



Statement on February 03, 2024, Bye-Election & Re-run Elections

Monday, February 5th, 2024

On Saturday, February 3rd, 2024, the Independent National Electoral Commission (INEC) conducted bye-elections and rerun elections in 26 states across the Federation. The polls were held in 8,934 polling units across 575 wards, involving 4,613,291 registered voters who had collected their permanent voters' cards (PVCs). Nine (9) states held National and State Assembly elections to fill vacancies created by death or resignation, while Seventeen (17) states conducted re-run elections due to orders from Election Appeal Tribunals.

Yiaga Africa Watching the Vote (WTV) deployed citizen observers across Ebonyi, Kebbi, Ondo and Yobe States to observe the elections. Additionally, Yiaga Africa received reports from its citizen observers in the other states where elections were conducted. Yiaga Africa did not utilize the Process & Results Verification for Transparency (PRVT), formerly known as the Parallel Vote Tabulation (PVT) Methodology, for these elections. Accordingly, our findings are based on our overall assessment of the election day process.

Yiaga Africa notes that INEC made considerable effort to ensure proper management of the election day process across some constituencies where the elections were conducted with minimal reports of process-related incidents. However, some states' elections were marred by unfortunate incidents that are becoming recurring features in our elections. In states like Plateau and Enugu, the elections were marked by delays in the commencement of polls and perennial logistic challenges and complicity by election officials. In some other states like Akwa Ibom and Kano, incidents like violence, intimidation, harassment, ballot box snatching, and disruption of the process were observed. Polling officials were abducted in Kano but were eventually released thanks to the swift intervention of the security officials.

Yiaga Africa strongly condemns the actions of hoodlums and compromised election officials that led to the disruption or suspension of polls in some areas like Akwa Ibom, Enugu, Kano, and Plateau states. We applaud the efforts of the security agencies in ensuring a safe environment for the elections. However, we urge the security agencies to investigate the incidents and ensure that all those responsible are held accountable.

We commend the swift response of INEC in suspending elections in areas where there have been reports of abductions of ad hoc staff, process disruption or irregularities. We urge the commission to promptly address the issues, investigate and impose sanctions on its personnel who may have compromised.

Summary of Election Day Findings:

1. **Arrival of INEC officials and Commencement of Polls:** INEC Officials arrived early across most of the polling units observed. More than half of Yiaga Africa observers reported that INEC officials had arrived at 7:30 am in the polling units.

By 9:30 am, **accreditation and voting** had commenced in the polling units visited.

2. **Deployment and Functionality of the BVAS:** Yiaga Africa observed that the BVAS was deployed across the polling units visited. Yiaga Africa observed the deployment of at least 1 BVAS in the polling units visited.

- Records for the total number of accredited voters on the BVAS were not shown before the commencement of the process in 9 of the polling units observed.
 - The BVAS was used and functioned adequately throughout the day in all the polling units observed. The BVAS systematically checked voters' biometrics (Finger of face) and Permanent Voter's Card before they were allowed to vote.
3. **Deployment of Materials:** While essential election materials were seen in most polling units visited, reports were received of insufficient materials in some polling units in Plateau and Enugu.
 4. **Deployment of Security Personnel:** Security agents were sighted in the polling units visited.
 5. **Deployment of Party Agents:** The agents for All Progressive Congress (APC), People's Democratic Party (PDP) and Labour Party (LP) were mostly sighted in the polling units visited.

Counting and Results Transmission

1. Counting was done in the same location as accreditation, and voting was done in the polling units observed.
2. In 19 polling units, the polling officials showed how every ballot paper was marked to the party agents and observers present. In some polling units visited, the party agents and observers agreed with the decision regarding which ballot papers were rejected.
3. The results were posted for the public to see in some of the polling units observed, while this was not done in other polling units observed.
4. In some polling units, the presiding officer attempted to transmit/send the image/picture of the polling unit results sheet Form EC8A to the INEC results viewing portal.

Critical incidents

1. **The Secrecy of Ballots:** Based on the reports from Yiaga Africa's observers, in some polling units located in Ebonyi, Ondo and Yobe states, people were able to see how voters marked their ballot papers.
2. **Misconduct at polling units:** Yiaga Africa observers reported incidents of vote buying, intimidation, harassment, and violence in a few polling units observed.
3. **Delayed commencement of polls in Enugu:** Yiaga Africa received reports of delayed commencement of polls across several polling units in Enugu. Voters refused to allow officials to commence the process as they arrived without result sheets in several polling units.
4. **Election Suspended:** Voting was suspended in some polling units on the 3 February 2024 election for several reasons. For instance, the process was suspended at Utan Polling Unit (048) in Tudun-Wada/Kabong ward of Jos North LGA in Plateau State due to incomplete ballot papers. The polling unit had 1,846 registered voters, but only 200 ballot papers were

available at the start of the election on February 3. The voters protested and demanded that more ballot papers be provided. INEC later sent 300 additional ballot papers to the polling unit. However, the voters were still unsatisfied with the situation and insisted that the election be cancelled until sufficient ballot papers were dispatched to the polling unit. In Akwa Ibom, election materials were carted away; hence, the election was suspended in two polling units, Village Hall, Edem Urua 003 in Ini LGA and Village Hall Mbiabong Ikot Udo 003 in Ikono LGAs.

5. **Diversion of Election Materials:** The election in Ini LGA in Akwa Ibom was disrupted by violence, as some supporters of political parties were caught in possession of election materials. According to a report by Yiaga Africa observer, three high-profile individuals in the state were found with sensitive election materials. In addition, supporters of political parties were also caught diverting election materials to unknown locations in Ibiono LGA, Akwa Ibom.

Recommendations:

1. INEC should, as a matter of urgency, conduct capacity building for all its staff at the National, State and Local levels to professionalise election administration and limit some avoidable challenges observed in election administration.
2. INEC should conduct an after-action review for the bye-elections and the re-run election to assess the election day process and review observation findings and all complaints received during the election. In addition to this, INEC needs to audit the conduct of its officials deployed. This will enable a better understanding of the challenges and effective means of addressing some of the challenges observed.
3. INEC should ensure due diligence in managing and distributing election materials, particularly sensitive election materials like ballot papers and result sheets to specific polling units.
4. We call on INEC to investigate and prosecute election officials who connived with politicians to compromise the elections. A detailed list of prosecuted and sanctioned staff should be made public to serve as a deterrent.
5. We call on security agencies to arrest and prosecute all those who instigated violence and masterminded the disruption of polls. This should also include apprehending those involved in vote buying and selling during elections.
6. The political parties must consciously safeguard Nigeria's electoral democracy by discouraging the attitude of winning at all costs and flagrant disregard of the rules.

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

Thank you, and God Bless the people of Nigeria!

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