THIRD INTERIM STATEMENT BY NIGERIA CIVIL SOCIETY SITUATION ROOM ON THE CONDUCT OF THE 2019 PRESIDENTIAL AND NATIONAL ASSEMBLY ELECTIONS ON 23 FEBRUARY 2019
Issued: 9:00am Monday, 25th February 2019

Introduction
Following from its observation of the 2019 Nigerian Presidential and National Assembly elections, the Nigeria Civil Society Situation Room (Situation Room) received field reports from more than 8000 of its deployed observers and networks, across the country. Situation Room hereby makes the following interim observations:

General
Situation Room notes the resilience, dedication and patriotism of Nigerians in the conduct of the Presidential and National Assembly elections held on Saturday, 23rd February 2019. They are the shining light in this election. The Nigerian youth under the National Youth Service Corp were exemplary in their work under very difficult conditions. Situation Room will also like to commend Nigerian and International Observers who made sacrifices to observe the elections despite the earlier election postponement and challenges of mobilising additional resources.

Situation Room is however disappointed by the serious lapses observed with the conduct of the Presidential and National Assembly elections held on Saturday 23 February 2019. Despite the elections being conducted against a background of an earlier postponement on February 16, 2019, on grounds of logistics challenges, it still suffered from major logistic lapses. Additionally, the election was marred by violence, security lapses and instances of overreach. Other challenges include compromised INEC officials as well as partisan security operatives. Conduct of major political parties was disappointing.

Commencement of Polls
Throughout the country voting was delayed. The average starting time of voting at most polling units across the country was 11am. It appeared however, and as reported by Situation Room partner organisations, that the delay in commencement of polls was especially pronounced in some States across the South-East and South-South geopolitical zones of Nigeria. There were even reports of polling commencing at 4pm in some areas such as PU 001, Ward 5, Methodist Boys High School, Oron, Akwa Ibom State. The delay in the commencement of voting impacted on the timely completion of the collation process.
Logistics Preparations for the elections
The election was confronted with serious logistics problems. The sheer number of political parties contesting the elections appeared to have overwhelmed INEC’s logistics capabilities, including its ability to carry out timely procurement. Situation Room observed challenges related to procurement, deployment and adequacy of materials. Reports were received of sensitive election materials being sent to wrong locations. Although, some of these problems were later corrected, it contributed to the delays witnessed with commencement of polls. In addition to these, Situation Room received reports from Nasarawa, Rivers, Oyo and Anambra States of incomplete election materials.

Election Security
Situation Room notes with profound sadness, the election related violence that led to the death of at least 39 Nigerians over the last 48 hours of the elections: Borno State – 4, Bayelsa State - 4, Rivers State - 16, Oyo State- 2, Lagos – 1, Delta- 2, Zamfara – 1 and Taraba State- 4. In Lagos State, there were reports of disruption of voting by suspected political thugs who shooting in the air in some places and set ballot boxes and paper on fire in others. In the Okota, Isolo and Oshodi suburbs of Lagos, there were reports of violence, some caused by non-arrival of INEC officials and materials.

Situation Room reiterates that no election in Nigeria should cost the life of any citizen and condemns in the strongest of terms the lack of empathy, concern and sensitivity by the political class regarding these events. These recorded deaths follow a trend of serious electoral violence since the beginning of campaigns in October 2018. As at 23 February 2019, Situation Room has documented more than 260 politically motivated deaths.

From reports received by Situation Room, it appears that the deployment of security officers in some instances did not take into consideration areas that required more security deployment. According to reports by CLEEN Foundation, there was multi-agency deployment of security personnel, noting 39% of polling units had three or more security personnel. Reports were also received that 27% of the polling units were under-policed. Reports also largely showed that security personnel conducted themselves professionally, however there are cases of police overreach in Imo, Abia and Rivers States where an INEC official was shot by security agents. CLEEN Foundation documents that 12% of the polling units observed security officers were somewhat partisan.

Despite the Police’s stated preparedness with deployment and adequacy of security, there were shortfalls and gaps, with attendant implications for election security. For instance, there was disruption of polls in Abia, Lagos, Rivers, Bayelsa, Akwa Ibom and Ebonyi States,
amongst others. In Okota, Lagos State, voters were chased away and ballot boxes destroyed. In Oriade, Osun State, ballot papers and boxes were destroyed at the INEC office.

**Involvement of the Military**
The Nigerian Military deployed for the 2019 elections. It is unclear the extent of deployment of the military, although the Army launched what it called Operation Python Dance, which saw soldiers being sent across the country supposedly to provide security for the election. Additionally, the Army created its own Situation Room and announced that it would obey President Muhammadu Buhari’s instructions to deal ruthlessly with ballot box snatchers. President Buhari had before the elections warned that persons that snatch ballot boxes risk paying with their lives – a statement that became controversial and was widely criticised as encouraging security personnel to carry out extrajudicial killing of electoral offenders, who should ordinarily be apprehended and charged to Court to face punishments of fine or imprisonment, if convicted.

Under section 29(3) of the Electoral Act, security personnel can only be involved in electoral duty as requested by INEC. The Act specifically states:

“PROVIDED that the Commission shall only request for the deployment of the Nigerian Armed Forces only for the purpose of securing the distribution and delivery of election materials and protection of election officials”

However, reports were received of incidents involving the military in Rivers state and in another incident military personnel obstructing the passage of electorates into their polling units.

**Issues with Smart Card Readers**
Situation Room observed significant challenges with the smart card readers. Received reports showed several instances, which necessitated INEC officials resorting to manual accreditation. This was reported in Binji Local Government Area in Sokoto state and Owerri North LGA in Imo state. States where card reader challenge was prevalent include Imo, Lagos, Ogun, Abia, Nasarawa, Kebbi, FCT and Kaduna.

**Conclusion and Recommendations**
Situation Room notes that INEC has not managed the election efficiently and significant shortcomings have been recorded. The election has been a step back from the 2015 General Election and actions should be taken to identify what has gone wrong and what can be corrected. Situation Room urges voters and stakeholders to exercise restraint to avoid further loss of human life and to seek legal redress were aggrieved.
In the light of the above-identified issues, the Situation Room makes the following recommendations:

1. That there should be an independent inquiry into the poor management of the electoral process by INEC with a view to determining the following:
   - The underlining causes for logistics lapses with a view of itemising operational deficiency that led to the initial postponement of elections on the 16th of February and logistical challenges with the rescheduled elections on 23rd February 2019. In addition to this, INEC is expected to inquire into the activities of its staff with respect to late arrivals to polling station; lack of understanding of processes by ad hoc staff; and the allegations of collusion between staff and politicians.
   - The failure of the Smart card readers in identified polling units should be interrogated with a special audit of the results of polling units where 5% card reader incidence failure was recorded.

2. The Situation Room calls on INEC and security agencies to ensure accountability for acts inimical to the integrity and credibility of the polls especially individuals complicit in the burning of INEC offices, election materials, snatching of ballot boxes and other electoral offences.

   Particular instances of contrived and voter suppression due to violence must be thoroughly investigated and perpetrators and their sponsors punished to the full length of the law. These allegations must be thoroughly investigated to restore faith in the process and address lingering social fractures that reinforce feeling of exclusion.

3. The Situation Room calls on the Inspector General of Police to urgently investigate allegations into Police overreach in identified locations in the country. We ask that such officers be held personally accountable for infringing on the rights of citizens in the exercise of their franchise. In the same vain, Situation Room also calls on the IGP to carry out investigations on all political actors who have instigated or perpetrated violence leading to the needless loss of lives.

4. Inter Agency Consultative Committee on Election Security should deploy security personnel in line with security risk findings taking into consideration major flashpoints in future elections.

5. A major risk factor in this election has been impunity and rascality of the political class. INEC cannot deliver free and fair election without committed support by the political
class. The level of violence, hate speech and general toxic political environment contradicts the commitment to the Peace Accord signed by political parties and candidates prior to the elections. Politicians should commit to respecting the rules of the election and under the current circumstance ensure that their followers do not act outside of the law with respect to election returns.

6. Absence of robust enforcement of election rules incentivises impunity. Nigeria should urgently undertake the process of strengthening the framework for electoral accountability. The National Assembly should fast track the process of passing the Electoral Offences Commission Bill.

7. Call on the international community to continue to lend their voices in defence of the integrity of the result. In particular we urge the United States and the United Kingdom to follow through on their earlier statement that they will sanction individuals whose actions undermine the election or have led to the death of citizens.

Clement Nwankwo - Executive Director, Policy & Legal Advocacy Centre & Convener, Nigeria Civil Society Situation Room

The Situation Room is made up of Civil Society Organisations (CSOs) working in support of credible and transparent elections in Nigeria and includes such groups as Policy and Legal Advocacy Centre (PLAC), CLEEN Foundation, Action Aid Nigeria, Centre for Democracy and Development (CDD), Proactive Gender Initiative (PGI) Enough is Enough Nigeria, WANGONET, Partners for Electoral Reform, JDPC and YIAGA Africa Others are Development Dynamics, Centre for Citizens with Disabilities (CCD) Stakeholders Democracy Network, Human Rights Monitor, Reclaim Naija, CITAD, Nigerian Women Trust Fund, Alliance for Credible Elections (ACE), CISLAC, and several other CSOs numbering more than seventy.

Contact information:
Website: situationroom.placng.org
Email: situationroom@placng.org
Twitter: @situationroomng
    #NigeriaSituationRoom
Facebook: Facebook.com/situationroomnigeria
Hotlines: 08021812999, 09095050505, 09032999919