weaponized against political opponents. In the pre-election period, incumbent governors restricted the use of public facilities in their states and prevented opposition parties from campaigning at the state level. In some instances, state governments imposed outrageous levies to dissuade opposition parties from using such facilities. In Anambra, the state government imposed heavy fees for campaign posters, while in Rivers, the state government banned campaigns in public facilities, and reportedly imposed a fee of 5 million for the use of such facilities.

Disturbed by the threat of these unlawful restrictions, the Inspector General of Police and the National Security Adviser issued a stern warning to the state governors to desist from using thugs and other elements to prevent the opposition from holding political campaigns at the states²⁶.



Yiaga Africa visited the INEC local government offices in the FCT to inspect Voting materials



Yiaga Africa visited the INEC local government offices in the FCT to inspect Voting materials

26 <https://saharareporters.com/2022/12/01/state-governors-wont-be-allowed-stop-rallies-opposition-parties-inspector-general-police>

The image features two women in the foreground, looking at documents. The woman on the left wears a patterned headwrap and glasses. The woman on the right wears a dark t-shirt with a logo that says 'WATCHING THE VOTE' and a map of Africa. The background is slightly blurred, showing other people and what appears to be a public event or meeting. The entire image has a green color overlay.

CHAPTER 4

YIAGA AFRICA FRAMEWORK OF LEGISLATIVE, ADMINISTRATIVE AND ELECTORAL POLICY REFORMS

Rebuilding public confidence in the electoral process

- 1. Independent audit/review of the elections:** A comprehensive multi stakeholder independent audit of the 2023 general election is crucial for inspiring public confidence and ensuring accountability for operational lapses, electoral impunity and identifying fundamental changes required to enhance the quality of elections.
- 2. Prosecution of electoral offenders:** Investigation and prosecution of electoral offenders especially collation and returning officers engaged in results manipulation and flagrant violations of the guidelines on results collation. INEC is encouraged to provide regular updates on the prosecution and list of electoral offenders and convictions on its online and offline communication channels.
- 3. Proactive communication:** INEC should improve its communication and public engagement on critical electoral issues. The commission should adopt a culture of proactive disclosure and strategic communications in its engagement with the public. Transparent, timely, and effective communication will rebuild public confidence in the electoral process.

Strengthening INEC's institutional Independence and effectiveness

- 4. Review the process of appointments into INEC:** The National Assembly should amend the constitution to divest the power of appointing the Chairman, National Commissioners and Resident Electoral Commissioners in line with Justice Uwais electoral reform committee recommendations.
- 5. Professionalize INEC appointments:** The criteria of non-partisanship and unquestionable character prescribed by the constitution have proven to be inadequate. Therefore, professional skills and qualifications should be considered when making appointments into INEC. Election administration requires individuals with diverse legal, IT, logistics, statistics, and communications skills. The appointing authority should also consider the age, health status and gender of nominees when making appointments into the commission.
- 6. Integrate and safeguard public participation in the appointment process:** The appointing authority should subject nominees to public scrutiny before transmitting nominations to the Senate for confirmation. Screening of nominees into INEC by the Senate should be executed diligently and devoid of partisanship. Additionally, the Senate should issue guidelines for submitting petitions against nominations into INEC to promote effective public participation.

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7. **Unbundle INEC:** The National Assembly should, through legislation, establish a Political Party Registration and Regulatory Commission and an Electoral Offences Commission to reduce INEC's enormous and onerous responsibilities.
 8. **Mandatory training and utilization of technological tools:** INEC should enforce mandatory training for all its permanent and adhoc staff on election administration and utilization of technological tools designed by INEC to improve efficiency and limit human interference in election logistics management.
 9. **Reduce over dependence on third party vendors and transport providers:** INEC should recruit or build internal capacity for the design, production and maintenance of its technology. The commission should explore the use of private logistics companies or safe local facilities to reduce dependence on transport providers.

Addressing the ambiguities, complexities and inadequacies of the electoral legal framework

10. **Fix the ambiguities in the results management process:** Further review to the electoral act to address the ambiguities in the results collation and transmission process and the role of technology in the results management value chain.
11. **Align reconfiguration of technological devices with election dates:** Timelines for the reconfiguration of technological devices should be considered when preparing the timetable and schedule of activities for elections to avoid complications during general elections. The reconfiguration process should be open to political parties, media and election observers.
12. **Issuance of additional guidelines:** INEC should issue additional guidelines to strengthen the electoral legal framework and improve the integrity of election. For instance, a guideline for reviewing election results declared under duress or in contravention of the Electoral Act, INEC guidelines and Manual is necessary.

Enhancing the integrity and accuracy of the voter register

13. **Audit the voter register:** INEC should undertake a comprehensive audit of the voter register to eliminate duplications, multiple registrants and ineligible voters to enhance the credibility of the voter register. The audit process should be subjected to public scrutiny to improve its transparency.
14. **Generate the voter register from the civil registry:** The National Assembly should amend the electoral legal framework to enable INEC produce the voter register from the national identify database compiled by the National Identity Management Commission (NIMC). This will reduce the cost of elections, facilitate regular update to the register and foster harmonization of the national database.

- 15. Review the requirement for voter identification:** With the successful introduction of the BVAS that stores biometric information of voters, INEC should abolish the use of Permanent Voter Card (PVC) and adopt the use other legally acceptable means of identification for voter verification such driver's license, international passport, national identity card amongst others.

Protecting voting rights and inclusiveness of elections

- 16. Early voting:** Amendments to the legal framework is necessary to introduce early voting for eligible voters on essential election duties such as security personnel, INEC staff, election observers, journalists etc. INEC should develop a framework for stakeholder engagement on early voting.
- 17. Diaspora voting:** The National Assembly should make further amendments to the Constitution and Electoral Act to address the exclusion of Nigerians in diaspora from voting and protect their voting rights.
- 18. Revisit voter allocation to polling units:** INEC should undertake a comprehensive audit of voter allocation to polling units and equitable distribution of voters and timely communication of the voter reallocation to polling unit.

Safeguarding the use of electoral technologies

- 19. Introduce legal timelines for testing, and mock exercise of electoral technologies:** The National Assembly should make further amendments to the 2022 Electoral Act to establish the principles and introduce timelines for the mandatory conduct of testing and mock exercises for electoral technologies deployed by the electoral commission.
- 20. Compulsory electronic transmission of results:** Strengthen the electoral law to make electronic transmission of results mandatory including the upload of polling unit level results and results sheets used at different levels of results collation.

Improving election security

- 21. Limit excesses of incumbents:** The use of state institutions by incumbents to bully and intimidate political opponent should be resisted by all security agencies.
- 22. Neutralize pre-election threats:** Security agencies should take seriously the responsibility of addressing early warning signs of electoral violence and professionally neutralize security threats to avoid escalation or spill over on election day.

Raising the quality of political engagement and candidate selection

- 23. Reform party primaries:** Political parties should eliminate the use of tactical and covert strategies of undermining the emergence of women, youth and PWD as candidates during primaries. The imposition of prohibitive nomination fees, forceful withdrawal, and unlawful substitution of candidates should be abolished to promote inclusive politics.
- 24. Practice issue-based politics:** Political parties and campaigns should be driven by issue-based politics. Candidate debates, townhalls and meetings with candidates should be encouraged to promote informed decision-making at the polls.
- 25. Integrate governance accountability in voter education:** Civil society, media, and other stakeholders should integrate governance accountability in voter education and citizen mobilization to sustain citizens' participation beyond election day. Democracy doesn't equate elections; therefore, citizens should be engaged in the post-election phase to hold elected leaders to account for campaign promises and pressure leaders to undertake governance and electoral reforms before the next elections.
- 26. Boost voter turnout:** Voting at elections is a constitutional right bestowed on citizens to participate in decision making that affects their lives, society and future generations. Therefore, citizens should cultivate the culture of voting in exercise of their sovereign power to elect leaders. Democracy only delivers if citizens participate.
- 27. Curb vote trading:** Citizens should curb the menace of vote trading by resisting all the tactics employed by politicians to compromise their voting choices.

Appendix I

The below table is a comparison of INEC official results with the Yiaga Africa WTV estimates for all 18 political parties contesting the 2023 Presidential election.

Appendix II Comparison of INEC Official Results with Yiaga Africa WTV Estimates for All Political Parties In the 2023 Presidential Election							
Party	INEC		Yiaga Africa WTV				Match
	Official Votes	Percent	PVT Estimate	Margin of Error	Estimated Range		
					Lower Limit	Upper Limit	
A	61,014	0.25%	0.2%	+/- 0.1%	0.1%	0.3%	✓
AA	14,542	0.06%	0.1%	+/- 0.0%	0.1%	0.1%	✓
AAC	14,608	0.06%	0.1%	+/- 0.0%	0.1%	0.1%	✓
ADC	81,919	0.34%	0.3%	+/- 0.0%	0.3%	0.3%	✓
ADP	43,924	0.18%	0.3%	+/- 0.1%	0.2%	0.4%	✓
APC	8,794,726	36.61%	35.9%	+/- 1.5%	34.4%	37.4%	✓
APM	25,961	0.11%	0.4%	+/- 0.2%	0.2%	0.6%	✓
APGA	61,966	0.26%	0.1%	+/- 0.0%	0.1%	0.1%	✓
APP	12,839	0.05%	0.0%	+/- 0.0%	0.0%	0.0%	✓
BP	16,156	0.07%	0.0%	+/- 0.0%	0.0%	0.0%	✓
LP	6,101,533	25.40%	26.3%	+/- 2.1%	24.2%	28.4%	✓
NNPP	1,496,687	6.23%	5.5%	+/- 0.9%	4.6%	6.4%	✓
NRM	24,869	0.10%	0.1%	+/- 0.0%	0.1%	0.1%	✓
PDP	6,984,520	29.07%	29.7%	+/- 1.4%	28.3%	31.1%	✓
PRP	72,144	0.30%	0.1%	+/- 0.0%	0.1%	0.1%	✓
SDP	80,267	0.33%	0.3%	+/- 0.1%	0.2%	0.4%	✓
YPP	60,600	0.25%	0.2%	+/- 0.1%	0.1%	0.3%	✓
ZLP	77,665	0.32%	0.3%	+/- 0.1%	0.2%	0.4%	✓

Source: Yiaga Africa WTV Nigeria 2023

Representativeness of #WatchingTheVote (WTV) Parallel Vote Tabulation (PVT) Statistical Sample of Polling Units by

State (and Geopolitical Zone)

Zone	State	All Polling Units (PUs)				Statistical Sample of Polling Units (PUs)				%PU	%RV
		PUs	%PUs	RVs	%RVs	PUs	%PU	RVs	%RVs	Diff	Diff
NC	BENUE	5,092	2.9%	2,777,727	3.0%	43	2.9%	23,369	3.1%	0.0%	0.1%
NC	FCT	2,811	1.6%	1,570,307	1.7%	24	1.6%	14,749	1.9%	0.0%	0.2%
NC	KOGI	3,508	2.0%	1,932,654	2.1%	31	2.1%	16,636	2.2%	0.1%	0.1%
NC	KWARA	2,886	1.6%	1,695,927	1.8%	27	1.8%	13,660	1.8%	0.2%	0.0%
NC	NASARAWA	3,245	1.8%	1,899,244	2.0%	31	2.1%	18,453	2.4%	0.2%	0.4%
NC	NIGER	4,940	2.8%	2,698,344	2.9%	40	2.7%	20,139	2.6%	-0.1%	-0.3%
NC	PLATEAU	4,983	2.8%	2,789,528	3.0%	46	3.1%	25,601	3.3%	0.2%	0.4%
NE	ADAMAWA	4,100	2.3%	2,196,566	2.4%	34	2.3%	18,689	2.4%	-0.1%	0.1%
NE	BAUCHI	5,417	3.1%	2,749,268	2.9%	46	3.1%	20,479	2.7%	0.0%	-0.3%
NE	BORNO	5,059	2.9%	2,513,281	2.7%	44	2.9%	18,571	2.4%	0.1%	-0.3%
NE	GOMBE	2,988	1.7%	1,575,794	1.7%	26	1.7%	13,846	1.8%	0.0%	0.1%
NE	TARABA	3,563	2.0%	2,022,374	2.2%	31	2.1%	16,995	2.2%	0.0%	0.1%
NE	YOBE	2,812	1.6%	1,485,146	1.6%	25	1.7%	12,941	1.7%	0.1%	0.1%
NW	JIGAWA	4,519	2.6%	2,351,298	2.5%	39	2.6%	16,042	2.1%	0.0%	-0.4%
NW	KADUNA	8,004	4.5%	4,335,208	4.6%	69	4.6%	33,341	4.4%	0.0%	-0.3%
NW	KANO	11,212	6.3%	5,921,370	6.3%	89	5.9%	44,203	5.8%	-0.4%	-0.6%
NW	KATSINA	6,640	3.8%	3,516,719	3.8%	50	3.3%	24,330	3.2%	-0.4%	-0.6%
NW	KEBBI	3,738	2.1%	2,032,041	2.2%	28	1.9%	15,699	2.1%	-0.3%	-0.1%
NW	SOKOTO	3,983	2.3%	2,172,056	2.3%	34	2.3%	18,971	2.5%	0.0%	0.2%
NW	ZAMFARA	3,528	2.0%	1,926,870	2.1%	31	2.1%	16,547	2.2%	0.1%	0.1%
SE	ABIA	4,050	2.3%	2,120,808	2.3%	34	2.3%	17,337	2.3%	0.0%	0.0%
SE	ANAMBRA	5,714	3.2%	2,656,437	2.8%	50	3.3%	20,928	2.7%	0.1%	-0.1%
SE	EBONYI	2,942	1.7%	1,597,646	1.7%	28	1.9%	14,807	1.9%	0.2%	0.2%
SE	ENUGU	4,141	2.3%	2,112,793	2.3%	36	2.4%	16,434	2.1%	0.0%	-0.1%
SE	IMO	4,720	2.7%	2,419,922	2.6%	36	2.4%	16,400	2.1%	-0.3%	-0.4%
SS	AKWA IBOM	4,353	2.5%	2,357,418	2.5%	36	2.4%	16,610	2.2%	-0.1%	-0.4%
SS	BAYELSA	2,242	1.3%	1,056,862	1.1%	18	1.2%	10,270	1.3%	-0.1%	0.2%
SS	CROSS RIVER	3,281	1.9%	1,766,466	1.9%	28	1.9%	15,240	2.0%	0.0%	0.1%
SS	DELTA	5,859	3.3%	3,221,697	3.4%	53	3.5%	29,761	3.9%	0.2%	0.4%
SS	EDO	4,518	2.6%	2,501,081	2.7%	41	2.7%	23,069	3.0%	0.2%	0.3%
SS	RIVERS	6,865	3.9%	3,537,190	3.8%	58	3.8%	25,869	3.4%	0.0%	-0.4%
SW	EKITI	2,445	1.4%	987,647	1.1%	22	1.5%	8,299	1.1%	0.1%	0.0%
SW	LAGOS	13,322	7.5%	7,060,195	7.6%	117	7.8%	62,723	8.2%	0.2%	0.6%
SW	OGUN	5,042	2.9%	2,688,305	2.9%	43	2.9%	22,468	2.9%	0.0%	0.1%
SW	ONDO	3,931	2.2%	1,991,344	2.1%	29	1.9%	15,485	2.0%	-0.3%	-0.1%
SW	OSUN	3,763	2.1%	1,954,800	2.1%	34	2.3%	16,569	2.2%	0.1%	0.1%
SW	OYO	6,390	3.6%	3,276,675	3.5%	56	3.7%	29,168	3.8%	0.1%	0.3%
Total		176,606	100.0%	93,469,008	100%	1,507	100%	764,698	0.0%	0.00%	0.00%

Appendix III: Voter Turnout Table

Table 1: Comparison of Voter Turnout in the 2019 and 2023 Presidential and National Assembly Elections based on INEC's Official Data					
S/N	Zone	State	%Turnout 2019	%Turnout 2023	%Diff
1	NC	BENUE	31.94%	28.72%	-3.22%
2	NC	FCT	33.81%	30.48%	-3.33%
3	NC	KOGI	33.74%	24.63%	-9.11%
4	NC	KWARA	34.69%	29.29%	-5.40%
5	NC	NASARAWA	39.71%	29.32%	-10.39%
6	NC	NIGER	37.76%	30.14%	-7.62%
7	NC	PLATEAU	43.86%	39.83%	-4.03%
8	NE	ADAMAWA	43.93%	34.67%	-9.26%
9	NE	BAUCHI	43.28%	32.10%	-11.18%
10	NE	BORNO	41.18%	19.81%	-21.37%
11	NE	GOMBE	41.92%	33.87%	-8.05%
12	NE	TARABA	41.73%	25.60%	-16.13%
13	NE	YOBE	42.91%	26.75%	-16.16%
14	NW	JIGAWA	54.63%	40.61%	-14.02%
15	NW	KADUNA	44.26%	32.33%	-11.93%
16	NW	KANO	36.44%	29.49%	-6.95%
17	NW	KATSINA	50.44%	31.03%	-19.41%
18	NW	KEBBI	44.59%	29.11%	-15.48%
19	NW	SOKOTO	48.86%	27.99%	-20.87%
20	NW	ZAMFARA	34.78%	26.96%	-7.82%
21	SE	ABIA	19.20%	18.00%	-1.20%
22	SE	ANAMBRA	26.16%	23.51%	-2.65%
23	SE	EBONYI	27.24%	21.11%	-6.13%

Table 1: Comparison of Voter Turnout in the 2019 and 2023 Presidential and National Assembly Elections based on INEC's Official Data

S/N	Zone	State	%Turnout 2019	%Turnout 2023	%Diff
26	SS	AKWA IBOM	28.55%	24.92%	-3.63%
27	SS	BAYELSA	36.38%	16.38%	-20.00%
28	SS	CROSS RIVER	29.48%	25.00%	-4.48%
29	SS	DELTA	32.44%	20.32%	-12.12%
30	SS	EDO	27.87%	24.01%	-3.86%
31	SS	RIVERS	20.73%	15.66%	-5.07%
32	SW	EKITI	43.75%	31.84%	-11.91%
33	SW	LAGOS	18.32%	18.92%	0.60%
34	SW	OGUN	25.93%	22.74%	-3.19%
35	SW	ONDO	32.38%	28.62%	-3.76%
36	SW	OSUN	43.70%	38.71%	-4.99%
37	SW	OYO	31.86%	26.00%	-5.86%
National Average			35.72%	26.72%	-9.00%

Appendix IV

Pre-election Press Statement on the 2023 Presidential Election Thursday, February 23rd, 2023 Delivered at the Transcorp Hilton Hotel, Abuja

Introduction

On Saturday, February 25th, 2023, Nigerians across all thirty-six states and the Federal Capital Territory (FCT) will go to the polls to elect a President and Federal lawmakers nationwide. The date is symbolic as it will be exactly one year since the new Electoral Act 2022 was signed into law. While the law has been tested in two off-circle elections, the 2023 elections will be the first national elections to be conducted under the new electoral legal framework. Thus the 2023 Presidential elections is a litmus test for the new electoral law, especially on the deployment of electoral technology, and INEC's power to review election results declared involuntarily or in violation of electoral guidelines. With the competitive nature of the Presidential elections, the threshold for assessing the quality of the election will be higher as the Independent National Electoral Commission (INEC), Nigerian Police Force and other election stakeholders cannot afford to fail Nigeria in its effort to deliver credible elections.

Evidently, there are high expectations from Nigerians, Africa and the international community for Nigeria to consolidate on the gains from recent electoral reforms. INEC and other stakeholders bear a huge burden to conduct an election that inspires public confidence and renews hope in the power of the ballot.

Yiaga Africa commends the political parties and candidates for signing the National Peace Accord, an initiative of the National Peace Committee, headed by the former Head of State, General Abdulsalami Abubakar. We call on the parties, and candidates to uphold their commitment in the peace accord and urge party supporters to maintain the peace during and after the elections.

This briefing is the first in a series of planned press conferences to be hosted by Yiaga Africa. We equally invite you to join us at the same location on Saturday 25 February 2023 when Yiaga Africa will share its Mid-day Situational Statement on the opening of polls. On Sunday 26 February 2023 at 10:00 am Yiaga Africa will share its preliminary statement on the conduct of the Presidential election process. Yiaga Africa will follow up with a final press conference to share its own statement on the accuracy of the election results and will publicize these projections.

Summary of Key Findings from Yiaga Africa's Pre-Election Observation

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Yiaga Africa deployed 822 Long Term Observers (LTOs) in all 774 Local Government Areas (LGA) of Nigeria from November 2022 to February 2023 who monitored political developments and preparations for the general elections. A detailed report from the 6 observation periods is available on Yiaga Africa's website www.yiaga.org. The pre-election observation revealed marked improvement in the logistics planning as it relates to the production and deployment of election materials by INEC amidst perennial challenges like insecurity and emerging threats like the scarcity of the Naira notes.

Notably, INEC's decision to produce election materials in-country is commendable. A summary of the highlights of the findings from that observation includes;

1. INEC Preparedness for the election: In the week leading to the elections, Yiaga Africa WTV observed ongoing activities by INEC across the local government areas in the state. The long-term observers reported the deployment of nonsensitive materials across the LGAs observed and the training of election officials. In addition, the observers reported the commencement of the sorting and deployment of sensitive materials from Central Bank of Nigeria offices in the State capitals to the LGAs in respective states. As of 22 February 2023, Yiaga Africa received reports from; Ondo, Oyo, Ekiti, Yobe, Enugu, Ekiti and Zamfara states where the deployment of sensitive materials from CBN to the LGAs had commenced. Compared to previous general, this is a marked improvement. Reports from other states indicate the deployment of sensitive materials to the LGAs will commence on the 23rd February 2023.

Matters Arising on the 2023 Presidential Elections

Yiaga Africa notes some developments that could impact the conduct of credible elections on 25th February 2023:

2. PVC Collection Challenges and Data for Polling Unit level Collection rate: Yiaga Africa notes that the litany of complaints about uncollected PVCs largely due to the unavailability of the cards are worrisome. Yiaga Africa is concerned that a good number of eligible voters may be disenfranchised for no fault of theirs. In addition, the delay in releasing the final figure of collected PVCs is per polling unit nationwide. The data on PVCs collected per polling unit is important in determining the conclusiveness of the election as INEC expects to use the data in the application of the margin of lead principle.
3. Relocation of Voters to New Polling Units May lead to possible disenfranchisement: The mock accreditation revealed that, in an attempt by the Independent National Electoral Commission (INEC) to decongest some of its oversized polling units,

the commission relocated voters to new polling units. However, voters approached their polling units for mock accreditation before realizing they have been relocated to new polling units. While we commend the commission's recent efforts by providing information on how voters can identify their polling units, we are concerned that some affected voters may not identify their voting locations on or before election day. Yiaga Africa will constitute panic, agitations and potential disenfranchisement on election day.

Economic Hardship May Impact on Citizens' Participation: Barely 48 hours to the Presidential elections, Nigerians are experiencing untold economic hardship caused by the Pre-election Press Statement on the 2023 Presidential Election Thursday, February 23rd, 2023 Delivered at the Transcorp Hilton Hotel,

Abuja recent scarcity of new naira notes and unending fuel scarcity. This has led to a series of protests in different parts of the country. This growing discontent amongst citizens may lead to voter apathy in the form of "protest" which will eventually lead to low voter turnouts. We are also worried that citizens facing these forms of adversities going into the election may be unable to make informed choices at the polls.

4. Addressing Challenges Experienced During Mock Accreditation: Although turnout for the process was low, we commend the Independent National Electoral Commission for conducting a mock accreditation to test the functionality of the Bimodal Voter Accreditation System (BVAS). The commission should urgently address the challenges witnessed during the mock accreditation to ensure the BVAS device functions optimally across the country on election day.
5. Security Concerns and Threats to the Conduct of Election: All through the pre-election period, security challenges persisted across several locations. Beyond insurgency, banditry and kidnapping, the prevailing security situation leading to the 2023 Presidential election has been exacerbated by the tense political atmosphere.
6. Possible Vote Trading: The current Naira redesign policy aimed at eliminating vote buying on election has resulted in a shortage of cash making it difficult for citizens to meet basic domestic needs. Yiaga Africa is concerned the negative impact of the policy may encourage voters to sell their votes in exchange for the scarce Naira notes.

Yiaga Africa's Observation of the 2023 Presidential Election

For the Presidential election, Yiaga Africa will deploy a total of 3,836

observers throughout the country. This is comprised of 3,014 stationary Parallel Vote Tabulation (PVT) observers deployed to a random representative statistical sample of 1,507 polling units; 822 roving observers across the 774 LGAs and 36 states; and 8 Working Group members who run real-time election analysis. Yiaga Africa will also deploy observers to the LGA and State Results Collation Centres in every state. Our observers will observe the entire election day process from set-up of the polling units through the announcement, posting of the official results and uploading of the polling units to the INEC Result Viewing Portal. The observers will send in periodic reports to the Watching the Vote National Data Centre located in the Transcorp Hilton in Abuja where they will be processed and analysed.

This deployment will enable Yiaga Africa to provide the most timely and accurate information on the election process. Based on reports from its observers in the sampled polling units Yiaga Africa will also provide an independent projection of voter turnout and will be able to project the vote shares that each party should receive within a narrow-estimated range. If the official results fall within Yiaga Africa's estimated ranges, then the public, political parties and candidates should have confidence in the ballots cast at the polling units. Only INEC, however, has the legal mandate to announce the election results. As soon as INEC announces the official results, Yiaga Africa will follow up with a result verification press conference to share its own statement on the accuracy of the election results and will publicize these projections.

Utilizing information communications technology and statistical principles, PVT is the gold standard for citizen election observation and has been utilized throughout Africa and the world. Yiaga Africa has also deployed this methodology in the 2019 presidential election and in eleven (11) off-cycle gubernatorial elections in Nigeria.

Yiaga Africa restates its commitment to the objective, non-partisan and credible observation of the election. The Watching The Vote is "Driven by Data – For All Nigerians – Beholden to None!"

Thank you and God Bless the people of Nigeria!

Yiaga Africa's Watching the Vote is "Driven by Data – For All Nigerians – Beholden to None!"

Dr Hussaini Abdu
Chair, Watching The Vote Working Group Yiaga Africa

Samson Itodo
Executive Director Yiaga Africa

Appendix V:

Mid-day Situational Statement on the 2023 Presidential Election. Saturday, February 25th, 2023 Delivered at the Transcorp Hilton Hotel, Abuja

Introduction

On Saturday, 25 February 2023, Yiaga Africa Watching The Vote deployed 3,836 observers across the 774 local government areas (LGAs) in 36 states and the Federal Capital Territory. These include 3,014 Parallel Vote Tabulation (PVT) observers deployed in pairs to a random, representative statistical sample of 1,507 polling units where they will remain throughout the day. This deployment will enable Yiaga Africa to independently verify the accuracy of the official presidential election results when they are announced by the Independent National Electoral Commission (INEC). Yiaga Africa also deployed mobile or roving observers to all the 774 Local Government Areas to capture critical incidents occurring both within and in the vicinity of polling units across the country and will also observe the process of collation in all LGA and State Results Collation Centres.

Yiaga Africa's Watching the Vote observation revealed critical challenges in the commencement of polls ranging from the late arrival of officials and delayed opening of polls to the shortage of election materials in some polling units. The late arrival of polling unit officials was exacerbated by the late deployment of the polling officials and election materials from the Registration Areas Centres (RACs) on election morning. In addition, as noted in our pre-election statement, voters who were migrated to new polling units by INEC experienced some difficulties locating their respective polling units.

On the eve of the election, Yiaga Africa also received reports of attacks in some communities in four(4) local government areas (LGA); Shiroro, Mariga, Magama and Raffi in Niger state, with Raffi LGA being the most hit. INEC relocated the polling units in the affected communities to a safer location to ensure voting continued.

Yiaga Africa Watching the Vote Mid-day Findings

Yiaga Africa's initial findings are based on reports received from 1416 of the 1,507 sampled polling units and processed at 12:45 pm on election day. Additional information and updates will be provided subsequently.

1. Late Arrival of INEC officials and delayed commencement of polls: In the polling units observed, Yiaga Africa observers noted the late arrival of INEC Officials at the polling unit. Our findings reveal INEC officials arrived at the polling units by 7:30 am in only 27% of polling units.

The late opening of polling units resulted in the late commencement of accreditation and voting which varied across the geo-political zones. By 9:30 am only: 41% of sampled polling units had commenced accreditation and voting across the country. In the respective geo-political zones only, 45% of polling units in the North-Central zone, 42% of polling units in the North East zone, 42% of polling units in the North West, 10% of polling units in the South-East zone, 29% of polling units in the South-South zone and 63% of polling units in the South West zone had commenced accreditation and voting.

2. Challenges with locating polling units: As anticipated in Yiaga Africa's pre-election report, voters encountered difficulties with locating polling units assigned to them by INEC following the migration of voters to polling units. Some voters didn't receive the SMS notification sent by INEC which created confusion in some polling units.
3. Deployment of the BVAS: Yiaga Africa observed that the BVAS was deployed across all polling units observed. In 3% of polling units, Yiaga Africa observed the deployment of 2 or more BVAS devices. In 98% of polling units, the BVAS had zero records for the total number of accredited voters on the BVAS before the commencement of the process.

Deployment of Party Agents: All Progressives Congress (APC) party agents were sighted at 96% of polling units, Labour Party (LP) polling agents were sighted at 46% of polling units, New Nigeria Peoples Party (NNPP) polling agents were seen at 39% of polling units, and Peoples Democratic Party (PDP) at 97% of polling units.

4. Shortfalls in election materials: Yiaga Africa received reports of shortfalls in sensitive and non-sensitive materials such as ballot papers, indelible ink and result sheets.
5. Access to polling units: In 31% of polling units, individuals had to climb steps or cross over gutters to access the polling units, which made it difficult for persons with disability.

Critical Incidents

As of 1:00 pm, the Yiaga Africa WTV Data Center received 40 verified critical incident reports primarily concerning the late opening of polls. Of additional note:

1. Polling Officials declined to deploy for the elections: In Ngor Okpala LGA in Imo State, Yiaga Africa WTV Observer reported a shortage of Adhoc staff due to poor remuneration and fear of attacks as most of the officials were corp members or students.
2. The BVAS not authenticating the facial or fingerprint of voters: Yiaga Africa WTV observer reported that at Gbagada Phase II /Bariga/Apelehin/Ogundero St./ Onasanwo St. Junction the BVAS failed to authenticate both the facial or fingerprint of voters which resulted in the process temporarily suspended.

Preliminary Recommendations

In view of the foregoing, Yiaga Africa WTV makes the following preliminary recommendations:

1. Extension of voting hours: In view of the late opening of polls coupled with the difficulties in locating polling units, Yiaga Africa calls on INEC to extend the time of voting to ensure that all eligible voters exercise their franchise. INEC should issue clear and unambiguous communication on the extension of voting time to all polling officials and the public.
2. INEC should investigate the reasons responsible for the late deployment of election materials and personnel including the late activation of the Registration Area Centers (RACs). Cases of breach of contractual obligations by transport workers should be met with sanctions.
3. INEC should implement its guidelines in cases where elections will hold the next day. Where the Commission reschedules the election to the following day, it should publish the comprehensive list of affected polling units on its online and offline platforms timeously.
4. Ensure timely response to issues raised at polling units such as malfunctioning of the BVAS and location of polling units.
5. Ensure Compliance with the Electoral Act and INEC Guidelines: Yiaga Africa calls on INEC polling officials to ensure strict compliance with the electoral guidelines, especially on the usage of BVAS to accredit voters and the upload of polling unit results on the INEC Results Viewing Portal (IREV).
6. Publication of Polling Units Data of PVCs Collected: INEC should fulfil its commitment to release the polling unit level data on collected PVC on its website. Yiaga Africa notes that INEC is yet to release the comprehensive data of collected PVC per polling unit.

Yiaga Africa commends the Nigerian people for their resilience and commitment to vote in this election. We urge voters to remain patient and vigilant to ensure their votes count. We call on voters who are yet to turn out to vote to proceed to their polling units before 2:30 pm confident that the Yiaga Africa's provide timely, statistically representative information about the conduct of the election.

Yiaga Africa Watching The Vote will continue to observe the process to the end and will independently check the accuracy of the official results announced. Our observers will remain at polling units until accreditation, voting, and counting are completed, and the official results have been announced and posted by the polling officials. Yiaga Africa will issue periodic additional updates and will issue a preliminary statement on the conduct of accreditation, voting and counting on Sunday 26 February at 10:00 am in the Watching the Vote National Data Center at the Transcorp Hilton in Abuja. You are all kindly invited to join us at this time. WTV appeals to INEC, all security agents,

political party candidates and their supporters as well as all Nigerian people to work together to ensure that the Election is credible and peaceful.

The Watching The Vote project is “Driven by Data – For All Nigerians – Beholden to None!”

Thank you and God Bless the people of Nigeria!

Dr. Hussaini Abdu

Chair, Yiaga Africa Watching The Vote

Itodo Samson

Executive Director

Appendix VI:

Yiaga Africa Watching The Vote PVT 2023 Presidential Election Preliminary Press Statement Delivered at the Transcorp Hilton Hotel, Abuja

Introduction

On 25 February, Yiaga Africa deployed 3,836 observers across the country including 3,014 parallel vote tabulation (PVT) observers who deployed early in the morning in pairs to a random, representative statistical sample of 1,507 polling units where they remained throughout the day. This methodology enables Yiaga Africa to independently assess the quality of the process and verify the accuracy of the official presidential election results announced by INEC.

At this time, Yiaga Africa is able to provide preliminary statistically accurate data on the conduct of the election as of 25 February 2023 - from the opening of polling units through accreditation, voting and counting until the posting of results – in addition, we have independent projections of the vote shares that each candidate should receive based on the ballots cast at polling units. If INEC’s results fall within Yiaga Africa’s estimated ranges, then the public, political parties and candidates should have confidence the official results reflect the ballots cast at the polling units. However, if the official results are manipulated at any point in the process we will be able to expose it. Only INEC has the legal mandate to announce the election results. As soon as INEC announces the official results, Yiaga Africa will convene a press conference to share its own statement on the accuracy of the election results and will publicize these projections.

As Yiaga Africa noted in its mid-day statement, there were once again significant logistics challenges which delayed opening of polls across the country. Once again INEC has fallen short of expectations. As a result, elections didn’t hold in some polling units due to INEC’s inability to deploy, insecurity, disruption or malfunctioned BVAS. Yiaga Africa notes that in 18 sampled polling units elections were not conducted. Yiaga Africa also received reports from two polling units in Kano and Delta states where voting were suspended and INEC indicated the process will continue on Sunday, 26th February. Yiaga Africa has redeployed observers and they are currently at these polling units waiting on the polling officials to hold the elections.

Yiaga Africa expressed concerns about the unexplained delay in uploading polling unit results for the presidential election on the INEC Election Results Viewing Portal (IREV). As of 10 pm on election day, results for the Presidential election were not uploaded on the INEC portal after voting and counting ended in several polling units. At 9:00 am on 26th February, INEC uploaded only 25,503 results for the Presidential elections on the INEC portal. The delay in uploading the results undermines public confidence in the results transmission process as it deviates from the guidelines for the elections and it

failed to meet citizens expectations.

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- Thus far, the 2023 presidential elections are once again a missed opportunity. The currency crisis created unnecessary challenges for voters, political parties and civil society to engage in the electoral process as well as for INEC to conduct the elections. Logistical shortfalls by INEC caused confusion and unacceptable delays in polling units opening - most notably in South East and South South geopolitical zones. The failure of the IReV system, intended to enhance transparency could potentially impugn the integrity of the elections.

This Preliminary Process Statement draws on findings as of 10:00 am on 26 February 2023, with complete observer reports received from 1,358 of the 1,507 sampled polling units representing 90% of polling units. Yiaga Africa is currently observing the results collation in all LGAs and State Collation Centers. Additional updates will be provided on other critical aspects of the elections.

Yiaga Africa's Watching The Vote Preliminary Findings

Accreditation and Voting, and Counting of the Presidential Results

1. The Functionality of the BVAS: Yiaga Africa observed the deployment of the BVAS across the polling units observed. At 99% of polling units, the BVAS was used throughout the day for the accreditation of voters. In 88% of polling units, the BVAS functioned properly. However, in 9% of polling units, the BVAS malfunctioned, and it was fixed and in 2% of the polling units, it malfunctioned and was replaced.

Adherence to Election Procedures and Additional Process Findings

2. In 93% of polling units, the details of registered voters were systematically checked against the register of voters.
3. Observers in over 9% of polling units reported that INEC polling officials were unprofessional and partisan.
4. Upholding the Secrecy of Ballots and Attempts to Influence Polling Officials. In 5% of polling units, there were no voting cubicles. Similarly, 13% of polling units were set up in a way individuals could see how the voters marked their ballot papers.

Misconduct at the Polling Units

5. At 5% of polling units, WTV observers reported that voters faced intimidation, harassment or assaulted.
6. At 7% of polling units, WTV observers reported situations that were identified as likely voter inducement.

Counting

As noted in the mid-day statement of February 25th, party agents were sighted across most of the polling units with Yiaga Africa observers. During counting All Progressives Congress (APC) party agents were sighted at 97% of polling units, Labour Party (LP) polling agents were sighted at 67% of polling units, New Nigeria Peoples Party (NNPP) polling agents were sighted at 51% of polling units, and Peoples Democratic Party (PDP) at 99% of polling units.

7. At 98% of polling units, the polling officials obtained the number of accredited voters from the BVAS and recorded it on form EC.8A
8. At 98% of polling units, the polling officials showed how every ballot paper was marked to the party agents.

Polling Units Level Results Transmission

9. In 83% of polling units, the Presiding Officer used the BVAS to scan/take a snapshot of the results sheet (Form EC 8A).
10. In 69% of polling units, the Presiding Officer attempted to transmit/send the polling unit result image to the INEC's online database (IReV).

Critical Incidents

Yiaga Africa established a critical incident desk as part of its national data centre to receive urgent messages from its observers. Over the course of Saturday, 25 February 2023 Election Day, Yiaga Africa confirmed 135 incidents witnessed by WatchingTheVote citizen observers.

The most frequent incident reports recorded by Watching The Vote Observers related to Polling units not opening (18 reports), malfunctioning of the BVAS (9 reports), Ballot box snatching (8 reports), Insufficient election materials (3 reports) and disruption of the voting process (5 reports).

Turnout

Belatedly INEC has made available PVC distribution data available by polling unit. Yiaga Africa is currently analysing this data.

A number of ongoing challenges around the election likely resulted in low voter turnout. This continues to undermine the legitimacy of our democratic system. Regardless of the outcome of this election, all stakeholders, political parties, INEC and civil society, must work to ensure that our elections fully engage all citizens and provide a genuine opportunity for them to participate.

As with the official results, Yiaga Africa will independently verify the official turnout once announced by INEC.

In view of the foregoing, Yiaga Africa makes the following additional preliminary recommendations:

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Additional preliminary recommendations

1. Yiaga Africa calls on the commission to provide clear communication on locations where the election did not hold and ensure the process is concluded in those location before returns are made.
2. INEC should be transparent and communicate the challenges faced during the deployment of the IReV.
3. INEC should publicly make available all BVAS accreditation data by polling unit, including the number of voters accredited by finger vs facial recognition.
4. Protect the transparency of the result collation process by ensuring accredited observers and party agents are granted access to the collation centres.
5. Strict adherence to the provisions of the 2022 Electoral Act and INEC regulations and guidelines on the collation of results. As provided in Section 64 of the Act, collation officers and returning officers are required to compare the number of accredited voters and election results recorded on the hardcopy result sheet and scanned images on the BVAS.
6. Yiaga Africa calls on INEC and security to ensure proper security for citizens especially the polling officials and collation officials especially as results collation progresses and as INEC commences the announcement of results to ensure that no life is further lost in these elections.

Yiaga Africa reminds all Nigerians that the process is not yet over. They should remain peaceful while waiting on INEC to announce the official results and refrain from any acts that could incite violence. Political leaders should urge their supporters in particular to calmly await the official results and take appropriate actions against any party members who engage in violence or incitement to violence.

The Watching The Vote is “Driven by Data – For All Nigerians – Beholden to None!” Yiaga Africa continues to receive reports from its observers and monitor the process, including deploying observers to all State Collation Centres. Yiaga Africa will issue additional updates as appropriate and will convene a press conference following INEC’s announcement of the official results to release its own estimates. If the announced results reflect the ballots cast at polling units, then we will confirm the outcome. If the announced results have been manipulated and do not match the results posted at polling units, then Yiaga Africa will expose it.

Thank you and God Bless the people of Nigeria!

Appendix VII:

Post-Election Statement on the 2023 Presidential Election Wednesday, March 01, 2023

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The 2023 Presidential Elections Are Once Again a Missed Opportunity: INEC Must Be Fundamentally Reformed

Introduction

For the Saturday, February 25 presidential election, Yiaga Africa employed the Parallel Vote Tabulation (PVT) methodology and deployed 3,014 observers in pairs to a representative random sample of 1,507 polling units, 822 mobile observers in all 774 local government areas (LGAs), in the 36 states and the FCT. This deployment strategy enabled Yiaga Africa to provide timely and accurate information on the election day process commencing from the set-up, voter accreditation, voting, and counting and to independently assess the official results of the presidential election as announced by the Independent National Electoral Commission (INEC). This statement is based on reports from 1,454 of 1,507 (97%) sampled polling units in Nigeria.

Yiaga Africa commends INEC for producing sensitive materials locally including the early deployment of the materials to the states. Despite this action, the election day process was fraught with widespread logistical challenges resulting in the late arrival of polling officials and late opening of polling units across the country particularly in South East and South-south geopolitical zones. Voting was extended to the late hours in some polling units affected by logistical hiccups. Yiaga Africa commends the voters who waited patiently to vote late into the night and to watch the counting of the ballots in the early hours of the morning.

Due to logistical challenges, some polling units failed to open on election day. Yiaga Africa redeployed observers to 20 of its 1,507 sampled polling units affected by logistical hiccups on Saturday, February 25, 2023. Observers reported that INEC failed to redeploy and conduct elections in 13 (less than 1%) of sampled polling units. These polling units were distributed across Adamawa, Taraba, Jigawa, Katsina, Anambra, Imo, Cross River, and Delta states. INEC's inability to conduct elections in those polling units denied voters the opportunity to exercise their right to vote.

The creation of additional polling units was a positive and long-needed step by INEC. However, the implementation failed to address overcrowding. As a result, there were polling units with fewer than 10 registered voters and others with over 10,000. Some voters who were migrated to new polling units experienced difficulties locating their respective polling units.

In the course of the election, Yiaga Africa expressed concerns about the delay in uploading polling unit results for the presidential election on the INEC Election Results

Viewing Portal (IReV). As of today, only 73% of the polling unit-level results have been uploaded. Undoubtedly, the delay in uploading the polling unit-level results cast doubts on the credibility of the results management process resulting in broken public trust in electoral technology. Yiaga Africa notes that the delayed upload of the results on the IReV is a flagrant disregard of INEC's Regulations and Guidelines, and it failed to meet citizens' expectations.

Once again, the 2023 Presidential and National Assembly elections were a missed opportunity. Factors like serious logistical and technological shortcomings, non-compliance with electoral guidelines, lack of transparency, and manipulation of election results undermine public confidence in INEC and the overall outcome of the elections. Yiaga Africa notes that the integrity of electoral outcomes are influenced by processes and procedures. Therefore, a compromised process will produce questionable outcomes.

Yiaga Africa condemns the cases of violence and disruption of the voting and results collation process by thugs and hoodlums, especially the violence targeted at National Youth Service Corp (NYSC) members and INEC staff. These cases of violence undermine Nigeria's electoral reform project.

Key Findings on Election Day Process

Set up and opening of polling units

1. Late Arrival of INEC officials and delayed commencement of polls: In the polling units observed, Yiaga Africa observers noted the late arrival of INEC officials at the polling unit. Our findings reveal INEC officials arrived at the polling units by 7:30 am in only 27% of polling units.

The late opening of polling units resulted in the late commencement of accreditation and voting which varied across the geo-political zones. By 9:30 am only: 44% of sampled polling units had commenced accreditation and voting across the country. In the respective geo-political zones only, 46% of polling units in the North-Central zone, 46% of polling units in the North-East zone, 44% of polling units in the North West, and 63% of polling units in the South-West zone had commenced accreditation and voting. There were even more pronounced delays in the South-East and South-South zones, where only 11% of polling units in the South-East zone and 32% of polling units in the South-South zone had commenced.

2. Challenges with locating polling units: As anticipated in Yiaga Africa's pre-election report, voters encountered difficulties with locating polling units assigned to them by INEC following the migration of voters to polling units. Some voters didn't receive the SMS notification sent by INEC which created confusion in some polling units.
3. Deployment of security personnel: Security forces were observed at 88% of polling units. In 84% of the polling units, they were professional and non-partisan.
4. Insufficient election materials: Yiaga Africa received reports of shortfalls in sensitive and non-sensitive materials such as ballot papers, indelible ink and result sheets.

Deployment of the Bimodal Voter Accreditation System (BVAS)

5. The Functionality of the BVAS: Yiaga Africa observed the deployment of the BVAS across the polling units observed. At 99% of polling units, the BVAS was used throughout the day for the accreditation of voters. In 89% of polling units, the BVAS functioned properly. However, in 8% of polling units, the BVAS malfunctioned, and it was fixed and in 2% of the polling units, it malfunctioned and was replaced.

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Misconduct at the Polling Units

6. At 6% of polling units, WTV observers reported that voters faced intimidation, harassment or assault.
7. At 6% of polling units, WTV observers reported situations that were identified as likely voter inducement.

Counting

8. At 98% of polling units, the polling officials obtained the number of accredited voters from the BVAS and recorded it on form EC.8A
9. At 98% of polling units, the polling officials showed how every ballot paper was marked to the party agents.

Polling Units Level Results Transmission

10. In 83% of polling units, the Presiding Officer used the BVAS to scan/take a snapshot of the results sheet (Form EC 8A).
11. In 69% of polling units, the Presiding Officer attempted to transmit/send the polling unit result image to the INEC's online database (IReV).

Turnout projection

Yiaga Africa estimates that national voter turnout for the 2023 Presidential election will be 29.4% \pm 1.0 based on registered voters and will be 31.3% \pm 1.0% based on the number of PVCs collected. Nationally, the percentage of rejected ballots is projected to be 3.6% \pm 0.3%. Yiaga Africa observed 8 instances (0.5% of polling units) of irregularities in voter turnout where turnout was over 100%.

Findings on results

Based on reports from 97% (1,453 of 1507) of sampled polling units, Yiaga Africa's statistical analysis shows that the All Progressives Congress (APC) should receive between 34.4% and 37.4% of the vote, Labour Party (LP) should receive between 24.2% and 28.4% of the votes, the New Nigeria People's Party (NNPP) should receive between 4.6% and 6.4% of the vote, People's Democratic Party (PDP) should receive between 28.3% and 31.1% of the vote, while no other political party should receive more than 0.3% of the vote. The

PVT statistical analysis is based on the number of registered voters and not on the number of PVCs collected. Yiaga Africa estimate rejected ballots are between 3.3% and 3.9% while INEC's official rejected ballot is 3.8%.

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These numbers do not reflect voters who were denied access to vote either through delay in election logistics or cases of violence and voter intimidation. Realistically, we do not know how it affected result outcomes.

Inconsistencies in election results

The state-level presidential results for Imo and Rivers are inconsistent with the Yiaga Africa WTV projections for both states.

For Rivers, INEC announced 231,591 votes for APC or 44.2%; 175,071 for LP or 33.4%; and 88,468 for PDP or 16.9%. This is in sharp contrast to the Yiaga Africa WTV estimates for Rivers which are: APC 21.7% \pm 5.0%; for LP 50.8% \pm 10.6%; and for PDP 22.2% \pm 6.5%.

For Imo, INEC announced 66,406 for APC or 14.2%; 360,495 for LP or 77.1%; and 30,234 for PDP or 6.5%. Again, this is at variance with the Yiaga Africa WTV estimates for Imo which are: APC 5.1 \pm 2.3%; LP 88.1% \pm 3.8%; and PDP 5.7% \pm 2.3%.

Preliminary recommendations

1. A comprehensive audit and investigation to unravel the factors that led to the delay in the upload of election results on the online portal is critical. Persons found complicit in sabotaging critical aspect of the election should be sanctioned.
2. INEC should clarify the inconsistencies in some of the results especially Presidential election results from Rivers and Imo states.
3. Voting hours should be extended to 5 pm to increase voter participation in subsequent elections.
4. Legal timelines for testing new electoral technologies should be introduced to Nigeria's electoral legal framework.
5. INEC should provide clarifications on its interpretation of key aspects of the legal framework on issues like results collation and transmission process, the threshold for determining the winner in an election and the commission's power to review election results declared under duress or in contravention of the Electoral Act, INEC guidelines and Manual.
6. INEC should sustain the uploads of polling unit results form EC 8A on its IReV portal.

Conclusion

Once again, incremental reforms have failed to inspire confidence in the electoral commission and the electoral process. The inconsistencies in presidential election results for states like Imo and Rivers make abundantly clear drastic steps are now needed and INEC must be fundamentally reformed. INEC must have authority over its

state structures and have ultimate responsibility for the conduct of elections.

#WatchingTheVote is For All Nigerians, Beholden to No One, and Driven By Data.

God bless you all and God bless the Federal Republic of Nigeria.



Appendix VIII:

● **Pre-election Press Statement on the 2023 Governorship Election Thursday, March 16, 2023 Delivered at the Transcorp Hilton Hotel, Abuja**

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Introduction

On March 18th, 2023, Nigerians will once again go to the polls to elect Governors in Twenty-eight (28) States and State Lawmakers into 993 state constituency seats. Undoubtedly, these are high stake elections and the Independent National Electoral Commission (INEC) is presented another opportunity to address the logistical, administrative and technological shortcomings during the February 25 Presidential and National Assembly elections. How the electoral commission manages the election will have grave implications for rebuilding public trust and confidence in the electoral process. Additionally, the election will test citizens resilience to participate in the electoral process against the background of the hardship imposed by the naira scarcity, fuel crisis and unmet expectations with elections management.

As observed by Yiaga Africa on the February 25 Presidential and National Assembly Elections, the Bimodal Voter Accreditation System (BVAS) device functioned optimally across majority of polling units. Yiaga Africa also highlighted cases where voters bypassed the accreditation with BVAS and cast their ballot in some polling units. The late commencement of polls, shortfalls in election materials and failure to conduct election in some polling units resulted in voter disenfranchisement. These infractions and non-compliance with electoral guidelines call for behaviour change on the part of electoral officials, voters and political stakeholders including sanctions to deter future occurrences.

Yiaga Africa notes corrective actions taken by INEC to sanction its staff. In the aftermath of the February 25 elections, INEC took action against RECs in Anambra, Sokoto and Abia states for undermining election preparations and failure to implement the commission's guidelines. The suspension of the Sokoto State Resident Electoral Commissioner and redeployment of Electoral Officers in Rivers state is a confidence building measure but it insufficient to serve as a deterrence. INEC should extend punitive measures to other RECs and staff who manipulated election results and allegedly sabotaged the deployment of election materials by either centralizing the deployment of election materials and failing to fulfil contractual obligations to transporters employed by INEC to convey election materials and personnel to the polling units. Yiaga Africa also hopes the glitches with the INEC Results Viewing (IReV) Portal have been resolved to allow for a seamless electronic transmission of results on election day.

For the March 18 Governorship election, Yiaga Africa is deploying a comprehensive and systematic observation of the elections which involves deploying the Parallel Votes Tabulation (PVT) to observe the governorship elections in Benue, Delta and Kano

States. Yiaga Africa will also be deploying stationary and roving observers to observe and report the election day process in the other 25 states. Further, at the end of polls, Yiaga Africa will be deploying observers to all the Local Government Areas (LGA) and State Results Collation Centers in all the states where elections will be conducted to observe and report on the Governorship results collation process.

This briefing is the first in a series of three planned press conferences to be hosted by Yiaga Africa for the March 18 election. We equally invite you to join us at the Watching The Vote Data Center, Floor M2, Imo/Rivers Hall, Transcorp Hilton, Abuja on Saturday 18th March 2023 at 1:00 pm when Yiaga Africa will share its Midday Statement on the opening of polls and commencement of the accreditation and voting. We invite you to join us again on Sunday 19 March 2023 at 2:00 pm when Yiaga Africa will share its Post-election Statement on the conduct of the elections.

Summary of Pre-election Findings

1. **Deployment of Election Materials:** Yiaga Africa notes the deployment of election materials across the States with at least 26 States confirming the deployment of sensitive and non-sensitive materials to the Local Government Areas. While this is a positive sign, Yiaga Africa calls on the Independent National Electoral Commission (INEC) to ensure proper coordination and communication with the transport companies/unions providing logistics support to ensure early deployment of materials and personnel to polling units on election day. This will reverse the trend of late commencement of polls during Nigerian elections.
2. **The Status of the BVAS:** Yiaga Africa received reports from across the states that the Commission reconfigured a substantial number of Bimodal Voter Accreditation Systems ahead of the Saturday polls. Some states like Oyo reported receipt of additional 406 BVAS as a backup. As of 15 March 2023, Yiaga Africa received reports from Rivers state that 22 BVAS devices are missing and 3 damaged BVAS.
3. **Cases of Voter Inducement:** As citizen mobilisation efforts intensify ahead of the elections, Yiaga Africa received reports of voter inducement through the distribution of gift items and wire (money) transfers by the political actors. Specifically, Yiaga Africa received reports of the distribution of money and food items by supporters of the APC in Mbakyaa Mbachougul, Tarka LGA, Benue State. The APC and PDP representatives were seen collecting voters' bank account details in Damaturu and Potiskum LGAs in Yobe State, to make wire transfers ahead of the elections. From Akwa Ibom, Yiaga Africa also received reports that PDP youths in Ibeno LGA were given a cash amount of N1,000,000 for endorsing a candidate on Sunday, March 12, 2023.
4. **The Security Climate:** Yiaga Africa observed relative calm since the February 25 election. However, the organisation received disturbing reports of proliferation of light arms and small weapons in Abua-Odual, Andoni, Akuku Toru, Asari Toru, Eleme, Gokana, Khana and Tai LGAs in Rivers State. The House of Assembly candidate for Ogba/Egbema/Ndoni State constituency was allegedly abducted in Rivers State.

- These incidents have created a tense atmosphere ahead of the elections in the state.
5. **Rising ethnic and religious tension:** Yiaga Africa is concerned with the divisive campaign rhetoric that has shaped the campaign in some states following the 25 February elections. Social media is awash with hate speech and attacks against ethnic groups in the build-up to the election. Politicians are visibly exploiting these fault lines to mobilise for the election. Yiaga Africa also received reports about recurring clashes between herdsmen and farmers in Ucha Gbeji, Vaase and Boiko Ayti communities in Ukum LGA and Mkomon, Moon, Mbaikyor and Liev1 communities in Kwande LGA, in Benue State. Yiaga Africa is deeply concerned with these development as it has created an atmosphere of fear and apprehension in some states like Lagos.
 6. **Lingering Impact of Naira Scarcity:** Yiaga Africa is worried that the Commission may experience further logistics challenges if the scarcity of cash is not addressed.
 7. **Low Voter Turnout projections:** Yiaga Africa is concerned that the low turnout of the presidential elections will be repeated for the governorship elections. While INEC and others continue to encourage voters to turn out for elections, citizen confidence in the Commission, poor voter education coupled with lingering impacts of the Naira scarcity may impact voter turnout.

Recommendations

1. INEC must ensure the shortcomings observed in previous elections are properly addressed ahead of the Governorship elections. INEC should ensure proper and consistent communication with the transport union and companies providing logistics support to ensure early election day deployment. This also includes the need to ensure that only trained ad-hoc officials are deployed on election day. Contingency plans should be put in place in situations where transport unions / companies withdraw or default in their contractual obligation to deploy election materials and personnel.
2. INEC Should ensure proper and timely communication with stakeholders on the election day process, challenges experienced and immediate plans to address those challenges to inspire citizens' confidence in the process.
3. Yiaga Africa calls on the Inter-Agency Consultative Committee on Elections Security ICCES to ensure that security personnel deployed complies with the code of conduct on election security. This includes professionalism in their conduct, arrest of electoral offenders and respect for the rights of citizens, media, and observers, including the right to freedom of movement on Election Day for duly accredited observers and media practitioners.
4. Yiaga Africa calls on Political parties, candidates and their supporters to commit to peaceful campaigns ahead of the election and on election day and refrain from vote-buying and compromising the secrecy of the ballot.
5. Yiaga Africa urges voters to resist efforts to purchase their votes, to turn out in their numbers and vote according to their preferences on Saturday, March 18.

Watching The Vote Observation of the 2023 Governorship Elections

On March 18, 2023, Yiaga Africa will deploy a total of 1,547 duly trained and accredited stationary and roving observers to observe the conduct of the Governorship election in 28 states. Yiaga Africa will be deploying the Parallel Vote Tabulation (PVT) methodology to observe the governorship elections in Benue, Delta and Kano states. This will involve deploying 900 stationary observers to a representative randomly selected sample of 300 polling units for each of the states, Yiaga Africa will also be deploying 97 roving observers in the three states. Additionally, Yiaga Africa will deploy 517 stationary observers and 33 roving observers in the other 25 days where the governorship elections will be held, to observe and report on the entire election day process from setup of the polling units, accreditation, voting, announcement and posting of the official results and will send in periodic reports to the Watching the Vote National Data Centre. At the end of polls, Yiaga Africa observers will deploy to all LGAs and State's results collation centres to observe and report the results collation process. This deployment will enable Yiaga Africa to provide the most timely and accurate information on the governorship elections in the states.

Using the PVT, Yiaga Africa will also provide an independent projection of voter turnout in Benue, Delta and Kano States, and will be able to project the vote shares that each party should receive within a narrow-estimated range. If the official results fall within Yiaga Africa's estimated ranges, then the public, political parties and candidates should have confidence in the ballots cast at the polling units.

Only INEC, however, has the legal mandate to announce the election results. As soon as INEC announces the official results, Yiaga Africa will follow up with a result verification press conference to share its statement on the accuracy of the election results.

Utilizing information communications technology and statistical principles, PVT is the gold standard for citizen election observation and has been utilized throughout Africa and the world. Yiaga Africa has also deployed this methodology in the 2023 presidential election and eleven (12) off-cycle gubernatorial elections in Nigeria.

Yiaga Africa restates its commitment to the objective, non-partisan and credible observation of the election. The Watching The Vote is "Driven by Data – For All Nigerians – Beholden to None!"

Thank you and God Bless the people of Nigeria!

Ezenwa Nwagwu

For Chair, Watching The Vote Working Group Yiaga Africa

Cynthia Mbamalu

Director of Programs

Appendix IX:

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Yiaga Africa Mid-day Situational Statement on the 2023 Governorship Election - Saturday, March 18th, 2023 Delivered at the Transcorp Hilton Hotel, Abuja

Introduction

Yiaga Africa Watching The Vote is deploying the Parallel Vote Tabulation (PVT) methodology to observe the governorship elections in Benue, Delta and Kano States. This involves the deployment of 900 stationary observers to a representative randomly selected sample of 300 polling units for each of the states, and 97 roving observers in the three states. With the PVT, Yiaga Africa will independently verify if the official governorship election results for Benue, Delta and Kano States announced by Independent National Electoral Commission (INEC) reflect the votes cast at the polling units. Additionally, Yiaga Africa deployed 517 stationary observers and 33 roving observers in the other 25 States to observe the governorship elections. Yiaga Africa is also able to speak to the trends in the other states where elections are being held. Yiaga Africa's roving observers are in 609 Local Government Areas to capture critical incidents occurring both within and in the vicinity of polling units across the States, in addition to observing the process of collation in all LGA and State Results Collation Centres.

Yiaga Africa notes a marked improvement in the management of election logistics across the states. Generally, polling units opened early resulting in early commencement of accreditation and voting. Reports of logistics hiccups were received by Yiaga Africa. For instance, BVAS devices for some polling units in Riyom LGA in Plateau state were deployed to Batura ward in Bokkos LGA. Yiaga Africa also received from Khana LGA where deployed Bimodal Voter Accreditation System (BVAS) devices had no sim cards meant to enable the devices to transmit election results electronically. This resulted in a protest at the INEC office in the LGA. Incidences of voter intimidation and harassment were also recorded in some polling units in Kano and Lagos state. These acts of voter suppression is an assault on constitutional right to vote. Election observers were also attacked by party agents in Kano and Ebonyi state. Yiaga Africa observers were attacked by party agents for observing the election in Kano state. Yiaga Africa strongly condemns these acts of intimidation and assault against election observers. Yiaga Africa hopes INEC and security agencies will take prompt actions to address these issues to inspire public confidence in the credibility of the election.

Yiaga Africa Watching the Vote Mid-day Findings

Yiaga Africa's initial findings for Benue, Delta and Kano are based on reports received from 261 of the 300 sampled polling units in Benue, 246 of 300 sampled polling units in Delta and 288 of 300 sampled polling units in Kano and processed at 1:00 pm on election day. Additional information and updates will be provided subsequently.

1. The arrival of INEC officials and commencement of polls: In the polling units observed, Yiaga Africa observers noted the early arrival of INEC officials. The findings revealed that by 7:30 am, polling officials arrived in 47% of sampled polling units in Benue state and 57% of sampled polling units in Kano state. However, in Delta state, Yiaga Africa findings show that by 7:30am, polling officials arrived in only 30% of sampled polling units in Delta state indicating late arrival.

By 9:30 am accreditation and voting had commenced in 81% of polling units in Benue, in 86% of polling units in Kano and in 78% of polling units in Delta.

In Benue, the geographical distribution indicates that 80% of polling units in Benue North East Senatorial District commenced accreditation and voting by 9:30 am, 87% of polling units in Benue North West while in Benue South Senatorial District, 72% of polling units commenced accreditation and voting by 9:30 am.

In Delta, the geographical distribution indicates that 79% of polling units in Delta Central Senatorial District commenced accreditation and voting by 9:30 am, 83% of polling units in Delta North while in Delta South Senatorial District, only 69% of polling units commenced accreditation and voting by 9:30 am.

In Kano, the geographical distribution indicates that 81% of polling units in Kano Central Senatorial District commenced accreditation and voting by 9:30 am, 90% of polling units in Kano North while in Kano South Senatorial District, 91% of polling units commenced accreditation and voting by 9:30 am.

2. Deployment of the BVAS: Yiaga Africa observed that the BVAS was deployed across all polling units observed in Benue, Delta and Kano States. Yiaga Africa observed the deployment of 2 or more BVAS devices in 1%, of polling units in Benue, 9% in Delta and 3% in Kano respectively. In 99% of polling units in Benue, 97% of PUs in Delta and 99% PUs in Kano, the BVAS had zero records for the total number of accredited voters on the BVAS before the commencement of the process.
3. Deployment of Materials: In 1% of PU in Benue, 5% in Delta and 31% of polling units in Kano, the voting cubicle was not present.
4. Deployment of Security Personnel: Security agents in 82%, 90% and 87% of polling units in Benue, Delta and Kano respectively.
5. Access to polling units: In 20%, 25% and 44% of polling units in Benue, Delta and Kano, individuals had to climb steps or cross over gutters to access the polling units, which made it difficult for persons with disabilities.

Yiaga Africa's Mid-Day Findings from the other 25 States

Across the other 25 states that Yiaga Africa deployed 550 observers, Yiaga Africa has received reports about the opening and commencement of polls. Some of the trends observed include:

1. The arrival of INEC officials and commencement: INEC officials arrived at 7:30 am in

276 of the polling units visited. Accreditation and voting had begun by 9:30am in 400 of the polling units visited.

- 2. Deployment of the BVAS: The BVAS was observed across all visited polling units. Yiaga Africa observed the deployment of 2 or more BVAS devices in a certain number of polling units. In certain isolated cases of the polling units observed, the BVAS was not shown to be zero records for the total number of accredited voters on it before the commencement of the process.
- 3. All Progressives Congress (APC) and People's Democratic Party (PDP) agents were sighted in most of the polling units visited. Labour Party and New Nigeria People's Party agents were also sighted in 192 and 193 polling units, respectively.

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Critical Incidents

As of 1:00 pm, the Yiaga Africa WTV Data Center received 54 verified critical incident reports primarily concerning the intimidation and harassment of voters, disruption of voting and destruction of election materials. Of additional note:

1. The secrecy of the ballots compromised: At Polling units 001 and 002, Kofar Hausa LGA Primary School, Iya 1 ward, Keffi LGA of Nasarawa State, the secrecy of the ballot was compromised as security and party agents could see how voters thumbprint the ballot paper. Similarly in Polling Unit 012, Masaka Garage, Karu LGA, Nasarawa State with over 8,000 registered voters the secrecy of the ballot is being compromised as party agents see how voters thumbprint their ballot papers. Also, in Kofar Alhaji Polling 020, Jigwada Ward, Keffi LGA, no voting cubicle is available as voters used a makeshift table for thumb printing of ballot papers. Voters displayed thumbprinted ballot papers to agents of the APC in Fufu LGEA School PU 001 Ilorin South, before putting them in the ballot box.
2. Intimidation and Harassment of Voters: Observers reported intimidation and harassment of voters. In Kankarofi Quranic Sch III Polling Unit, Kano Municipal LGA in Kano state, party agents disrupted the voting process on the grounds that a closed ballot system should be adopted as opposed to open ballot. Reports of voter intimidation were also received from Ijando and ward 6/001 Akefan community in Alimosho LGA and Lekki area in Lagos state.
3. Obstruction of election observation: In PU 06 Ward 03 Ndokwa West in Delta State, an APC party agent prevented a Yiaga Africa observer from observing the process, stating that the LGA is under the control of the APC. Also, in Buhari Islamiyya School II Polling Unit, Madungurun Ward, Gwale LGA, Kano State, a Yiaga Africa observer was attacked by party agents.
4. Disruption of the Process: Clash between party agents in Zango IV polling unit in Karaye Ward (19-22-03-021) of Karaye LGA in Kano, led to the disruption of the voting process. The voting process was halted in Polling Unit IV in Sagamu LGA of Ogun State due to the intimidation of voters and polling officials by supporters of the PDP. Party Agents also interfered with the process in PU 030 GRA Waterboard, Rimi ward, Keffi LGA, Nasarawa State, where party agents reportedly engaged in folding the ballot papers for voters. Also, in Kankarofi Quranic Sch. III Kano Municipal, Party

- agents interfered with the process so they could see how voters mark their ballots.
5. Destruction/hijacking of election materials: Hoodlums destroyed ballot papers and ballot boxes for the Fulatan S/Gari polling unit in Rogo LGA, Kano State. The process was halted as voters scampered for safety. At Kabuga PU 022, Gwale LGA of Kano State, thugs affiliated with the APC snatched ballot boxes for the PU resulting in voters fleeing for safety. Election materials for Wuryo Ward in Gassol LGA in Taraba, were hijacked by armed thugs during a clash between the residents of Wurya and Panya ward over the allocation of election materials. One person was reportedly stabbed by the thugs. At PU 003 Ward 4 Etim Ekpo LGA, Akwa Ibom, PDP agents instigated a fight leading to the destruction of the voting cubicle, ballot box and ballot papers for the polling unit.
 6. Voter Accreditation without using the BVAS: Observer reports from Neat Tse-Alour Compound Open Space polling unit in Gwer West LGA in Benue State indicate the polling officials allow voters to cast their ballot without using the BVAS to authenticate their fingerprints or facial biometrics. Similarly, polling officials permit voters to cast their ballot with temporary voters cards.
 7. Vote Buying/Bribery: Yiaga Africa received 15 confirmed reports of vote buying across 8 states. In Sarkin Mudu Polling Unit (016) in Giade LGA of Bauchi, PDP agents were sighted bribing accredited voters with N1,000, a wrapper and a pack of spaghetti. The voters hand over their ballot papers to party agents in exchange for the bribe. A similar report of the distribution of wrappers, N2,000 and a pack of spaghetti to voters was received from PU 006 Rangan Ward, Warji LGA of Bauchi. Party agents for the APC and PDP party reportedly distributed food, cash and alcoholic drinks to some voters in exchange for votes in Apir market square 1, Makurdi, Benue state. A case of bribery was reported in PU O6 Ward 05 Isoko North, Delta State, where INEC officials received cash gift from the APC party agent in the polling unit.

Preliminary Recommendations

Yiaga Africa WTV makes the following preliminary recommendations;

1. INEC should take urgent remedial actions in polling units where cases of infractions and non-compliance with the 2022 Electoral Act and INEC guidelines occurred. This will deepen the legitimacy of the final outcome of the elections.
2. Security agencies should respond promptly to reports of voter intimidation and attacks at the polling unit to accord citizens the opportunity to exercise their constitutional right to vote.
3. INEC should ensure strict compliance with the guidelines for the results collation. Specifically, party agents and accredited media and election observers should be granted access to the collation centers. Collation officers should verify the results on the hardcopy results sheets and results transmitted with the BVAS during results collation.

Yiaga Africa commends the Nigerian people for their resilience and commitment to

● vote in this election despite the unmet expectations from the February 25 elections. We urge voters to remain peaceful, patient and vigilant to ensure their votes count. We call on voters who are yet to turn out to vote to proceed to their polling units before 2:30 pm to vote for candidates of their choice in the elections.

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Yiaga Africa Watching The Vote will continue to observe the process to the end and will independently check the accuracy of the official results for Benue, Delta and Kano as announced. Our observers will remain at polling units until accreditation, voting, and counting are completed, and the official results have been announced and posted by the polling officials. Yiaga Africa will issue periodic additional updates and will issue a preliminary statement on the conduct of accreditation, voting and counting on Sunday 19 March at 2:00 pm in the Watching the Vote National Data Center at the Transcorp Hilton in Abuja. You are all kindly invited to join us at this time. Yiaga Africa appeals to INEC, all security agents, political party candidates and their supporters as well as all Nigerian people to work together to ensure that the Election is credible and peaceful.

The Watching The Vote project is “Driven by Data – For All Nigerians – Beholden to None!”

Thank you and God Bless the people of Nigeria!

Ezenwa Nwagwu

For Chair, Yiaga Africa Watching The Vote

Itodo Samson

Executive Director

Appendix X:

Preliminary Statement on the March 2023 Governorship Election Sunday, March 19th, 2023 Delivered at the Transcorp Hilton Hotel, Abuja

Introduction

During the Saturday, March 18 governorship elections, Yiaga Africa deployed the Parallel Vote Tabulation (PVT) methodology to observe the elections in Benue, Delta and Kano States. A total of 900 stationary observers were deployed to a representative randomly sample of 300 polling units for each of the states, and 97 roving observers. With this methodology, Yiaga Africa can confidently assess the set-up of the polling unit, voter accreditation and voting, counting and independently verify official results for Benue, Delta and Kano states announced by the Independent National Electoral Commission (INEC). In addition to the PVT methodology, Yiaga Africa deployed 550 observers in the other 25 states where the governorship elections were conducted to observe the process and results collation.

This report is an update on the mid-day situational statement issued on election day.

General Observations

Yiaga Africa commends INEC for the significant improvement in the management of election logistics especially the early commencement of polls due to the prompt arrival of election officials in a majority of polling units. Unlike the February 25 presidential election, the INEC Election Results Viewing (IREV) portal functioned optimally enabling citizens to download polling unit-level results. Electronic accreditation using the Bimodal Voter Accreditation System (BVAS) was successfully implemented in a significant number of polling units observed by Yiaga Africa.

Yiaga Africa commends the resilience of voters for participating in the election despite the tense election climate, and trust deficit in the electoral process. The elections benefited from the vigilance and resilience of citizens who expressed determination to vote and reported cases of manipulation, violence and intimidation.

The governorship/state assembly elections were signposted with voter suppression, electoral violence, electoral impunity, vote buying and capture of the results management by political thugs in Delta, Lagos, Rivers, Akwa Ibom, Kano, and Taraba states. Yiaga Africa is saddened by the cases of attacks on voters, INEC officials, journalists, election observers and personnel of the EFCC by political thugs. These stakeholders suffered grievous bodily harm and psychological trauma. Reports also indicate that at least eight fatalities were recorded within the last 24hrs. These election-related deaths are unacceptable and highly condemnable. It is important for security agencies to hold the political thugs and their sponsors accountable for these deaths

and attacks.

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- Yiaga Africa condemns in unequivocal terms acts of voter suppression fuelled by ethnic profiling, political thuggery and desperation to secure electoral victory at all costs. In flagrant abuse of the constitution and the 2022 Electoral Act, registered voters and fellow citizens were denied the right to vote in some states. Voting is a constitutionally guaranteed right of voters that requires free and fair participation of all eligible voters in safe and secure environment. A denial of this right undermines the credibility of electoral outcomes. Yiaga Africa further condemns the cases of voter inducement reported across the country in the election as this act perpetuates electoral corruption and political inequality.

Key Findings on Election Day Process in Benue, Delta and Kano

The preliminary statement is based on reports from 275 of 300 (91%) sampled polling units in Benue, 263 of 300 (87%) sampled polling units in Delta and 285 of 300 (95%) sampled polling units in Kano. Reports indicate that there was no voting in 3% of polling units in Delta state. The following are additional key observations on election day processes.

Deployment of the Bimodal Voter Accreditation System (BVAS)

1. The Functionality BVAS: Yiaga Africa observed that the BVAS was deployed across all the polling units observed in Benue, Delta and Kano polling units. In 88% of polling units in Benue, the BVAS functioned properly. However, in 10% of polling units, the BVAS malfunctioned, and it was fixed and in 1% of the polling units, it malfunctioned and was replaced. In 88% of polling units in Delta, the BVAS functioned properly. However, in 11% of polling units, the BVAS malfunctioned, and it was fixed. In 80% of polling units in Kano state, the BVAS functioned properly. However, in 19% of polling units, the BVAS malfunctioned, and it was fixed and in 1% of the polling units, it malfunctioned and was replaced.

Secrecy of the Ballot

2. The Secrecy of Ballots: In 5%, 9% and 21% of polling units in Benue, Delta and Kano states respectively, it was possible to see how a voter's ballot paper was marked. This data especially for Kano state correlates with the data on the absence of a voting cubicle in 32% of the polling units shared in our midday statement.
3. The professionalism of Polling Officials and Party Agents: Observers in over 6%, 7% and 3% of polling units in Benue, Delta and Kano respectively reported that INEC polling officials were unprofessional and partisan. In addition, observers in over 13%, 10% and 8% of polling units in Benue, Delta and Kano reported that security personnel were unprofessional and partisan.

Misconduct at the Polling Units

4. In 3%, 2%, and 5% of polling units in Benue, Delta and Kano respectively, voters were permitted to vote without accreditation with BVAS.
5. At 2%, 8% and 9% of polling units in Benue, Delta and Kano respectively, Yiaga Africa observers reported voter intimidation, harassment or assault during voting.

Counting

6. At 97%, 99% and 99% of polling units in Benue, Delta and Kano respectively, counting was done in the same location as accreditation and voting.

Process findings from the other 25 states

Yiaga Africa also received additional reports on the conduct of the elections from the other 25 states from its 550 stationary and mobile observers, these includes:

7. Deployment of the BVAS: The BVAS was deployed across all the polling units observed by Yiaga Africa in the 25 states. In 16 polling units, the BVAS malfunctioned and INEC fixed or replaced the faulty devices. In 144 polling units, voters whose names were on the register of voters and absent on the BVAS were denied accreditation.
8. Secrecy of the Ballots: In 92 polling units, party agents could see how voters marked their ballot papers.
9. Professional Conduct: Yiaga Africa received reports that security personnel were unprofessional and partisan in 26 polling units observed. Yiaga Africa received reports that polling officials were unprofessional and partisan in 21 polling units observed.

Critical Incidents Reports

Over the course of Saturday, 18 March 2023 Election Day, Yiaga Africa verified 216 critical incidents witnessed by WatchingTheVote citizen observers. These included:

10. Violent disruption of the process: Yiaga Africa WTV observers reported hijack of election materials, and election personnel for Ward 10, Unit 2 in Emohua LGA of Rivers State by thugs. A similar incident was reported in Oshodi/Isolo LGA, Lagos state where armed thugs believed to be affiliated with the APC shot sporadically to disrupt the process in two PUs located inside Okota grammar school and five polling units in the Isolo community. In Lavun collation center, Niger state thugs destroyed all the results sheets from the wards. These disruptions led to the suspension of the process in these locations.

Yiaga Africa also received a report of the disruption of the collation process in Ahoada West LGA, in Rivers state. The Yiaga Africa observer assigned to the center was trapped inside the collation centre with the Electoral Officer after thugs fired

gunshots at the centre. Similarly, political thugs numbering about 50 attacked polling units in Warri South LGA of Delta State and disrupted the voting process as they hunted for party agents and election observers in the community. In Oferekpe Igbegu ward 3 in Izzi LGA, Ebonyi State a political thug who attempted to disrupt the voting process using gunshots was apprehended and allegedly killed by security personnel.

11. Ballot box snatching/destruction: Yiaga Africa received 19 confirmed reports of snatching/destruction of ballot papers. For instance, armed thugs abducted INEC officials and snatched the ballot box for Unit 1, Ward 7 in Obia/Akpor LGA of Rivers State. Thugs also destroyed ballot papers during the counting of votes in Ungogo Special Primary School in Kano. In Fagei Central Store Polling Unit in Yemaltu Deba LGA of Gombe State, thugs believed to be affiliated with APC snatched election materials.
12. Election suspension: Yiaga Africa observers in Kwande LGA of Benue state reported discrepancies on the printed ballot papers for the two constituencies under the Kwande LGA. This logistics challenge led to the suspension of the election for the entire LGA.
13. Results manipulation during collation: In Abia state, Obingwa LGA Results Collation Centre, party agents wearing PDP tags and security agents ordered observers and other party agents (APC, Accord and APGA) to exit the collation centre. Presiding officers were also forced to alter the figures on form EC8A in favour of the PDP. In addition, the PDP agent delegated other unidentified persons to sign the result sheet on behalf of other parties after manipulating the results.
14. Obstruction of election observation: In Tarauni LGA of Kano, Yiaga Africa observers and other observers were prevented from observing the LGA collation process by police personnel. A similar incident occurred in Okrika LGA, Rivers state, where only PDP party agents were allowed to observe the process. Political thugs allegedly recruited by the LGA chairman were stationed at the entrance of the collation centre to determine access to the centers. In Gokana LGA, Rivers state, security personnel prevented all observers from observing the collation process. Only party agents for the APC, PDP & SDP were granted access to the collation center. In Otukpo, Benue state, and Ndokwa West, Delta, Yiaga Africa collation center observers were denied access to the LGA collation centre in Otukpo LGA, Benue State.
15. Intimidation and harassment: In Mosogar I-Sam-Ogbakpa Primary School, Mosogar, Ethiope West, Delta State, political thugs attacked the polling units and brutalised the INEC officials using cutlasses. The thugs also snatched the materials for the polling unit. Also, in PU 005 of Falagai ward in Bunkure LGA, Kano state, the party agents present took advantage of the absence of security personnel to intimidate the INEC officials and voters. INEC officials suffered the same fate in Langtang South LGA Collation Center where the Chairman of the LGA reportedly intimidated the officials and other party agents.
16. Vote buying: Yiaga Africa received 44 reports of vote buying through cash inducement and distribution of food items. Persons believed to be mercenaries of the PDP were sighted collecting bank account details of voters to process funds transfer in exchange of votes in Polling Unit 002, in Bakura ward, Bakura LGA of Zamfara State.

and Polling Unit 006 in ward 8 Ogbomoso North LGA, Ogun State.

17. Party agents distributed physical cash to voters in Ikenne Town Hall Polling Unit in Ward 2 in Ogun East LGA, Ogun State. In polling unit 003, Gidan Bunu Ward of Zuru LGA in Kebbi, persons wearing APC agents tags openly distributed textile clothing to women and rice while fertilizers were given to men (15 persons/bag). Agents believed to be APC agents also distributed textiles to voters in polling unit under tree (021), Gidan Alhazai ward, Wudil LGA in Kano,

Turnout Projection

Yiaga Africa's preliminary estimates indicate that turnout for the March 18 Governorship Elections in Benue will be between 27% and 33%, the turnout in Delta will be between 19% and 23%, and the turnout in Kano will be between 34% and 38%, based on official turnout figures collected from the PVT's representative statistical sample of polling units in the three states. If INEC's official turnout falls within Yiaga Africa WTV's estimated range, then it accurately reflects the turnout at polling units.

Recommendations:

1. Yiaga Africa calls on the Independent National Electoral Commission (INEC) to ensure proper oversight of the results collation process and ensure that results declared under duress or in breach of the Electoral Act, INEC Guidelines or Manual are reviewed in line with Section 65 of the Electoral Act.
2. Yiaga Africa calls on the Inter-Agency Consultative Committee on Election Security (ICCES) agents to ensure effective and adequate deployment of security personnel to the collation centres to properly secure INEC officials, observers, media reporters and party agents deployed and arrest offenders disrupting the process and causing violence.
3. Yiaga Africa calls on political parties, their supporters and voters across the states to remain calm and peaceful as the results collation process is still ongoing.

Conclusion

As INEC continues to collate results, we encourage all citizens, candidates and supporters to remain, calm and peaceful, and reject any call for violence. Only INEC has the legal mandate to announce the election results and return a candidate as a winner. We urge all stakeholders to respect the commission's constitutional power and refrain from declaring election results. Yiaga Africa enjoins citizens to remain calm and maintain peace as INEC collates the results. Yiaga Africa continues to monitor the results collation until the final completion. As soon as INEC announces the official results, Yiaga Africa will convene a press conference to share its statement on the accuracy of the election results.

The Watching The Vote project is "Driven by Data – For All Nigerians – Beholden to None!"

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Ezenwa Nwagwu

For Chair, Yiaga Africa Watching The Vote

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Itodo Samson

Executive Director

Appendix XI:

Results Statement on the March 18th Governorship Election

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Introduction

Yiaga Africa deployed its Parallel Vote Tabulation (PVT) methodology to observe the elections in Benue, Delta and Kano States. A total of 900 stationary observers were deployed to a representative randomly selected sample of 300 polling units for each of the states, and an additional 97 roving observers were deployed in the three states. Yiaga Africa also deployed 550 observers in the other 25 states to observe the conduct of the election and results collation. This is the third statement issued by Yiaga Africa on the March 18 governorship election.

General observations on the results management process

Compared to the February 25 presidential election, the INEC Election Results Viewing (IReV) portal functioned optimally, enabling citizens to download polling unit-level results. The results upload enhanced the transparency of the process. However, the manual collation process has reinforced the ward level and Local Government Area result collation as the weakest link in Nigeria's election results management process. As observed by Yiaga Africa observers, security agencies, party supporters, and political thugs denied accredited observers access to the results collation centers. Thugs also attacked collation centers, and unruly party agents interfered with the collation process in states like Rivers, Abia, Delta, Ebonyi, Gombe, and Enugu. Polling unit-level results were altered during collation without any explanation from collation officers and returning officers.

In some cases, the Returning officers demonstrated a poor understanding of the guidelines and misapplied the rules. Yiaga Africa observers reported inconsistencies in enforcing the 2022 Electoral Act and INEC guidelines on overvoting and cancellation of votes in the application of the Margin of Lead principle. In a significant number of collation centers, the collation officers and returning officers failed to verify and compare the results recorded on hardcopy results sheets (Form EC 8A) with the results uploaded on the INEC Election Result Viewing Portal (IReV).

Summary of PVT findings

The results verification statement is based on reports from 277 of 300 (92%) sampled polling units in Benue excluding Kwande LGA as the governorship election was not conducted in the LGA. For Delta, the statement is based on reports received from 281 of 300 (94%) sampled polling units excluding 4% of polling units where voting was disrupted and for Kano, the statement is based on reports received from 287 of 300 (96%) sampled polling units.

Turnout Projection

- Yiaga notes that the PVT turnout projections for the three states are consistent with INEC’s declaration. Yiaga Africa’s projections do not include cancelled polling units, as these were not consistently announced by INEC during collation. The PVT statistical analysis is based on the number of registered voters, not the number of PVCs collected.

Benue: INEC’s turnout and rejected ballots for the 22 LGAs as announced are consistent with Yiaga Africa WTV PVT estimates. Yiaga Africa is able to estimate that turnout is between 26% and 32% (29.4% ± 2.6%) while INEC’s official result is 27%. Similarly, Yiaga Africa estimates rejected ballots are between 1.2% and 1.6% (1.4% ± 0.2%) while INEC’s official result is 1.5%.

Delta: INEC’s turnout and rejected ballots for the 25 LGAs as announced are consistent with Yiaga Africa WTV PVT estimates. Yiaga Africa is able to estimate that turnout is between 20% and 23% (21.1% ± 1.5%) while INEC’s official turnout is 21%. Similarly, Yiaga Africa estimates rejected ballots are between 1.8% and 2.8% (2.3% ± 0.5%) while INEC’s official rejected ballots number is 2.2%

Kano: INEC’s turnout and rejected ballots for the 44 LGAs as announced are consistent with Yiaga Africa WTV PVT estimates. Yiaga Africa is able to estimate that turnout is between 34% and 37% (35.7% ± 1.8%) while INEC’s official turnout is 34%. Similarly, Yiaga Africa estimates rejected ballots are between 0.9% and 1.5% (1.2% ± 0.3%) while INEC’s official rejected ballots number is 1.4%.

Yiaga Africa PVT findings on the results declared by INEC

Benue

Based on the PVT findings, the results announced by INEC for 22 LGAs are consistent with the PVT estimates for the governorship election in Benue state. Although the election for Kwande LGA was rescheduled, INEC proceeded to make a return on the basis that the results from Kwande LGA will not substantially affect the margin of lead between the two leading candidates. The PVT can confirm the accuracy of INEC’s results and the results of the Kwande LGA will not affect the final outcome.

Based on reports from 276 of 300 (92%) of sampled polling units, Yiaga Africa’s statistical

Comparison of INEC Official Results for the 22 LGAs released with Yiaga Africa WTV PVT Estimates for Select Political Parties for the 2023 Benue Gubernatorial Election						
Party	INEC Official Result	Yiaga Africa WTV PVT estimates				Match
		Estimate	Margin of Error	Estimated Range		
				Lower Limit	Upper Limit	
APC	62.6%	61.3%	±3.4%	57.9%	64.7%	✓
PDP	29.6%	30.1%	±3.0%	27.1%	33.3%	✓

Note: No other party received more than 7.3% of the vote share

Source Yiaga Africa WTV March 2023

analysis shows that the All Progressives Congress (APC) should receive between 57.9% and 64.7% of the vote and People’s Democratic Party (PDP) 26.6% and 32.6% while no other political party should receive more than 5.6% of the vote.

Delta

Based on reports from 281 of 300 (94%) of sampled polling units, Yiaga Africa’s statistical analysis shows that the All Progressives Congress (APC) should receive between 33.9% and 40.9% of the vote and the People’s Democratic Party (PDP) 46.2% and 54.2% of the vote while no other political party should receive more than 10.2% of the vote.

Kano

Comparison of INEC Official Results for the 25 LGAs with Yiaga Africa WTV PVT Estimates for Select Political Parties for the 2023 Delta Gubernatorial Election						
Party	INEC	Yiaga Africa WTV PVT estimates				Match
	Official Result	Estimate	Margin of Error	Estimated Range		
				Lower Limit	Upper Limit	
APC	35.7%	37.4%	±3.5%%	33.9%	40.9%	✓
PDP	53.6%	50.2%	±4.0%%	46.2%	54.2%	✓

Note: No other party received more than 10.2% of the vote share

Source Yiaga Africa WTV March 2023

Based on reports from 287 of 300 (96%) of sampled polling units, Yiaga Africa’s statistical analysis shows the All Progressives Congress (APC) should receive between 42.4% and 45.6% of the vote and the New Nigeria People’s Party (NNPP) 50.7% and 54.1% of the vote while no other political party should receive more than 0.11% of the vote.

Key recommendations

Comparison of INEC Official Results for the 44 LGAs with Yiaga Africa WTV PVT Estimates for Select Political Parties for the 2023 Kano Gubernatorial Election						
Party	INEC	Yiaga Africa WTV PVT estimates				Match
	Official Result	Estimate	Margin of Error	Estimated Range		
				Lower Limit	Upper Limit	
APC	45.0%	44.0%	±1.6%%	42.4%	45.6%	✓
NNPP	51.6%	52.4%	±1.7%%	50.7.%	54.1%	✓

Note: No other party received more than 0.11% of the vote share

Source Yiaga Africa WTV March 2023

1. INEC should, in line with Section 64 of the 2022 Electoral Act, review cases where legitimate concerns have been raised on the conduct and declarations made by collation and returning officers, especially instances where results declaration contravene the electoral legal framework.
2. Immediate investigation and prosecution of collation and returning officers engaged in results manipulation and flagrant violations of the guidelines on results collation.
3. A comprehensive independent audit of the 2023 general election is imperative for inspiring public confidence and ensuring accountability for operational lapses, constitutional and electoral legal framework violations, and cases of subversion of the people's vote.
4. Security agencies should thoroughly investigate cases of abductions and killings recorded during the election to ensure perpetrators are brought to justice.
5. Election tribunals and appellate courts should demonstrate courage as a fundamental pillar of democracy to insulate the courts from the influence of politicians and uphold the rule of law to the highest standards in determining election petitions.

The Watching The Vote project is
"Driven by Data – For All Nigerians – Beholden to None!"

Thank you and God Bless the people of Nigeria!

Ezenwa Nwagwu

For Chair, Yiaga Africa Watching The Vote

Itodo Samson

Executive Director

Appendix XI:

Statement on the Supplementary Elections in Adamawa State Monday, April 17, 2023

Introduction

In fulfilment of its mandate to ensuring electoral integrity, Yiaga Africa deployed citizens observers to all the 69 polling units in 21 Local Government Areas where INEC conducted supplementary election in Adamawa state. At the end of the polls, Yiaga Africa deployed observers to the State Results Collation Center in Jimeta, Adamawa State to observe and report on the results collation process. The supplementary election was conducted by INEC to conclude the governorship election that was declared inconclusive because the total number of registered voters (41,796) and 37,016 collected Permanent Voters Cards exceeded the margin of lead (31,249) between the leading candidate and the first runner-up in the elections.

Logistically, INEC improved its operations and deployment of election materials. Essential election materials were present in all of the polling units visited. Notwithstanding, there were instances of late arrival of election materials at the polling units. The Bimodal Voter Accreditation System (BVAS) functioned optimally, ensuring efficient voter accreditation. However, in 3% of polling units, voters were permitted to vote without accreditation with BVAS. The polling officials upheld the guidelines of the elections for the most part, and security personnel deployed for the election maintained neutrality at the polling units except in Numan LGA, where security operatives halted the observation of the process during the counting of ballots. As projected by Yiaga Africa, most voters in the affected polling locations abstained from participating in the election resulting in a low turnout.

On Sunday, 16th April 2023, the process was blighted with an illegality by the Resident Electoral Commissioner for Adamawa. Yiaga Africa unequivocally condemns the irresponsible conduct of the Adamawa State Resident Electoral Commissioner (REC), Hudu Yunusa-Ari, who, in utter disregard for the Constitution of the Federal Republic of Nigeria, 1999 (as altered), S64 & 65 Electoral Act 2022 and Part 3 of the INEC Guidelines, made an illegal declaration when only the results of 10 out of 21 LGAs had been collated. Apart from this, the REC lacks the power to make a declaration as this is an exclusive power of the Returning Officer appointed by INEC. The fact that the REC committed this dastardly act in company of security operatives is unfortunate and unacceptable. Consequently, the conduct of the REC, which is criminal and unbecoming of an electoral officer, is inimical to democratic norms and ethos. The action of the REC portends danger for democracy in Nigeria as it signals that the Constitution and other laws can be subverted, thereby opening a floodgate of lawlessness and anarchy in the face of such crass disregard for the rule of law. This gross misconduct is an ominous sign of democratic backsliding and INEC capture, which was highlighted Election Manipulation Risk Index (EMRI) published before the 2023 general elections.

Yiaga Africa commends INEC's swift response to nullify the illegal declaration and

immediate suspension of the REC from performing INEC duties in line with Paragraph 15(H) 3rd schedule, Constitution of the Federal Republic of Nigeria, 1999 (as altered). The appropriate sanction for this gross misconduct is removal from office in line Section 157 of the Constitution. Yiaga Africa therefore, demands immediate removal of the REC as well as prompt prosecution for this reckless electoral offence, which is of a nature that can bring democracy on its knees. It is necessary for the President of the Federal Republic of Nigeria and the Nigerian Senate to act swiftly by removing the REC whose conduct threatens democracy and constitutional order which the nation has nurtured over the past two decades. His prosecution will have deterrent effect on others who have similar traits of illegality. This is a task for the Nigeria Police Force and the INEC to ensure electoral justice is dispensed without delay.

In addition, Yiaga Africa strongly condemns the attacks on INEC National commissioners performing oversight responsibilities in the supplementary elections. These senseless attacks assault the independence of INEC and should not go unaddressed.

Key Watching The Vote Findings

1. The arrival of INEC officials and Late Opening of Polls: In the polling units observed, Yiaga Africa observers noted the late arrival of INEC officials at the polling unit. Yiaga Africa findings reveal that by 7:30 am, polling officials arrived in only 22% of the observed polling units. By 9:30 am accreditation and voting had commenced in only 22% of polling units. 23% of polling units did not open as of 12:00 pm.
2. Deployment and functionality of the BVAS: The BVAS was deployed across all polling units observed. Yiaga Africa observed the deployment of 2 BVAS in only 1 polling unit (Wuro Jabbe Polling Unit, in Namtari Ward, Yola South LGA. In polling units where the BVAS was used for accreditation, the devices functioned properly throughout the day. Every voter's PVC was systematically checked by the BVAS before they were allowed to vote.
3. The Secrecy of Ballot: The secrecy of the ballot was undermined in 18% of polling units where it was possible to see how a voter's ballot paper was marked.
4. Unprofessional conduct of polling officials and security operatives: Observers in over 7% of polling units reported unprofessional and partisan conduct of INEC officials. In addition, security personnel displayed unprofessional and partisan behavior in over 5% of polling units.
5. Misconduct at the polling units: Yiaga Africa observers reported cases of flagrant abuse of electoral guidelines at the polling units. In 3% of polling units, voters were permitted to vote without accreditation with BVAS. Also, in 25% of polling units, party agents attempted to influence voters and polling officials. There were cases of voter intimidation, harassment or assault during voting in 10% of polling units.
6. Vote buying: Observers reports incidence of vote buying in 20% of polling units. In Wuro, Yanka Primary School Polling Unit, in Ngurore, Yola South LGA, the supporters APC and the PDP were seen handing out cash to voters. A fracas ensued in Waliki Yuguda Battare Polling unit (PU 02-04003- 011) of Girei LGA where a security operative arrested a party agent for vote voting. The arrest was met with resistance and protests

resulting to a blockage of the major access to the polling unit.

Counting and Results Transmission

7. In 96% of polling units, the polling officials showed how every ballot paper was marked to all party agents and observers.
8. In 96% of polling units an APC party agent signed and received the official results form – Form EC8A. PDP party agents also signed and received the official results form – Form EC 8A and in 95% of polling units respectively.
9. In 65% of polling units, the election results for the polling unit were posted for the public to see while in 73% of polling units, the presiding officer attempted to transmit/send the image/picture of Form EC8A to the INEC database.

Recommendations

1. INEC should urgently conclude the collation process and declare the official results based on results announced at the polling units and uploaded on the IReV portal.
2. The President and the Nigerian Senate should initiate removal proceedings against the Adamawa REC in defense of the Constitution, independence of INEC and the overall integrity of the electoral process.
3. Urge the police and INEC to swiftly prosecute the Adamawa REC for gross misconduct, insubordination and fraud. In addition, the attacks on two the National Commissioners deployed to oversee the supplementary elections in Adamawa should be thoroughly investigated and perpetrators brought to justice.
4. The Inspector General of Police, Commandant of the Nigerian Security and Civil Defense Corps (NSCDC) and Director General of the Department of State Services should thoroughly investigate and sanction its officers involved in this criminal subversion of the electoral process.
5. A comprehensive independent audit of the 2023 general election is imperative for inspiring public confidence and ensuring accountability for operational lapses, constitutional and electoral legal framework violations, and cases of subversion of the people's vote.

Yiaga Africa restates its commitment to the objective, non-partisan and credible observation of the election. The Watching The Vote is "Driven by Data – For All Nigerians – Beholden to None!"

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