

DEEPENING DEMOCRACY LESSONS FROM 2022 FCT AREA COUNCIL ELECTION

The Electoral hub Technical Paper 2/2022



DEEPENING DEMOCRACY: LESSONS FROM 2022 FCT AREA COUNCIL ELECTIONS

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About The Electoral Hub

The Electoral Hub, an organ of the Initiative for Research, Innovation and Advocacy in Development (IRIAD), is a multidisciplinary strategic think-tank which seeks to provide solutions to improve the credibility and integrity of the electoral process. The Electoral Hub complements the roles and activities of the different institutions, stakeholders and drivers of the electoral process and governance. The Electoral Hub's aim is to strengthen electoral governance and accountability in Nigeria through research, documentation, electoral education, policy and legal influencing and impact advocacy. We believe that the integrity of the electoral process is crucial in improving the electoral governance and sustaining democracy in Nigeria. We also believe in solutions rooted in the principles of justice and equity.

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Acronyms

AMAC Abuja Municipal Area Council

APC All Progressives Congress

BVAS Bi-Modal Voters Accreditation System

COVID-19 Coronavirus Disease 2019

CSOs Civil Society Organisations

FCT Federal Capital Territory

INEC Independent National Electoral Commission

IRIAD Initiative for Research, Innovation and Advocacy in Development

IT Information Technology

NOA National Orientation Agency

PDP People's Democratic Party

PU Polling Unit

PWDs Persons with Disabilities

RAC Registration Area Centre

REC Resident Electoral Commissioner

SCRs Smart Card Readers

SIECs State Independent Electoral Commissions

Executive Summary

The 2022 FCT Area Council elections were conducted on 12 February 2022. The chairmanship elections led to the victory of the All Progressives Congress (APC) in Abaji, Gwagwalada, and Kwali Area Councils, while the People's Democratic Party (PDP) won in Abuja Municipal, Bwari, and Kuje Area Councils. The Electoral Hub, an organ of the Initiative for Research, Innovation and Advocacy in Development, has prepared this paper to highlight important lessons from the elections, and provide recommendations on how these lessons can be used to improve the integrity and credibility of future elections in Nigeria.

We identify the following **strengths of the election**:

- INEC played an important role in ensuring that the elections were successful by deploying Commissioners to supervise the elections and using a virtual situation room at the Commission headquarters.
- CSOs and election observer groups contributed immensely by observing the elections and providing real-time updates to the public.
- Security agents helped to maintain peace during the elections.
- PDP provided strong opposition to the dominant APC in the FCT, as the former was able to produce three of the six Area Council Chairmen: in AMAC, Bwari, and Kuje.
- There were instances of priority voting for the elderly, as well as PWD inclusion.

However, the election also had weaknesses as outlined below:

- There were logistical issues including late deployment of election materials and late arrival of election workers, which led to late commencement of polls.
- There were many instances of BVAS malfunctioning during voter accreditation.
- Electoral malpractices, especially vote buying, were prominent in many PUs.
- COVID-19 protocols were poorly enforced in many PUs.
- Voter turnout was abysmally poor, with only about 9% of voters coming out to vote.
- The newly created Polling Units (PUs) were poorly utilised, as many of them recorded zero turnout.
- Election results in three Area Councils were rejected by the APC, which threatened to resort to litigation.

Ultimately, while we commend the efforts of stakeholders such as INEC, CSOs, observer groups, and security agents to ensure the success of the election, we recommend the following actions by different stakeholders:

- INEC should adopt more effective logistics management and review the BVAS technology.
- INEC should further promote PWD inclusion by ensuring that PUs are accessible to people with various kinds of disabilities.
- In subsequent elections prior to 2023, INEC should assign specific observers for feedback on the revised delimitation of PUs.
- INEC should publish detailed information about all elections including local elections on its website and social media pages.
- INEC should provide more reliable sources of alternative power supply in the event of power outage, especially in collation centres.
- Ad hoc staff should ensure that priority voting is only given to PWDs, the elderly, pregnant women and other people who require assistance, rather than persons who are deemed to be of a high standing in society.
- Collation Officers should not prevent observers from taking pictures or videos of the collation process.
- CSOs, the media, and the NOA should engage in more effective civic and voter education.
- Opposition parties should campaign and engage the public more effectively during local elections.
- Political parties should increase internal party democracy and discourage the trend of contesting election results in courts where there is no solid ground for bringing a claim.
- Security agents must do more to prevent electoral malpractices.
- In the near future, the National Electoral Offences Commission Bill should be passed by the National Assembly and assented to by the President.
- To improve the legal framework in which elections are conducted, the President should assent to the Electoral Bill 2022 urgently.

If all stakeholders take these steps to deepen democracy, the integrity and credibility of future elections in Nigeria will be secured.

Introduction

The Federal Capital Territory (FCT) Area Council elections were conducted on 12 February 2022. The chairmanship elections led to the victory of the All Progressives Congress (APC) in Abaji, Gwagwalada, and Kwali Area Councils, while the People's Democratic Party (PDP) won in Abuja Municipal, Bwari, and Kuje Area Councils.¹

FCT is a highly significant location in the country, given that it is the seat of all branches of government at the federal level – the executive, the legislature, and the judiciary. Moreover, the Area Council elections are of high importance, since FCT does not conduct governorship or legislative elections.

FCT is also peculiar in the sense that it is the only place in the country where local elections are conducted by the Independent National Electoral Commission (INEC). In other places, the responsibility for local elections is placed on State Independent Electoral Commissions (SIECs). Given the poor quality of local elections across the country, the FCT elections can be used as a standard for SIECs to learn from by emulating their strengths and improving on their weaknesses.

Against this background, The Electoral Hub, an organ of the Initiative for Research, Innovation, and Advocacy in Development (IRIAD), deployed observers across different Area Councils to observe the elections. This enabled us to receive and analyse reports in real time. From our observer reports, media reports, and data from INEC, we have been able to highlight important lessons to be learned from the elections.

This paper can be used by stakeholders to better understand the FCT elections, and how lessons from the elections can be used to improve the integrity and credibility of future elections in Nigeria, particularly the upcoming 2023 general elections.

¹ Mojeed, A. & Majeed, B. (2022, February 13). #FCTDecides2022: Final results from Abuja's six Area Councils. *Premium Times*. https://www.premiumtimesng.com/news/headlines/511270-fctdecides2022-final-results-from-abujas-six-area-councils.html

Strengths of the Election

The FCT elections were notable for the roles that stakeholders such as INEC, civil society organisations (CSOs) and election observers played; low level of violence; strength of opposition; and the use of priority voting.

a) Role of INEC

INEC played an important role in ensuring that the elections were successful. Like in previous elections since 2020, the Commission used the result viewing portal to allow citizens to track the election results at polling unit level, regardless of their location. As shown in the pictures below, INEC also set up a situation room at the Commission's headquarters, led by the INEC Chairman, Professor Mahmood Yakubu.





INEC's situation room²

Moreover, INEC had a presence on the field. In LEA Primary School Sagwari, Dutse-Alhaji Ward, Bwari Area Council, INEC National Commissioner, Barrister Festus Okoye, supervised the conduct of the election there.³ INEC also deployed six Resident Electoral Commissioners (RECs) to support the REC for FCT, as well as two other

² INEC Nigeria [@inecnigeria]. (2022, February 13). *INEC Chairman, Prof Mahmood Yakubu, has just closed down the Situation Room at the Commission's headquarters, following the successful conclusion* [Image attached] [Tweet]. Twitter. https://twitter.com/inecnigeria/status/1492834149824094208

³ INEC Nigeria [@inecnigeria]. (2022, February 13). *National Commissioner, Barr. Festus Okoye, supervised the conduct of the FCT election in LEA Primary School Sagwari, Dutse-Alhaji in the* [Image attached] [Tweet]. Twitter. https://twitter.com/inecnigeria/status/1492840568405340160

National Commissioners to supervise the elections in different areas.⁴ Due to this presence on the field, the Commission was able to post updates on the election on its Twitter page.

Through this presence on the field and the use of a situation room, INEC was able to identify issues and respond to them. For example, one of our observers reported that in Polling Unit (PU) 003, Dutse Alhaji Ward, Bwari Area Council, party agents attempted to disrupt process but an INEC Commissioner came in to monitor the process and calm the situation.

b) CSOs and Election Observers

CSOs and election observer groups also contributed immensely to the elections. INEC approved 53 domestic observer groups and five international observer groups for the elections,⁵ and we have earlier noted that the mere acceptance of observers is evidence of the openness of the electoral process.⁶ Through the presence of observers on the field, electoral practitioners and the general public were able to get real-time reports of events during the election. Reports from these observers also helped to legitimise the election results.

c) Low Level of Violence

Apart from a few incidents of violence, the elections were generally peaceful. Security agents were present in most PUs. Our observers reported that members of the army were present in PU 001, Tungan Maje Ward, Gwagwalada Area Council, and five security personnel were on ground during counting at PU 075, Kuje Central Ward, Kuje Area Council.

Furthermore, our observers noted that security agents were swift in taking action when tensions rose. For example, following an incident in PU 033, Kwali Central Ward, Kwali Area Council, security agents arrested persons involved in disrupting the process, after which voting continued smoothly. Similarly, in PU 071, Nyanya Ward, Abuja

⁴ Yakubu, M. (2022, February 8). *Stakeholders' Meeting on the 2022 Federal Capital Territory (FCT) Area Council Election* [Meeting]

⁵ Yakubu, M. (2022, February 8)

⁶ The Electoral Hub. (2022) *Political Context Analysis: 2022 FCT Area Council Elections* (The Electoral Hub Political Context Analysis Number 5/2022). https://electoralhub.iriad.org/publications/political-context-analysis-2022-fct-area-council-election/

Municipal Area Council (AMAC), security agents apprehended an individual who ran away with the BVAS, and they brought the device back to the PU for voting to continue. We commend security agents for their role in maintaining peace during the elections.

d) Strength of Opposition

As discussed in our political context analysis of the election, APC has a large stronghold in the FCT because it is the ruling party at the federal level of government, which sits in the FCT, and also because it has produced the Chairmen of majority of the FCT Area Councils since 2016.⁷

However, PDP provided strong opposition during this election, having produced three of the six Area Council Chairmen: in AMAC, Bwari, and Kuje. The victory of PDP in AMAC is particularly significant, given the importance of AMAC as the centre of government and business within the FCT.⁸ The existence of strong opposition parties is important to increase voter choice. Subsequently, we urge other parties to campaign and engage the public more effectively, in order to further increase voter choice and scrutiny of government.

e) Priority Voting/PWD Inclusion

Our observers on the field noted instances of the elderly being given priority voting in some areas such as PUs 005 and 006, Kilankwa Ward, Kwali Area Council; PU 037, Gaube Ward, Kuje Area Council; and PU 042, Gwarinpa Ward, AMAC. We also received reports that braille was available in PUs 010 and 11, Gwarinpa Ward, AMAC (although there were no magnifying glasses). In future elections, inclusion of persons with disabilities (PWDs) can be promoted even further by ensuring that PUs are accessible to persons with different kinds of disabilities, such as persons on wheelchair and persons with hearing impairments.

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⁷ The Electoral Hub. (2022). *Political Context Analysis: 2022 FCT Area Council Elections*

⁸ See The Electoral Hub. (2022). *Quick Facts on Abuja Municipal Area Council*. https://electoralhub.iriad.org/quick-facts-on-abuja-municipal-area-council-amac/

Weaknesses of the Election

The weaknesses of the FCT elections include logistical issues, technical issues, electoral malpractices, poor enforcement of COVID-19 protocols, poor voter turnout, poor utilisation of new PUs, and rejection of election results.

a) Logistical Issues

A major logistical issue in this election was the late commencement of polls. Although polls were scheduled to open by 8:30am, we received reports that in some PUs, election workers were still setting up by 9:00am. This was the case in PUs 012 and 020, Dutse Alhaji Ward, Bwari Area Council.

The late commencement of polls was caused partly by late arrival of election workers. For example, in PUs 002 and 007, Dutse Alhaji Ward, Bwari Area Council, election workers were still moving to their respective PUs from the Registration Area Centre (RAC) around 8:21am and 8:23am respectively, when they should have already been setting up by this time. Indeed, in PU 003, Kuje Central Ward, Kuje Area Council, election workers did not arrive until about 8:57am.

Late deployment of election materials, both sensitive and non-sensitive, also contributed to the late commencement of polls. In PU 025, Tungan Maje Ward, Gwagwalada Area Council, by 9:34am the PU had still not received tables and chairs to enable election workers start setting up.

Furthermore, in Kuje Central Ward, Kuje Area Council, sensitive materials were still on ground and yet to be deployed to the various PUs at 9:55am. In PU 003, Dutse Alhaji Ward, Bwari Area Council, election materials arrived as late as 11:00am. The situation was particularly bad in PU 031, Chibiri Ward, Kuje Area Council, where setting up and transportation of sensitive materials were still ongoing as late as 11:08am.

Other logistical issues identified are as follows:

- In PU 003, Tungan Maje Ward, Gwagwalada Area Council, voting was yet to start by 9:52am even though security agents, staff, and voters were present. This is because the polling station booklet was missing.
- In PU 010, Usuma Ward, Bwari Area Council, the voters' register was not pasted on the board. The Presiding Officer informed observers that they were unable to

paste the register on the board because they were behind schedule on arrival at the PU.

These logistical issues lead to frustration on the part of the voters, and may also affect the credibility of the elections as the limited time for set up might lead to some activities being omitted (e.g. pasting of the voters' register). In order to address this issue, it is important for INEC to adopt more effective logistics management, ensuring that election workers are transported and election materials are deployed as early as possible. This is particularly important for areas with large numbers of registered voters, such as the FCT which has about 1.37 million voters – more than the voters in Cape Verde (398,865⁹) and Guinea-Bissau (761,676¹⁰) combined.

b) Technical Issues

The election also witnessed technical issues, particularly because of the malfunctioning of the Bi-Modal Voters Accreditation System (BVAS) during voter accreditation. This affected many PUs, such as PU 002, Kutunku Ward, Gwagwalada Area Council; PU 027, Chibiri Ward, Kuje Area Council; PU 034, Tungan Maje Ward, Gwagwalada Area Council; PU 004, Kilankwa Ward, Kwali Area Council; PUs 004, 006, 010 and 042, Gwarinpa Ward, AMAC; PU 070, Nyanya Ward, AMAC; and many others.

The situation was so bad that in PU 102, Gwarinpa Ward, AMAC, only 1 person had been accredited as at 2:18pm. There were 31 persons accredited in the PU in total. Similarly, in PUs 005 and 006, Kilankwa Ward, Kwali Area Council, only a few voters had been able to cast their vote as at 2:24pm. In total, there were 333 and 297 persons accredited in the respective PUs, leading to long queues and wait times.

In other PUs, the issue was that only one part of the BVAS was functional – either facial recognition or fingerprint recognition. For instance, in PU 075, Kuje Central Ward, Kuje Area Council, only fingerprint recognition was functional. This defeats the purpose of the BVAS to replace the Smart Card Readers (SCRs) by providing dual forms of authentication to ensure that each registered voter is allowed to vote.

In one peculiar case – PU 036, Orozo Ward, AMAC – our observers reported that election officials did not even know how operate the BVAS until an IT Personnel was contacted. This reflects poor training.

⁹ Election Guide. Republic of Cabo Verde. https://www.electionguide.org/countries/id/40/

¹⁰ International IDEA. Guinea-Bissau. https://www.idea.int/data-tools/country-view/120/40

Ultimately, the BVAS was meant to solve the issues with the SCRs in previous elections, yet it failed to do so in many places. This led to anger on the part of voters, who were creating a fuss due to the unsatisfactory process. This happened in PU 075, Kuje Central Ward, Kuje Area Council; PU 08, Nyanya Ward, AMAC; and PU 027, Chibiri Ward, Kuje Area Council.

To ensure that this device is fit for purpose, it is therefore important for INEC to review the BVAS technology and ensure that such malfunctioning does not recur in future elections. If possible, INEC should also deploy more than one BVAS for PUs with large numbers of voters, such as PU 004, Kilankwa Ward, Kwali Area Council, where the use of one BVAS for the 245 voters who showed up resulted in slow accreditation.

c) Electoral Malpractices

Various electoral malpractices were also observed during the elections. Vote selling and buying was particularly prevalent. We received reports that in PU 005, Staff Quarters Ward, Gwagwalada Area Council, APC and PDP agents were offering the sum of №1,000 to persons who voted for their respective candidates. In PU 001, Zuba Ward, Gwagwalada Area Council, the amount offered was as high as №3,000. Similar sums were also offered in PU 001, Tungan Maje Ward, Gwagwalada Area Council.

In some areas, the process of vote buying was more structured. For example, in PU 010, Kubwa Ward, Bwari Area Council, voters received money from party agents at the back of a building after their vote was confirmed by the agent. Indeed, in PU 024, Gwagwalada Centre Ward, Gwagwalada Area Council, it is reported that as at 9:47am, voters had refused to cast their votes. According to our observer on the ground, the voters were waiting for a party agent to arrive and distribute money before casting their vote.

It is also reported that in PUs 12 to 14, Kwali Central Ward, Kwali Area Council, after the incumbent Chairman of the Area Council cast his vote and was about to leave, some money was distributed which caused a fight. These different forms of vote buying and selling mar the credibility of elections, and could result in a situation where elections are sold to the highest bidder.

Another form of electoral malpractice observed was violence. Although the overall level of violence was low, there still pockets of violence in certain areas. For example, we received reports that in PU 033, Kwali Central Ward, Kwali Area Council, voters were trooping out because of fighting, and security agents had to be sent in mass to

curtail the fight. We also received reports of violence in PU 005, Gwarinpa Ward, AMAC. In the post-election period, there was also an alleged clash between APC and PDP supporters in Angwan Zanfara, Kwali Area Council, which resulted in the burning of properties.

Other forms of electoral malpractices observed are stated below:

- In PU 033, Gaube Ward, Kuje Area Council, a party agent attempted to help a voter to the ballot box, which generated argument.
- PUs 009 to 012, Staff Quarters Ward, Gwagwalada Area Council turned to a campaign ground, in contravention of section 99 of the Electoral Act 2010.
- In PUs 005 and 006, Kilankwa Ward, Kwali Area Council, secret voting was not observed, as party agents were monitoring people's votes. Similarly, in PU 003, Karshi Ward, AMAC, secret voting was not observed due to the crowd which made it difficult for people to vote privately.
- In PU 075, Kuje Central Ward, Kuje Area Council, there was an incident where an individual got suspiciously close to the ballot boxes, which led to an argument as party agents demanded he stepped down.

These various incidents of electoral malpractices affect the integrity and credibility of the elections. We call on security agents to do more to prevent these irregularities from occurring. While we commend them for generally curtailing violence on election day, we also urge them do more to prevent other forms of malpractices, especially vote selling and buying which has become commonplace in Nigerian elections. In the near future, the plans to establish a National Electoral Offences Commission should also be finalised to further increase the prosecution of electoral offenders.

d) Poor Enforcement of COVID-19 Protocols

According to INEC's policy on conducting elections during the pandemic, on election day all voters will be required to wear masks, there will be a two-tier queuing system at the PUs, voters will be brought into the voting area periodically to prevent overcrowding, and tags and twines will be used to ensure crowd control and maintenance of social distance. However, these protocols were largely ignored during the FCT elections. As shown in the pictures below, in many PUs there was overcrowding without any obvious use of masks by voters. INEC and CSOs need to do

¹¹ INEC. (2020). *Policy on Conducting Elections in the Context of the COVID-19 Pandemic* (INEC Policy Number 01/2020). https://www.inecnigeria.org/wp-content/uploads/2020/05/INEC-POLICY-ON-CONDUCTING-ELECTIONS-IN-COVID19.pdf

more to educate voters on how to vote safely, and ensure that these protocols are strictly enforced during elections.



Overcrowding in PU 009, Kubwa Ward, Bwari Area Council



Overcrowding in PU 004, Kilankwa Ward. Kwali Area Council



Overcrowding in PU 010, Kubwa Ward, Bwari Area Council



Overcrowding in PU 001, Tungan Maje Ward, Gwagwalada Area Council

e) Poor Voter Turnout

In line with the usual trend of poor voter turnout during local elections across Nigeria, voter turnout during the FCT elections was poor. For example, in PU 011, Kwali Central Ward, Kwali Area Council, voter turnout was just 15%, while in PU 023, Ushafa Ward, Bwari Area Council it was 19%. In some PUs, the situation was much worse. For example, PUs 103 and 104, Gwarinpa Ward, AMAC, had just one accredited voter each out of 81 (1.2%) and 78 (1.3%) registered voters respectively. There were also situations of zero voter turnout such as PU 183, Gwarinpa Ward, AMAC and PU 003, Kujekwa Ward, Kuje.

Ultimately, average voter turnout at the election was low, at about 9%.¹² This is particularly worrying and calls for urgent collaboration between INEC, CSOs, the media, and the National Orientation Agency (NOA) to engage in more effective civic and voter education that is focused on the importance of voting in local elections. Importantly, awareness raising campaigns should also be launched well before election day, since many residents of the FCT were not even aware of the elections.

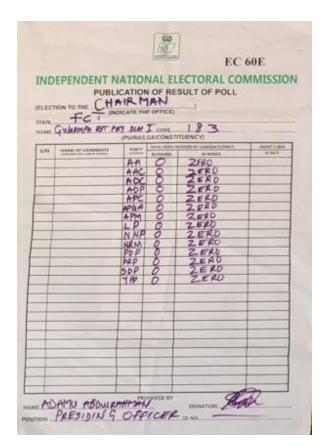
f) Poor Utilisation of New PUs

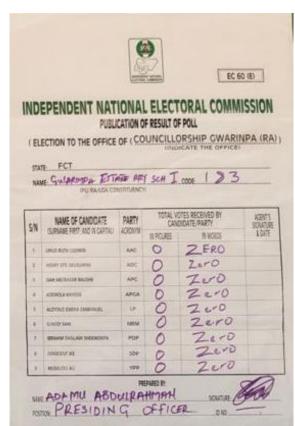
Another trend in this election was poor utilisation of newly created PUs. Earlier in 2021, INEC embarked on a project to increase access to PUs, and in the FCT, as many as 2,260 PUs were added to the 562 that existed previously, making a total of 2,822. The idea behind this was to promote accessibility to PUs and ensure short wait times during voting.

However, these new PUs have not been utilised adequately. In fact, up to 593 of the 2,822 PUs (21% of the total) did not have any registered voter, ¹³ and no election was held in these PUs. Even in those PUs that had voters, the number of registered voters was quite low, such as PU 052, Dutse Alhaji Ward, Bwari Area Council with 10 registered voters; PU 035, Kabusa Ward, AMAC with 7 registered voters; PU 062, Garki Ward, AMAC with 4 registered voters; PU 077, Garki Ward, AMAC with 1 registered voter; PU 140, Wuse Ward, AMAC with 4 registered voters; PU 011, Ushafa Ward, Bwari Area Council with 2 registered voters; and PU 012, Tungan Maje Ward, Gwagwalada Area Council with 1 registered voter. Worse still, many of these newly created PUs recorded zero turnout, as shown in the pictures below.

¹² Based on figures provided in Martins, B. & Shuaibu, F. (2022, February 19). How Voter Apathy, Low Turnout Marred FCT Council Polls. *Daily Trust*. https://dailytrust.com/how-voter-apathy-low-turnout-marred-fct-council-polls

¹³ Ajayi, O. (2022, January 22). FCT Council Polls: INEC meets Security Chiefs, Media Executives. *Vanguard*. https://www.vanguardngr.com/2022/01/fct-council-polls-inec-meets-security-chiefs-media-executives/





Publication of result of poll showing zero turnout in PU 183, Gwarinpa Ward, AMAC



Publication of result of poll showing zero turnout in PU 184, Gwarinpa Ward, AMAC



Statement of result of poll showing zero turnout in PU 037, Kujekwa Ward, Kuje Area Council

The implications of these are twofold. Firstly, secrecy of the vote is affected. This is because the details on the voters' register are usually pasted at the PU, and where only one person on the register turns up to vote (as in PU 011, Ushafa Ward, Bwari Area Council), the person's vote will be broadcast to all observers when the results for that PU are announced.

Secondly, human and financial resources are wasted, as extra PUs are set up, more ad hoc staff are recruited, and more security agents are deployed. For example, in PU 077, Garki Ward, AMAC, there were four election officers, two civil defence officers, and four police officers. Meanwhile, there was only one person on the voter register, and the person did not even come out to vote. Similarly, in PU 062, Garki Ward, AMAC, there were four election officers, two civil defence officers, and one police officer. Meanwhile, no voter was accredited. This is an immense waste of resources, in terms of both human resources and money.

Evidently, the electorate are not effectively utilising the new PUs. There is urgent need for CSOs and the media to collaborate with INEC to get more citizens to transfer to new PUs that are closer to them.

Other observations about the newly created PUs are as follows:

• PU 062, Garki Ward, AMAC has only 4 registered voters, yet the environment is quite large.

- PU 077 is too close to PUs 012 and 013 in Garki Ward, AMAC.
- The two polling units at Gana/Usuma are too close to be differentiated. They are side by side. Security officers were around but could not determine who was for which centre. We also observed many people hanging around. Similar situation of side by side polling units was also observed in Maitama Model School where the two polling units were under one canopy. There is a need to better delineate PUs ahead of 2023 elections.

Ultimately, we note that INEC should have assigned specific observers/monitors for feedback on the revised delimitation of PUs to avoid challenges these could throw up in 2023. This is something that can be checked during the Ekiti and Osun State governorship elections later this year.

g) Rejection of Election Results

Following the elections, the PDP National Chairman, Dr Iyorchia Ayu, stated that PDP would challenge the election results in the three area councils where they lost. ¹⁴ It has become commonplace in Nigeria for election results to be contested in courts, even where there is no solid ground for bringing a claim. These numerous litigations could subvert the electoral process, leading to winners being determined by the courts instead of by INEC. This is a trend by political parties that must be discouraged.

h) Miscellaneous

Other things that marred the elections are outlined below:

- In PU 010, Usuma Ward, Bwari Area Council, a report from our observer indicates that high-profile persons in the society were allowed to vote before ordinary Nigerians. This goes against the principle of equality. During elections, priority voting should only be given to PWDs, the elderly, pregnant women and other people who require assistance.
- In Dutse Alhaji Ward, Bwari Area Council, the Collation Officer stopped observers from taking pictures of the collation process. The reason he gave was that he did not want observers to give a report that would implicate him. This shows lack of transparency. Every aspect of the process, from voting to collation to announcement of results should be transparent and open. Indeed, reports from

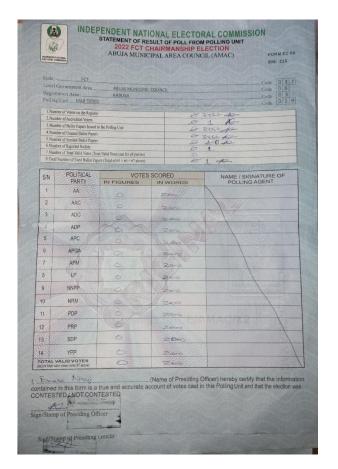
¹⁴ Willie, B. (2022, February 15). FCT Poll: We'll Challenge APC's Victory In 3 Area Councils – Ayu. *Daily Trust*. https://dailytrust.com/fct-poll-well-challenge-apcs-victory-in-3-area-councils-ayu

observers during collation increase the legitimacy of the final results that are announced.

- At the Kwali Pilot Primary School RAC, the INEC official in charge of the ad hoc staff asked them to move the ballots boxes to INEC's office, because the security agents were getting agitated and the Collation Officer had still not arrived at 7:50pm. This made it impossible to observe the collation process at that level.
- Numerous litigations within APC in the pre-election period affected the results in Abaji Area Council. This is because although APC won the chairmanship election in the council, two persons Muhammad Loko and Umar Abdullahi each lay claim to the party's ticket, and their case is still ongoing at the Supreme Court.¹⁵ Thus, until the Court gives an order on who the rightful candidate is, INEC cannot declare either of the individuals as the winner.
- Although INEC's results viewing portal contains results at polling-unit level, more than a week after the election, there is still no data on average voter turnout or overall votes received by each party on INEC's website and social media pages. Thus, there is limited information available to stakeholders and the general public.
- In PU 029, Kabusa Ward, AMAC, which has 3,457 voters, reports from our observers indicate that although people showed up to vote, the election workers did not have ballot papers for councillorship candidates they only had for chairmanship candidates. This is confirmed by the result sheet (see picture below) which shows that no voting was done in that PU. In this way, the voters were disenfranchised due to unavailable materials.
- In Dutse Alhaji Ward, Bwari Area Council, there was power outage during collation, and election workers had to use flashlights from their phones to continue working (see picture below). This increases likelihood of error, and also facilitates underhanded practices because figures can easily be changed in the dark.

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¹⁵ Mojeed, A. & Majeed, B. (2022, February 13)



Result sheet for PU 029, Kabusa Ward, AMAC showing zero votes



Power outage in Dutse Alhaji Ward, Bwari Area Council

Conclusion and Recommendations

Through the efforts of stakeholders such as INEC in supervising the conduct of the elections, CSOs and observer groups in monitoring the elections and providing report, and security agents in managing crowds and maintaining order, the 2022 FCT Area Council elections were conducted successfully. Despite these strengths, it is clear that there are many areas that require improvement. Going forward, we recommend the following actions by different stakeholders:

INEC

- INEC should adopt more effective logistics management, ensuring that election workers are transported and election materials are deployed as early as possible.
- INEC should further promote PWD inclusion by ensuring that PUs are accessible to persons with different kinds of disabilities, such as persons on wheelchair and persons with hearing impairments.
- To ensure that the device is fit for purpose, INEC should urgently review the BVAS technology.
- If possible, INEC should deploy more than one BVAS for PUs with large numbers of voters.
- Prior to election day, INEC should train ad hoc staff extensively on how to operate the BVAS.
- In the Ekiti and Osun State governorship elections, INEC should assign specific observers/monitors for feedback on the revised delimitation of PUs.
- To increase transparency, INEC should endeavour to publish detailed information about all elections including local elections on its website and social media pages.
- INEC should provide more reliable sources of alternative power supply in the event of power outage, especially in collation centres.

Ad Hoc Staff

- Ad hoc staff should ensure that priority voting is only given to PWDs, the elderly, pregnant women and other people who require assistance, rather than persons who are deemed to be of a high standing in society.
- To increase transparency, Collation Officers should not prevent observers from taking pictures or videos of the collation process.

CSOs, Media, and NOA

- CSOs, the media, and the NOA should engage in more effective civic and voter education that is focused on the importance of voting in local elections.
- CSOs should launch awareness raising campaigns well before election day, especially for local election which most citizens are not aware of.
- CSOs and the media need to do more to educate voters on how to vote safely, and ensure that COVID-19 protocols are strictly enforced during elections.
- CSOs and the media should collaborate with INEC to get more citizens to transfer to new PUs that are closer to them.

Political Parties

- Opposition parties should campaign and engage the public more effectively, in order to further increase voter choice and scrutiny of government. This is particularly important for smaller parties, which are typically inactive during local elections.
- Political parties should increase internal party democracy to prevent numerous litigations in the pre-election period that might even drag on after election results have been announced.
- Political parties should discourage the trend of contesting election results in courts where there is no solid ground for bringing a claim.

Security Agencies

- Security agents must do more to prevent electoral malpractices, especially vote selling and buying which has become commonplace in Nigerian elections.

Executive and Legislature

- In the near future, the National Electoral Offences Commission Bill should be passed by the National Assembly and assented to by the President.
- To improve the legal framework in which elections are conducted, the President should assent to the Electoral Bill 2022 urgently.

If all stakeholders take these steps to deepen democracy, the integrity and credibility of future elections in Nigeria will be secured.





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