

ELECTIONS AND COVID-19: LESSONS FROM NIGER'S 2020 GENERAL ELECTIONS

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LESSONS FROM NIGER'S 2020 GENERAL 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. It is conceptualized to complement 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 the provision of data and critical analysis supporting the credibility and integrity of the electoral process. We believe that the integrity of the electoral process is crucial in improving the electoral governance architecture and democracy in Nigeria. We also believe in contextual analysis for solutions rooted in the principles of justice and equity

Our core values are knowledge-exchange, inclusion, justice, equity, transparency and accountability.

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Acronyms

AU	African Union
CENI	La Commission Électorale Nationale Indépendante
CNDP	National Council for Political Dialogue
COVID-19	Corona Virus Disease 2019
CSO	Civil Society Organisation
ECONEC	ECOWAS Network of Electoral Commissions
ECOWAS	Economic Community of West African States
EMB	Electoral Management Body
ESR	Election Situation Room
ICCES	Inter-Agency Consultative Committee on Election Security
INEC	Independent National Electoral Commission
IRIAD	Initiative for Research, Innovation and Advocacy in Development
MNSD	Le Mouvement National pour la Société du Développement
MODENA-FA	Le Mouvement Démocratique Nigérien pour une Fédération Africain
MPN	Mouvement Patriotique Nigérien
MPR	Le Mouvement Patriotique pour la Republique
OIF	Organisation Internationale de la Francophonie
OSIWA	Open Society Initiative of West Africa
PNDS	Le Parti Nigerien pour la Democratie et le Socialisme,
PPN	Parti Progressiste Nigérien
PWDs	People with Disabilities
RDA	Rassemblement Démocratique Africain
RDR	Le Rassemblement Démocratique et Républicain
UNCRPD	United Nations Convention on the Rights of Persons with Disabilities

Introduction

Elections are complex processes that are influenced by the actions of various stakeholders, including the legislature, executive, political parties, electoral management bodies (EMBs), civil society organizations (CSOs), security agencies, media, and the general public. Each of these stakeholders has a role to play in promoting transparency, accountability, inclusion, and impartiality, all of which are crucial to upholding electoral integrity and credibility.[1,2]

In recent times, the emergence of the novel coronavirus pandemic, also known as COVID-19, has complicated elections even further. From election campaigning to voting on election day, election observation to results declaration, each stage of the electoral process will inevitably be affected by COVID-19. As the world navigates this unprecedented pandemic, it is important to find the right balance between ensuring public safety and conducting elections with integrity and credibility.

Against this background, the Electoral Hub, an organ of the Initiative for Research, Innovation and Advocacy in Development (IRIAD) has been conducting comparative research in order to understand how other countries have been able to successfully conduct elections in the context of COVID-19. So far, we have produced documents on lessons learned from the South Korean,[3] Malawian,[4] and Ghanaian[5] elections that occurred in 2020.

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[1] ACE Project. *Electoral Integrity.* https://aceproject.org/ace-en/topics/ei/explore_topic_new (accessed February 8, 2021).
[2] NDI: National Democratic Institute. *Electoral Integrity What are credible elections?* https://openelectiondata.net/en/guide/electoral-integrity/credible-elections/ (accessed February 8, 2021).
[3] Accessible at: https://iriadev.org/wpcontent/uploads/2020/07/ELECTORAL-HUB-Discussion-Paper-LESSONS-FROM-2020-South-KoreaParlimentary-Elections.pdf
[4] Accessible at: https://electoralhub.iriadev.org/wpcontent/uploads/2020/09/Electoral-Hub-Discussion-Paper-on-LESSONS-FROM-MALAWI.pdf
[5] Accessible at: https://electoralhub.iriadev.org/wp-content/uploads/2021/01/Electoral-Hub-Discussion-Paper-on-Lessons-from-Ghana-2020-General-Elections-1.pdf

In the same light, this paper will analyze strengths and weakness of the 2020 Nigerien general elections in order to draw out lessons that can be used to make recommendations for different stakeholders in Nigeria. The following are the key points that are discussed in this paper:

- The Nigerien context;
- Niger's electoral process and system;
- Niger's EMB – The Independent National Electoral Commission of Niger (CENI). In French: La Commission Électorale Nationale Indépendante du Niger;
- Niger's political parties and system;
- Electoral inclusion in Niger;
- The Nigerien electorate;
- The general elections;
- Implications of COVID-19 on the elections; and
- Lessons to be learned from the elections.

It is hoped that from the discussions made in this paper, we can better understand Niger's strengths and shortcomings, using the lessons learned from them to improve the integrity and credibility of our own electoral process and system in Nigeria even in the context of COVID-19.

The Nigerien Context

The late 19th century partitioning of the middle regions of the Niger River into British Nigeria and French Niger as agreed by France and Britain, led to the birth of the French colony of Niger in 1922.[6] In 1958, two years before independence, authoritarian rule began in Niger under the regime of Hamani Diori of the Progressive Party of Niger (PPN.[7] After gaining independence from France in 1960, Niger continued to experience single-party rule for 14 years, under Diori's presidency. Diori's rule was truncated by a military coup in 1974, which lead to the emergence of Lieutenant Colonel Seyni Kountché, and later Brigadier General Ali Saibou in 1987.

Saibou instituted some political reforms: he "released political prisoners, liberalized some of Niger's laws and policies, and promulgated a new constitution".[8] This paved the way for new political parties and civic associations to spring up, and in July 1991 a national conference was convened "to prepare the way for the adoption of a new constitution and the holding of free and fair elections".[9]

A transition government was installed in 1991, until a new democratic government, led by President Mahamane Ousmane, was elected in 1993. However, by 1996, political infighting had brought the government to a standstill creating the opportunity for a coup d'état and return to military rule.[10] In 1999, there was a counter coup by military officers who restored democratic rule and held elections which brought in the administration of Mamadou Tandja in December of that year.[11] In 2004, Tandja was reelected, and in 2009,

[6] CIA: Central Intelligence Agency. *Niger.* https://www.cia.gov/the-world-factbook/countries/niger/ (accessed February 8, 2021).
[7] https://www.bti-project.org/en/reports/country-report-NER-2020.html#pos1
[8] https://www.sahistory.org.za/archive/brief-history-niger-part-1-us-department-state
[9] Ibid
[10] CIA: Central Intelligence Agency.
[11] Ibid.

he spearheaded a constitutional amendment allowing him to extend his term as president.[12] By February 2010, he was ousted by a military coup and the constitution was suspended.[13]

A new constitution was adopted in October 2010.[14] Since the adoption of the constitution, three general elections have been held: January 31, 2011 with a second round for the presidency on March 12, 2011; February 21, 2016 with a second round for the presidency on March 20, 2016; and the most recent on 27 December, 2020, with a second round for the presidency on 21 February, 2021.

POLITICAL STATUS SINCE INDEPENDENCE

S/N	DATE	POLITICAL STATUS
1	1960 - 1974	One Party State (PPN-RDA)
2	1974 - 1989	Military Regime
3	1989 - 1991	One Party State (MNSD)
4	1991 - 1993	Multiparty Transition
5	1993 - 1996	Democracy
6	1996	Military Regime
7	1996 - 1999	Restricted Democratic Practice
8	1999	Transitional Government
9	1999 - 2009	Democracy
10	2009 - 2010	Restricted Democratic Practice
11	2010 - 2011	Military Regime
12	2011 - Date	Democracy

Source: https://africanelections.tripod.com/ne.html

This long history of military regimes has hampered the growth of democracy in Niger, leading to a very fragile electoral system. It has also meant that "the military has been a constant factor in Nigerien politics", and they remain a powerful group within the country.[15] Against this context, the recent general elections held in Niger are historically

[12] Ibid.
[13] Ibid.
[14] Laya, Dioulde, and Finn Funglestad. *Niger*. Encyclopaedia Britannica. October 23, 2020. https://www.britannica.com/place/Niger (accessed February 8, 2021).
[15] https://www.bti-project.org/en/reports/country-report-NER-2020.html#pos1

significant for two reasons:[16] it is the first time a biometric voter register was used; and it ushered the first peaceful transition from one democratically elected presidency to another i.e. after the scheduled second round.

Prior to the 2020 elections, there was some tension relating to the Independent National Electoral Commission (CENI), which is the electoral management body in the country. The tension related to concerns over the unilateral instalment of the body by the ruling majority. [17] This has meant that since 2017, the opposition has refused to sit on the CENI,[18] despite the fact that the commission is supposed to have five members from the opposition.

Another area of tension between the government and the opposition relates to the issue of political dialogue. Political dialogue is a formalized process in Niger, and since 2004 the country has had a National Council for Political Dialogue (CNDP) which is responsible for dealing with issues of national interest, including the CENI.[19] However, the opposition has boycotted political dialogue with the government, and also rejected both the new electoral code and the process for renewing the electoral list.[20] These tensions formed the political context ahead of the elections.

In addition to the political strife within Niger, the state of human rights and freedoms in the country is below standard. Freedom House in its yearly assessment of the state of freedom across the world rated Niger as partly free, with a total score of 48/100: political rights (20/40) and civil liberties (28/60).[21] This is in recognition that while there is some

[16] ECONEC: ECOWAS Network of Electoral Commissions. "LEGISLATIVE ELECTIONS COUPLED WITH THE 1st ROUND OF THE PRESIDENTIAL ELECTION IN NIGER REPUBLIC: MISSION REPORT." *www.eisa.org.* December 2020. https://www.eisa.org/pdf/nig2020econec.pdf (accessed February 8, 2021).
[17] https://freedomhouse.org/country/niger/freedom-world/2020
[18] ECONEC: ECOWAS Network of Electoral Commission 2020
[19] Ibid
[20] https://freedomhouse.org/country/niger/freedom-world/2020
[21] Ibid

level of freedom of expression in the country as recognized in the Constitution,[22] "the government has shown some intolerance of criticism, and has prosecuted people over remarks posted on

social media platforms".[23] An example was in June 2018, when the authorities arrested 26 high-profile civil society activists.[24] Similarly, in October 2019, a government-employed physician was dismissed for criticizing the unequal access to cancer treatment in the country.[25]

The country also faces problems related to insecurity and poverty, making it one of the world's least developed nations.[26] In fact, it is ranked the world's poorest country according to the UN's Human Development Index.[27] The issues are intertwined, as it has been noted that the devastating socioeconomic conditions in Niger are also responsible for many of the political upheavals over the years.[28] This shows that political stability and socioeconomic stability are both necessary requirements for development in Niger. Ultimately, the newly elected government will have a lot of challenges to address during their term in office.

[22] Article 30
[23] https://freedomhouse.org/country/niger/freedom-world/2020
[24] https://www.bti-project.org/en/reports/country-report-NER-2020.html#pos1
[25] https://freedomhouse.org/country/niger/freedom-world/2020
[26] https://www.nationsonline.org/oneworld/niger.htm
[27] https://www.france24.com/en/africa/20201227-niger-holds-historic-elections-despite-jihadist-violence
[28] https://www.bti-project.org/en/reports/country-report-NER-2020.html#pos1

Electoral Process and System

The primary documents constituting the legal framework that governs Niger's elections are the Constitution of the Seventh Republic (adopted by referendum in 2010),[29] the 2017 Electoral Code (last amended in 2019) and several other organic laws that determine, for example, the allocation of seats in the National Assembly and gender quotas.[30]

Under the 2010 constitution, Niger is a republic with a president, who serves as head of state and is elected to a five-year term by popular vote, with a limit of two terms.[31] A prime minister is appointed by the president, who serves as the head of government.[32] Legislative functions are carried out by a unicameral National Assembly and the members who are popularly elected serve five-year terms.[33] The judicial system in Niger comprises of the High Court of Justice, the Supreme Court, the Constitutional Court, and the Courts of First Instance.[34]

The Electoral Code of 2010 is another law that governs elections in Niger.[35] "For administrative purposes, Niger is divided into one capital district—Niamey—and seven regions—Agadez, Diffa, Dosso, Maradi, Tahoua, Tillaberi, and Zinder—each of which is administered by a prefect."[36] Regions are further divided into districts, with each district led by a sub-prefect.[37]

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[29] https://mjp.univ-perp.fr/constit/ne2010.htm

[30] https://www.ifes.org/sites/default/files/ifes_faqs_elections_in_niger_2020_general_elections_december_2020.pdf

[31] Laya and Funglestad 202. *Niger*. Encyclopaedia Britannica.

[32] Ibid.

[33] Ibid.

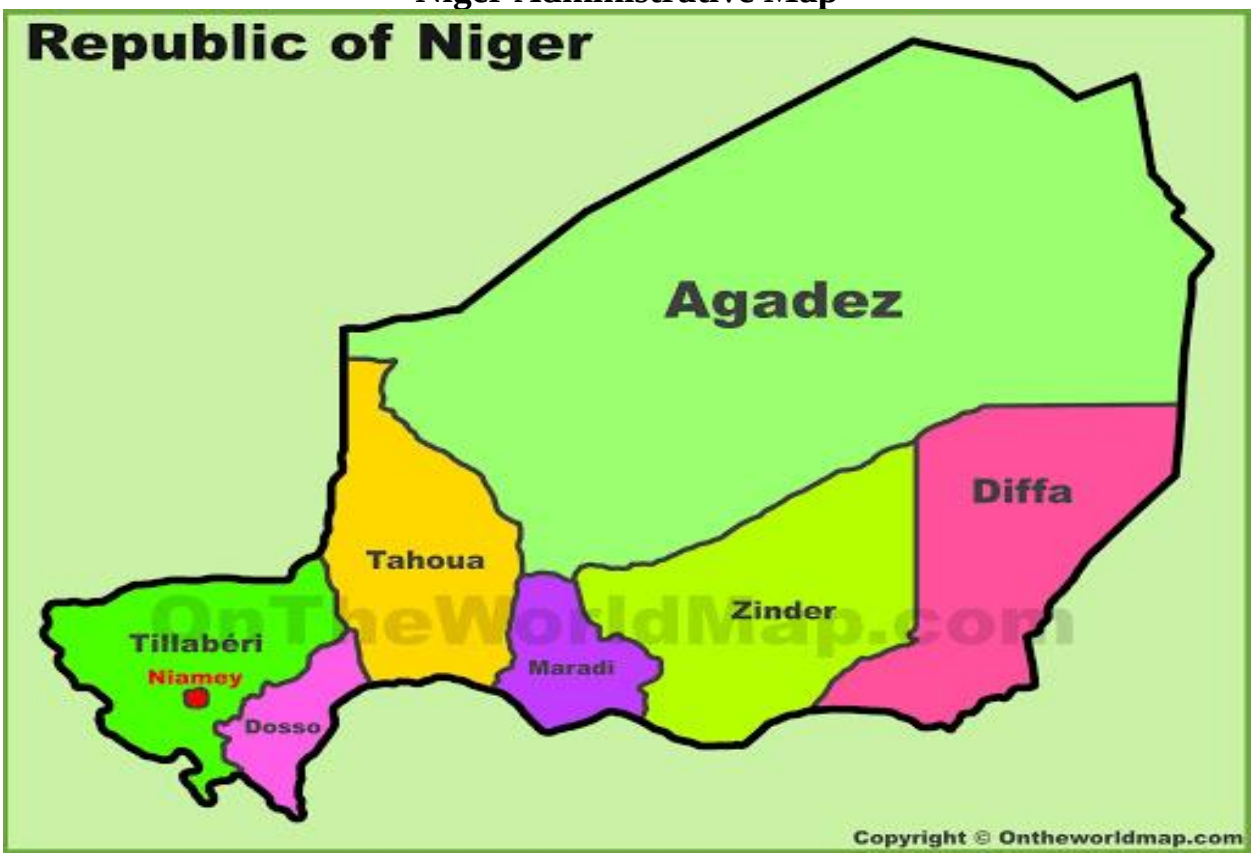
[34] Ibid.

[35] Sahel Research Group. "Niger." *Trans-Saharan Elections Project.* March 2013. https://tsep.africa.ufl.edu/niger/ (accessed February 8, 2021).

[36] Ibid.

[37] Ibid.

Niger Administrative Map



General Elections

During the general elections, the president and members of the National Assembly are elected by direct, free and equal universal suffrage.[38] The president is directly elected by absolute majority popular vote in two-round elections,[39] i.e. the winning candidate has to win greater than 50% of the popular votes. If no candidate wins an absolute majority in the first round, twenty-one days after the announcement of results a second round (run-off election) will be held between the two candidates with the highest votes. In the case of death, withdrawal or incapacity of one or the other of the two candidates, the candidate will

[38] Sahel Research Group 2013
[39] CIA: Central Intelligence Agency n.d. *Niger.* CIA World Factbook.

be replaced by the next candidate ranked in priority order on the basis of the results of the first round of elections. [40] A new election will only be called if both candidates die.[41]

Since 1993, the country has always experienced a runoff in elections, as no candidate has managed to obtain an absolute majority.[42] Presidents are elected for a 5-year term with eligibility for a second term.[43]

The 171 members of the National Assembly are elected by three different means:

- One hundred and fifty-eight (158) members are directly elected from 8 multi-member constituencies—in the 7 regions and Niamey—by party-list proportional representation;[44]
- Eight seats are reserved for minorities and those to occupy them are elected from special single-seat constituencies by simple majority vote;[45]
- Five seats are reserved for Nigeriens living abroad—l seat per continent— and those to occupy them are elected in single-seat constituencies by simple majority vote.[46]

Local Elections

Members of regional and municipal councils are also elected by direct, free, equal, and secret universal suffrage.[47] The system of proportional representation, with the highest average and a system of open party lists is used for the elections.[48] Members of regional and municipal councils are elected for 5-year terms and there are no legal limitations to the terms of municipal and regional counselors.[49] All regional, municipal and

[40] 2010 Constitution of Niger, Article 48; https://tsep.africa.ufl.edu/the-electoral-system/niger/
[41] Ibid
[42] https://tsep.africa.ufl.edu/the-electoral-system/niger/;
[43] CIA: Central Intelligence Agency n.d. *Niger.* CIA World Factbook.
[44] Ibid.
[45] Ibid.
[46] Ibid.
[47] Sahel Research Group 2013
[48] Ibid.
[49] Ibid.

"arrondissement" (small municipalities) councils are entirely renewed countrywide at the expiration of their terms.[50]

Elections in Niger are governed by the electoral code of 2017.[51] Compared to previous electoral codes, the 2017 version introduced three major policy and operational changes to the voting process:[52]

- the broad issuance of citizen identification documentation in support of a new voter list;
- creation of a biometric voter list; and
- the adoption of a single ballot for all elections.

Electoral disputes are resolved by the Constitutional Court.[53] Claims are addressed to the president of the Constitutional Court no later than 10 days after the transmission of results and announcement of provisional results by CENI.[54] The responsibility of communicating the claim to the other candidates and political parties falls on the Constitutional Court.[55] The other candidates and political parties have five days to submit a brief.[56] The Constitutional Court must process the complaint within 15 days except it involves the eligibility of a candidate, in which case, it must process the complaint within 48 hours.[57] Depending on the case, the Constitutional Court may cancel the election or amend the proclamation of the CENI and proclaim the final result.[58]

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[50] Ibid.
[51] IFES: International Foundation for Electoral Systems. "Elections in the Republic of Niger 2020, General Elections: Frequently Asked Questions." *www.ifes.org.* December 22, 2020. https://www.ifes.org/sites/default/files/ifes_faqs_elections_in_niger_2020_general_elections_december_2020.pdf (accessed February 8, 2021).
[52] Ibid
[53] 2010 Constitution of Niger, Article 120
[54] IFES: International Foundation for Electoral Systems 2020
[55] Ibid.
[56] Ibid.
[57] 2010 Constitution of Niger, Article 131
[58] IFES: International Foundation for Electoral Systems 2020

Voting for president and national assembly members is done physically, by single ballot at polling stations across the country. Voters were registered prior to the election, in a registration exercise by the CENI that took place between October 15, 2019, to July 7, 2020 in 19,322 voter registration centers across the country.[59] During this exercise, 3,500 mobile registration kits were deployed and a total of 7,072 agents were mobilized throughout the country to collect identifying and biometric data for all eligible voters.[60]

It is also noteworthy that the Electoral Code provides for out-of-country voting by establishing polling stations in embassies and consulates.[61] This, combined with the provision for five Nigeriens in the diaspora to join the National Assembly, is laudable as it ensures that Nigeriens in the diaspora are effectively represented in the country. Unfortunately, there was no out-of-country voting during the 2020 election due to the COVID-19 pandemic. Below are tables of voting statistics of Niger:

The Seven Regions and the Capital District Voting Statistics

S/N	Regions	N/ Assembly Seats	Polling Stations	Registered Voters
1	Agadez	6	968	245,487
2	Diffa	7	1,077	274,394
3	Dosso	19	3,178	898,794
4	Maradi	31	4,740	1,473,986
5	Tahoua	30	5,095	1,440,085
6	Tillaberi	23	3,901	959,760
7	Zinder	32	5,258	1,516,603
8	Niamey	10	1,127	513,107
	Total	**158**	**25,344**	**7,322,216**

Source: Compiled from the Official Website of the CENI www.ceniniger.com

[59] Ibid.
[60] Ibid.
[61] Ibid.

The maximum number of voters per polling station in Niger is 500 (300 for nomadic areas). From the table above, the area with the highest number of voters per polling station is the capital district, Niamey, with an average of 455 voters per polling station, while the second-highest is the Maradi region, with an average of 311 voters per polling station. This low number of voters per polling station can help to prevent overcrowding during voting, thereby making the voting process easier and thus driving voter turnout.

Single Seat Constituencies for Minorities

S/N	Constituencies	N/ Assembly Seats	Polling Stations	Registered Voters
1	Banibankou	1	105	21,790
2	Bankilare	1	191	42,623
3	Bermo	1	178	35,574
4	Bilma	1	39	10,900
5	Makalondi	1	161	22,020
6	N'Gourti	1	138	21,903
7	Tassara	1	61	22,177
8	Tesker	1	144	25,879
	Total	**8**	**1,017**	**202,866**

Source: Compiled from the Official Website of the CENI www.ceniniger.com

Similarly, for constituency elections the number of voters per polling station is low, with the highest being Tassara with an average of 364 voters per polling station, and the second-highest being Bilma, with an average of 279 voters per polling station.

Electoral Management Body

The administration of elections in Niger is carried out by La Commission Électorale Nationale Indépendante (CENI) du Niger, translated from French to English as the Independent National Electoral Commission of Niger. It is the independent administrative authority in charge of the organization, conduct and supervision of electoral and referendum operations in Niger.[62] It also ensures the free exercise of voters' rights and ensures their information and awareness. The CENI is independent of any power, authority or organization and enjoys autonomy of management, organization and operation.

The Electoral Code specifies the composition of the CENI which is 19 members, appointed by decree of the president of the republic for six-year terms renewable once. The 19 members include[63]:

- A president;
- A vice president;
- Five members designated by the majority party;
- Five members designated by the opposition;
- Two members from independent or nonaffiliated political parties;
- Two civil society members designated by their peers: one representative of a legally recognized human rights and democracy promotion group; and one representative of a legally recognized women's group;
- Three high-level executives with demonstrated competencies in statistics, public finance and administration designated by the Public Administration.

This composition ensures that different electoral stakeholders, including political parties and civil society organizations, are represented in the CENI. The inclusion of high-level

[62] CENI-Niger: Independent National Electoral Commission-Niger. *Presentation.* https://www.ceniniger.org/la-ceni/ (accessed February 21, 2021).
[63] IFES: International Foundation for Electoral Systems 2020

executives also ensures that there is a certain level of expertise within the body. Also commendable is the provision for a representative of a legally recognized women's group to be a part of the CENI.

The Electoral Code also sets the modalities for the candidacy and selection of the CENI's president and vice president, which are determined by decree of the Council of Ministers, based on the recommendations of the minister responsible for electoral matters.[64] The selection is made in consultation with political parties following a call for applications.[65]

The CENI is administered by a president and a vice president, along with a spokesperson general and a deputy spokesperson, appointed from among the members of the CENI, and including one civil society representative and one representative of the administration responsible for electoral matters. However, these positions are temporary, as "for each election cycle, the mandate of the members of the governing board and the regular members of the CENI expires, at the latest, two months following the announcement of the final results of the election".[66]

The Electoral Code also stipulates that a general secretariat, a technical directorate responsible for information technology and the biometric voter roll, and decentralized branches of the CENI should be created.[67] The decentralized branches are created by order of the CENI president, at the regional, county, municipal and district levels, and in embassies and consulates, three months prior to the date of the election.[68] There are eight Regional Electoral Commissions (CER), 36 Departmental Electoral Commissions (CED), and 266 Municipal Electoral Commissions (CEM).[69] There are also eight Special Electoral

[64] Ibid.
[65] Ibid.
[66] https://tsep.africa.ufl.edu/the-administration-of-elections/niger/
[67] IFES: International Foundation for Electoral Systems 2020
[68] Ibid.
[69] https://tsep.africa.ufl.edu/the-administration-of-elections/niger/

Commissions for the eight special constituencies that each elect one member of the National Assembly in legislative elections.[70] Mandates of the decentralized branches are officially ended one month after the election.[71]

[70] Ibid
[71] IFES: International Foundation for Electoral Systems 2020

Political Parties and System

Parties emerged in Niger after World War II, with the African Democratic Rally (Rassemblement Démocratique Africain – RDA) becoming dominant in 1946.[72] Shortly after, other parties developed, some of which were based on regional interests.[73] Following independence in 1960, Niger became a single-party state, and did not fully begin operating a multiparty system until 1991 after decades of a ban on opposition parties. However, since then Niger has still continued to alternate between democratic regimes and military coups, with at least three coups occurring since 1991 (in 1996, 1999, and 2010). This has meant that at certain periods, parties were either banned or allowed to operate depending on whether a military government or a democratic government was in power.

The legal framework for the political party system in Niger is the constitution and the Political Parties Charter. The Charter states the rules and fundamental principles that govern the activities of political parties.[74] It also determines the conditions under which political parties can operate, their access to public media, how they may create their own media, their functions, their relationships with the state and with foreign entities, and the conditions under which they can form coalitions, merge, and dissolve.[75] Sanctions applied on parties for nonfulfillment of their obligations are determined by the Charter. The latest version of the Charter was passed in 2010.

The right to form political parties and exercise their activities freely is guaranteed by the Constitution.[76] Most of the larger political parties in Niger engage voters through "formal hierarchical structures that link the party at the national level with citizens at the local

[72] https://www.nationsencyclopedia.com/Africa/Niger-POLITICAL-PARTIES.html
[73] Ibid
[74] Sahel Research Group 2013
[75] Ibid.
[76] 2010 Constitution of Niger, Article 9

level".[77] This occurs through communication with the party's regional bureaus, coordination offices, quartiers in urban areas, and villages in rural areas. Political parties are also entitled to access public means of information and communication, and this right is guaranteed by the Superior Council of Communication.[78]

Furthermore, parties in Niger largely support multiparty competition.[79] However, it is recognized that on many occasions, the losing parties refuse to acknowledge that the elections had been fair.[80] This occurred during the recent general elections, as discussed later in this paper. Such action by opposition parties is dangerous and can spur post-election violence.

Political parties also have direct public and private funding for their activities. Public funding is set at 0.3% of annual tax revenues: 15% of this funding goes to parties that participated in previous presidential, parliamentary or local elections, 40% and 35% are provided in proportion to the number of elected deputies and number of elected counselors respectively, and the remaining 10% is allocated to the number of elected women by quota at all levels.[81] Parties also get indirect public funding in three ways: free broadcast time, free space for campaign materials and free printing of the ballots.[82] There is no discrimination in free broadcast time. All political parties presenting candidates get equal access and time irrespective of size and previous performance.

Article 57 of the Political Parties Charter states the restrictions which apply to the creation of political parties. It states that:

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[77] https://www.researchgate.net/profile/Aoife-Mccullough/publication/333485686_The_political_economy_of_voter_engagement_in_Niger/links/5cefe2754585153c3da68418/The-political-economy-of-voter-engagement-in-Niger.pdf

[78] 2010 Constitution of Niger, Article 157

[79] https://www.bti-project.org/en/reports/country-report-NER-2020.html#pos1

[80] Ibid

[81] https://aceproject.org/epic-en/CDCountry?country=NE&set_language=ne

[82] Ibid

"All political parties or coalitions of political parties, their organizations or activities are prohibited from pursuing objectives that include or promote

1) sectarianism, nepotism, fanaticism, and community-based discrimination;
2) membership exclusively based on religion, language or to a particular region;
3) membership based on gender, ethnicity or professional category. Hate speeches and insults targeting specific regions, ethnic groups, gender, or religions are also prohibited and punished by provisions of the Criminal Code."[83]

According to the CENI website,[84] there are 163 registered political parties, but only 29 of them presented candidates for the 2020 presidential election.[85] "Political coalitions are common in Niger"[86] and "since the 1992 elections, there have always been party alliances around the ruling party (often referred to as the ruling movement) and alliances around the main opposition party".[87]

Niger's electoral laws also allow independent candidacy. This means that an individual can contest presidential or legislative elections without the platform of a political party. The requirement for an independent candidate to run in a presidential election is that the candidate must have 20,000 voters to support his/her candidacy, and these voters must be registered and reside in at least five regions, including Niamey.[88] To run in a legislative election, the candidate must have his/her candidacy endorsed by at least 1% of registered voters of the constituency where he/she is running.[89] In the 2020 presidential election, there

[83] Political Parties Charter, Article 57
[84] CENI-Niger: Independent National Electoral Commission-Niger. *Political Parties.* https://www.ceniniger.org/partis-politiques/ (accessed February 21, 2021).
[85] https://www.ceniniger.org/presidentielle/
[86] Sahel Research Group 2013
[87] Ibid.
[88] https://tsep.africa.ufl.edu/the-party-system-and-conditions-of-candidacy/niger/
[89] Ibid.

was only one independent candidate – Amadou Saidou. Together with the candidates from the 29 parties, there were a total of 30 presidential candidates.

Electoral Inclusion

Inclusive elections provide equal opportunities for all eligible citizens to participate as voters in selecting their representatives and as candidates for election to government.[90] This section will outline the efforts that have been made by Niger to promote the inclusion of three key groups – women, youth, and persons with disabilities – in the electoral process. It will also discuss challenges and recommendations for improvement.

Women

Women have historically been underrepresented in Niger's politics, not just because of cultural pressures, but also because very few women reach high positions in decision-making bodies.[91] In a bid to reverse this trend, a law was passed which imposed gender-based quotas. The law, 2000-008 was passed in June 7, 2000 and it creates "a quota system for all elected positions in an effort to enable all citizens of Niger, without discrimination, to express their views on public affairs directly or through their elected representatives."[92]

Article 3 of the Law stipulates that,

> in the parliamentary and local elections, the lists submitted by a political party, group of political parties, groups of independent candidates must include candidates of both sexes. When the results were announced, the proportion of either sex must not be less than 15% at national level for the election of deputies, and on municipal and regional list [of candidates] for the election of councilors.[93]

[90] https://openelectiondata.net/en/guide/electoral-integrity/credible-elections/
[91] Sahel Research Group 2013
[92] Ibid.
[93] Ibid

Article 4 of this same law states that, "in appointing members of the government and promoting high level civil service positions, the proportion of persons of either sex must not be less than 25%."[94] The non-compliance with these provisions entitles the directly concerned persons to enter an appeal before the competent courts as indicated by an amendment to the act.[95]

A 2019 modification to the law states that 10 members of each gender must comprise at least 25 percent of all lists for legislative or local elections presented by political parties or independent candidates.[96] Parties are also legally obligated to respect the gender quota when picking candidates from their validated list, based on seats won. [97]

Women make up 50.44% of the Nigerien population while men make up 49.56%.[98] During the voter's registration exercise carried out by the CENI, out of 7,446,556 voters enrolled, 4,093,291 were women and 3,353,265 men.[99] Women represented 55.49% of those registered voters. However, out of the 30 presidential candidates who contested, none was a woman.

This is a worrying trend that is noticeable in other countries such as Nigeria, where the participation of women in elections does not necessarily lead to an increase in their representation. In order to promote greater representation of women, there is a need to ensure that women participate not just as voters but also as candidates and, importantly, that they are given the enabling platform to win elections. While the use of gender quotas is commendable, it is not enough to guarantee women's representation. Quotas need to be combined with other measures such as training and sensitization sessions for both women

[94] Ibid.
[95] Ibid.
[96] IFES: International Foundation for Electoral Systems 2020
[97] Ibid.
[98] CIA: Central Intelligence Agency n.d. *Niger.* CIA World Factbook.
[99] IFES: International Foundation for Electoral Systems 2020

(to encourage them to contest) and the general public (to encourage them to vote for women), capacity building workshops for women, and financial support for potential female aspirants. This way, women are more likely to contest and win elections in Niger.

Youth

More than 70% of the Nigerien population is under the age of 30.[100] This underscores the fact that the youth are a very important part of the electorate. Legal provisions and policy to encourage youth participation include article 18 of the Political Parties Charter which requires that political parties "promote gender and youth"[101] inclusion.

To promote better involvement of young people in the 2020 electoral process, CENI organized a series of activities called "Youth Forum" in different regions of the country.[102] After the elections, the ECOWAS Network of Electoral Commissions (ECONEC) Peer Support and Learning Mission noted "the strong influx of women and young people,"[103] which was partly due to this action.

However, in terms of actual representation, the figures are not impressive. Only about 27.71% of MPs are under 45.[104] Just like with women, more needs to be done to ensure that youth are not just voting, but also contesting and winning elections. This can be done through trainings, setting up support systems for young people, and providing financial support especially because young people are unlikely to have as much access to funds as their older counterparts.

[100] Laya and Funglestad 2020. *Niger.* Encyclopaedia Britannica.
[101] Sahel Research Group 2013
[102] ECONEC: ECOWAS Network of Electoral Commission 2020
[103] Ojeme, Victoria. " Read more at: https://www.vanguardngr.com/2020/12/ecowas-warns-of-covid-19-spike-over-breach-of-protocols-in-niger-republic-elections/." *Vanguard.* December 29, 2020. https://www.vanguardngr.com/2020/12/ecowas-warns-of-covid-19-spike-over-breach-of-protocols-in-niger-republic-elections/ (accessed February 8, 2021).
[104] https://www.ipu.org/parliament/NE

People with Disabilities

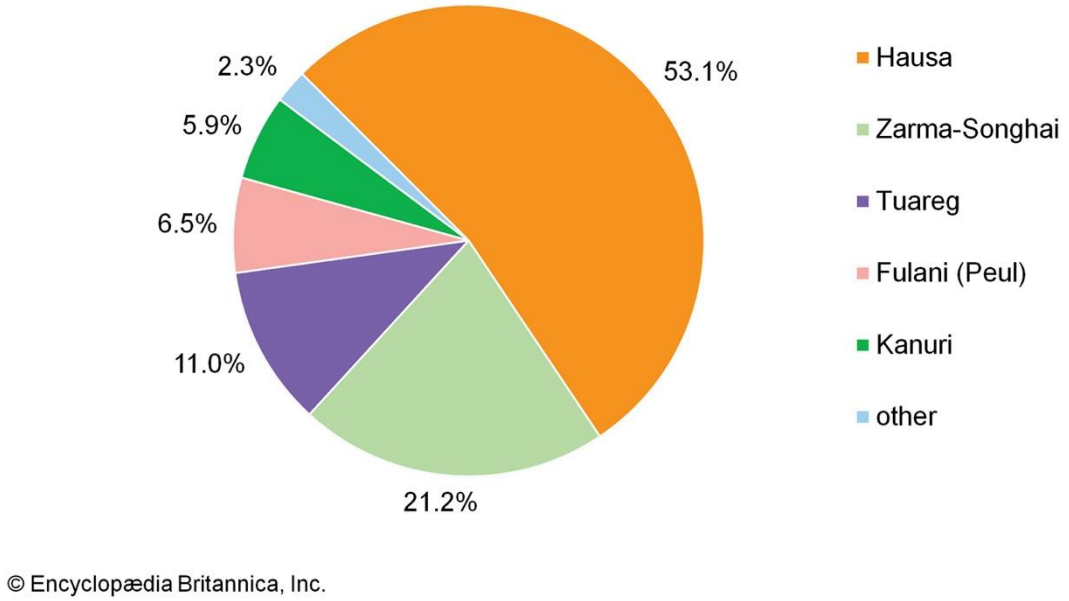
In Niger, people with disabilities (PWDs) are not restricted by law from voting or being elected.[105] Legislative provisions note that the "states should support the elimination of all forms of discrimination, and support the equality of opportunities for people with disabilities".[106] The Labour Code in Niger contained a five per cent quota for employment of persons with disabilities in the public and private sectors[107] although this is not always respected[108] or implemented. In Niger, the National Committee for the Promotion of Rights of People with Disabilities was established in 2011 to help implement the UNCRPD.[109]

With regards to elections specifically, steps have also been taken to promote the inclusion of PWDs. During voter registration, special biometric voter cards are made available to PWDs.[110] On election day, the Electoral Code authorizes any eligible voter with a disability that prevents her or him from voting in person to be assisted by an eligible voter of his or her choice or by a worker at the polling station.[111]

[105] Virendrakumar, Bhavisha, Emma Jolley, Eric Badu, Rachel Murphy, and Elena Schmidt. "Disability-inclusive elections in Africa: a qualitative systematic review." *Sight Savers*. August 2017. https://www.sightsavers.org/wp-content/uploads/2018/04/Disability-inclusive-elections-in-Africa-a-qualitative-systematic-review.pdf (accessed February 8, 2021).
[106] Ibid.
[107] UN-OHCHR: United Nations Office of the High Commissioner for Human Rights. "Committee on the Rights of Persons with Disabilities examines the report of Niger." *OHCHR*. March 13, 2019.https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=24325&LangID=E (accessed February 8, 2021)
[108] Virendrakumar, et. al. 2017
[109] Ibid.
[110] IFES: International Foundation for Electoral Systems 2020
[111] Ibid.

The Electorate

Niger is a relatively small country with a population estimated to reach 23,605,767 by July 2021.[112] Approximately 50.44% of that population is female and 49.56% is male. Nigeriens are mainly composed of five ethnic groups- Hausa 53.1%, Zarma-Songhai 21.2%, Tuareg 11%, Fulani (Peuhl) 6.5%, and Kanuri 5.9%. Others are Gurma 0.8%, Arab 0.4%, Tubu 0.4%, and other minorities 0.9%.[113]



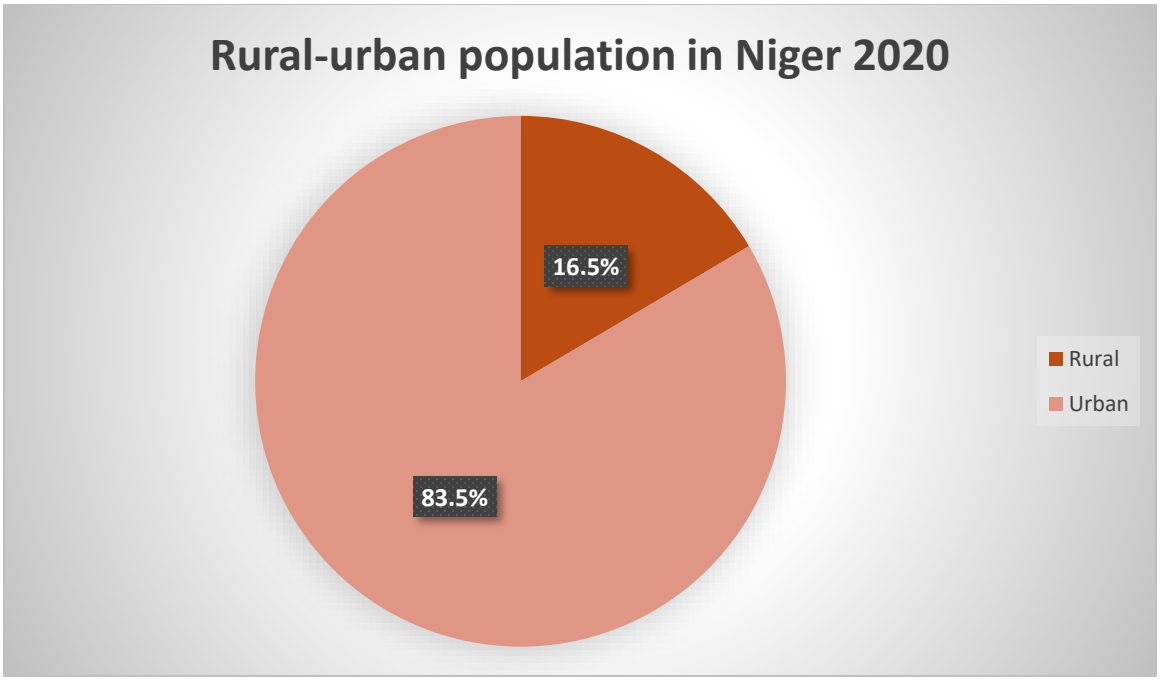
Source: Encyclopaedia Britannica[14]

Niger has about twelve indigenous languages. The five major ones are Hausa, Songhay, Fulfulde, Tamajaq, and Kanuri, while the seven minor ones are Arabic, Buduma, Gulmancema, Tadaksahak, Tagdal, Tasawaq, and Tubu.[114] Some of these languges are further broken down into dialects, such as Songhay which is broken down into Kado Senni, Zarma Chiine, and Dandi. Hausa is the most widely spoken language, but French remains

[112] CIA: Central Intelligence Agency n.d. *Niger*. CIA World Factbook.
[113] Ibid.
[114] https://dlc.hypotheses.org/106

the official language and the language of instruction.[115] Many of the peoples of Niger also speak Arabic, and a large number of them read and write in that language.

As of 2020, only about 16.5% of the Nigerien population lived in urban areas.[116] Although the percentage of the population living in urban areas increased rapidly from 5.3% in 1955 to 16.2% in 2000, the pace of urbanization seems to have slowed, as the percentage of the Nigerien population living in urban areas has remained pegged at about 16% since 2000.[117] The rural population of Niger comprises nomads—mainly Fulani and Touareg— and sedentary peoples— mainly the Hausas, Kanuris and Songhai-Zarma peoples.[118]



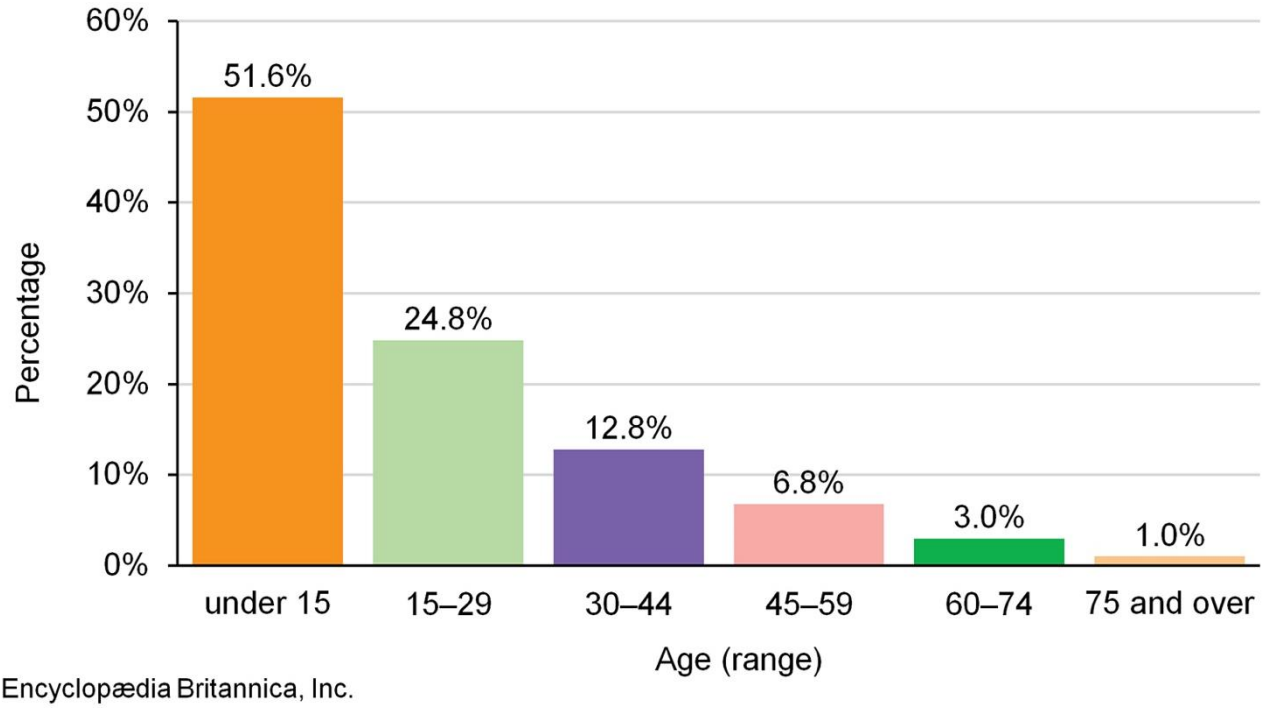
The age distribution of the population[119] in Niger is as follows:

- **Under 15 years:** 51.6%
- **15-29 years:** 24.8%

[115] Laya and Funglestad 2020. *Niger*. Encyclopaedia Britannica
[116] https://www.worldometers.info/world-population/niger-population/
[117] Ibid
[118] Laya and Funglestad 2020
[119] Ibid

- **30-44 years:** 12.8%
- **45-59 years:** 6.8%
- **60-74 years:** 3.0%
- **75 years and over:** 1.0%

This shows that majority of Nigeriens (about 71.4%) are under the age of 30. This underscores the fact that youth representation and participation in the electoral process, and indeed every aspect Nigerien politics, is very vital.



Source: Encyclopaedia Britannica[14]

Most Nigeriens (about 95%) are Muslims, while the others are Christians, animists, or of no religion.[120] Despite the fact that the overwhelming majority of Nigeriens are Muslims, the country practices secularism, as the Constitution calls for "the separation of the State

[120] Ibid

and of religion" as a fundamental principle.[121] It has been noted that both government and opposition politicians in Niger follow this provision of the Constitution.[122]

[121] Article 3, 2010 Constitution of Niger
[122] https://www.bti-project.org/en/reports/country-report-NER-2020.html#pos1

The General Elections

The Nigerien General Elections were conducted on the 27th of December, 2020 to elect a president and members of the National Assembly.[123] On November 13, the Constitutional Court published a list of 30 validated presidential candidates.[124] The prominent candidates for president were Mohamed Bazoum, the incumbent President Issoufou's minister of the interior; Seyni Oumarou, a former prime minister and current high representative of the president; Mahamane Ousmane, a former president in Niger's first democratic election in 1993; and, Salou Djibo, who led the 2010 military coup.

The two leading candidates in the race were Mohamed Bazoum of the **PNDS (Tarayya)**, also known as the Nigerien Party for Democracy and Socialism, and Mahamane Ousmane of the **RDR (Tchanji)**, also known as Democratic and Republican Rally. Below is a pictorial summary of the 2020 Presidential Election:

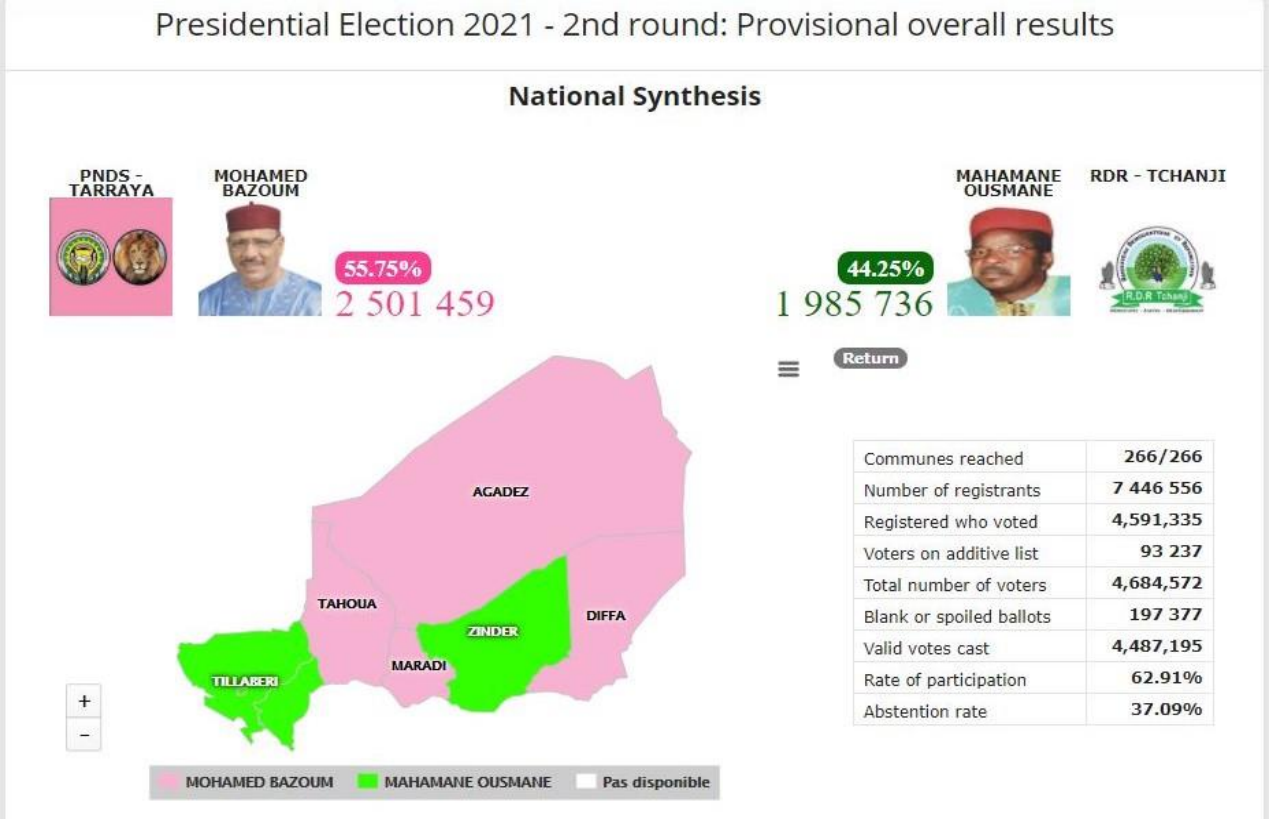
[123] IFES: International Foundation for Electoral Systems 2020
[124] Ibid.

Communes reached	Registered	Registered who voted	Voters on additive list	Total number of voters	Spoiled ballots	Valid votes cast	Rate of participation
266/266	7 446 556	5,023,574	164,094	5 187 668	409,095	4 778 573	69.67

PNDS - TARRAYA  MOHAMED BAZOUM 1 879 543 39.33%	RDR CHANJI  MAHAMANE OUSMANE 811 838 16.99%	MNSD - NASSARA  SEINI OUMAROU 427 623 8.95%	MPR - JAMHURIYA  ALBADE ABOUBA 337,866 7.07%	MPN KIISHIN KASSA  IBRAHIM YACOUBOU 257,151 5.38%
PJP - DOUBARA GENERATION  SALOU DJIBO 142,656 2.99%	RPP FARRILLA  OUMAROU MALAM ALMA 118,038 2.47%	ANDP ZAMAN LAHIYA  HASSANE BARAZE MOUSSA 114,865 2.4%	AMEN AMIN  OMAR HAMIDOU TCHANA 76,295 1.6%	ADEN KARKARAA  AMADOU OUSMANE 63,299 1.32%
Cabin crew - MULURA  SOULEYMANE GARBA 61,054 1.28%	ADR - MAHITA  IDI ANGO OUSMANE 55,992 1.17%	CDPS CIGABAN KASSA  NAYOUSSA NASSIROU 41 640 0.87%	CRPD SULHU  IBRAHIM GADO 39 253 0.82%	RNDP- ANEIMA BANI ZOUMBOU  MOUNKAILA ISSA 38 197 0.8%
RANAA  HAMIDOU MAMADOU ABDOU 35,907 0.75%	PNPD - AKAL KASSA  INTINICAR ALHASSANE 30 937 0.65%	Gayya Zabbé Group  ABDOULKADRI OUMAROU ALPHA 28,866 0.6%	SDR SABUWA  KANE KADAOURE HABIBOU 27,100 0.57%	UNPP INCIN AFRICA  OUMAROU ABDOURAHAMANE 20,445 0.43%
PRPN HASKIN GARI  MUSTAPHA MAMADOU MUSTAPHA 20,309 0.43%	 AMADOU ISSIFOU SAIDOU 20 160 0.42%	PJD - HAKIKA  MAHAMANE HAMISSOU MOUMOUNI 18 546 0.39%	UDFP - SAWABA  DJIBRILLA BARE MAINASSARA 17,182 0.36%	PS - IMANI  SAGBO ADOLPHE 17,029 0.36%
MCD JARUMIN TALAKAWA  IDRISSA ISSOUFOU 16 963 0.35%	UDR - TABBATH  AMADOU BOUBACAR CISSE 16 798 0.35%	RSP - A'ADILI  MAMADOU TALATA DOULLA 16,725 0.35%	NIGERENA  ABDALLAH SOULEYMANE 14,255 0.3%	FANN-NIGER  ISMAEL OUMAROU IDE 12,041 0.25%

Source: Official website of the CENI www.ceniniger.org

The figure above shows that no candidate gained a majority. The two highest scorers were Bazoum, with 39.33% of the votes, and Ousmane, with 16.99% of the votes. As statutorily required, Bazoum and Ousmane contested in a second-round runoff election, which held on Feb 21, 2021. In the runoff election, Bazoum emerged the winner with 55.75% of the votes, against Ousmane's 44.25%.[125] See pictural representation of the February 21, 2021 election results below[126]

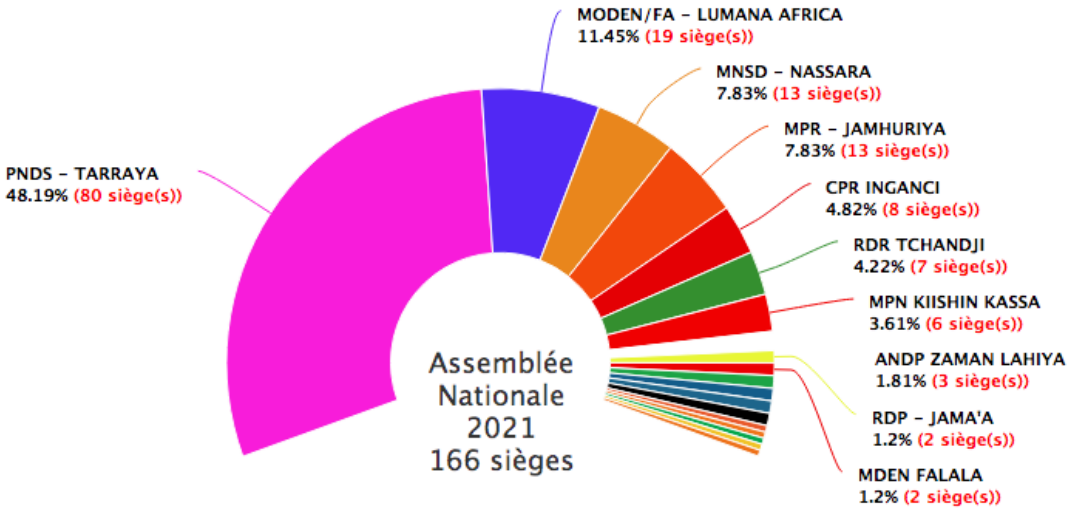


Source: Official website of the CENI www.ceniniger.org

The 2020 legislative elections to the National Assembly were primarily contested by political parties and not directly by the candidates (except in the special constituencies).[127] 161 parties presented more than 350 party lists, comprising thousands of candidates. The contest was for 166 seats: 158 from the multi-seat constituencies of the 7 regions and the

[125] https://www.ceniniger.org/2ndtour2021/
[126] https://www.ceniniger.org/2ndtour2021/
[127] IFES: International Foundation for Electoral Systems 2020.

capital territory and 8 from the special single seat constituencies. Four parties were dominant during the elections and won the most seats: **PNDS (Tarayya)** The Nigerien Party for Democracy and Socialism won 80 seats representing 48.19%; **MODEN FA (Lumana Africa)** Nigerien Democratic Movement for an African Federation won 19 seats representing 11.45%; **MNSD (Nassara)** The National Movement for the Development of Society won 13 seats representing 7.83%; **MPR (Jamhuriya)** The Patriotic Movement for the Republic also won 13 seats representing 7.83%. All other parties that won seat(s), won less than 10 seats each representing less than 5%. Below is a pictograph of the results:



Source: Official website of the CENI www.ceniniger.org

Implications of COVID-19

The government of Niger confirmed the first case of the coronavirus disease (COVID-19) on March 19, 2020.[128] By December it had recorded 1,548 cases, 1,210 recoveries and 72 deaths.[129] On the day of the elections, 27 December, 2020, the 7-day average of new cases was 64 and two weeks later on the January 10, 2021, the 7-day average was 59 cases.[130] Four weeks after the elections on the January 24, 2021, the 7-day average was 28 cases.[131] Consequently, a causal link cannot be established between the elections and a spike in infections. It is noteworthy however that official statistics reported out of Niger are not reliable.

No special measures are known to have been taken by the Nigerien authorities to guard against COVID-19 apart from the provision of basic forms of protection for "all polling officials, party agents, voters and observers" [132] at polling stations. The government of Niger made wearing masks in public spaces mandatory as of December 11, 2020. However, the expected challenge on election day was the enforcement of this directive, as public acceptance of the mask mandate has been mixed. On election day, as reported by the ECONEC mission, "implementation of anti-Covid-19 barrier measures, equipment and social distancing" was very poor."[133] ECOWAS also reported "non-compliance with

[128] Garda World. *Niger: First COVID-19 case confirmed March 19.* March 21, 2020. https://www.garda.com/crisis24/news-alerts/325291/niger-first-covid-19-case-confirmed-march-19-update-1 (accessed February 8, 2021).
[129] APA News. *COVID-19 and W/Africa: 344 new cases, 8 new deaths in 24 hours.* December 1, 2020. https://www.journalducameroun.com/en/covid-19-and-w-africa-344-new-cases-8-new-deaths-in-24-hours/ (accessed February 8, 2021).
[130] JHU CSSE:The Johns Hopkins University Center for Systems Science and Engineering. *Niger*. https://github.com/CSSEGISandData/COVID-19 (accessed February 8, 2021).
[131] Ibid.
[132] IFES: International Foundation for Electoral Systems 2020
[133] ECONEC: ECOWAS Network of Electoral Commission 2020

COVID 19 protocols, including lack of hand sanitizers, social distancing and wearing of face masks".[134]

It is also worthy of note, that there is no record of the COVID-19 pandemic significantly affecting voter registration and campaigns within the country, during both the first and second rounds of the elections. However, Nigeriens abroad could not vote because of closure of embassies and diplomatic missions abroad due to the pandemic. An audit conducted by the Organization Internationale de la Francophonie (OIF) and the Economic Community of West African States (ECOWAS) noted "that the Nigerien diaspora was not included on the voter roll." As such, there was no out-of-country voting during the election cycle, in large part due to the COVID-19 pandemic.[135] Before the elections held, the Constitutional Court had accepted this based on *force majeure* (i.e. an unforeseeable circumstance that makes it impracticable to perform an obligation).[136]

Despite the COVID-19 pandemic, Niger was able to carry out a successful biometric voter registration program which ended on July 17, 2020;[137] nearly four months after the first case was announced in Niger. Rather, it was "insecurity in certain areas, notably the Tillaberi region,"[138] that affected the voter registration program. In the same Tillaberi region, voters could not be registered at 356 registration centers, "representing 1.84 percent of voting centers".[139]

134 https://www.ecowas.int/wp-content/uploads/2020/12/Niger-Elections-Preliminary-Declaration-29-Dec-2020.pdf
135 IFES: International Foundation for Electoral Systems 2020
136 Ibid.
137 Ibid.
138 Ibid.
139 Ibid.

Lessons from the Elections

Some lessons can be learned from the domestic processes that were put in place before, during and after the elections by the Nigerien authorities and other stakeholders.

Strengths of the Election

a. Role of CENI:

The EMB in Niger, CENI, played a positive role in promoting a successful electoral process. It published a detailed calendar of activities one year to the elections and it respected the schedule entirely.[140]

The audit of the CENI biometric voter registry by ECOWAS and OIF experts was a very commendable action which bolstered stakeholders' confidence and reassured them of the reliability of the registry.[141] CENI also organized mobile hearings to facilitate the obtaining of civil status documents among underprivileged populations which led to an increase in the number of registered voters on the biometric electoral register.[142]

CENI was also commended for having sufficient electoral material at polling stations when the ECONEC mission visited, as well as for their continuous publication of provisional results in English and French as they were confirmed and consolidated in the presence of party representatives.[143]

b. Youth and Disability Inclusion:

Strategic action was taken by CENI to involve the youth who are the demographic that majority of the country's population fall under. By strategically organizing the "youth forum", CENI was able to positively influence the turnout rate as pointed out by the

[140] ECONEC: ECOWAS Network of Electoral Commission 2020
[141] Ibid.
[142] Ibid.
[143] Ibid

ECONEC mission which stated that there was a high influx of youth and women at the polls.[144] Although the inclusion of youth as candidates was not impressive, the inclusion of youth as voters is nevertheless noteworthy.

As discussed earlier, PWDs were also included as tailored tools were made available to them, such as the special biometric voter cards. Allowing PWDs to be assisted by an eligible voter of their choice also helped to ensure that they were not disenfranchised.

c. Voter Turnout:

Turnout during the election was relatively high, at 69.67% for the presidential election, and 69.1% for the legislative election.[145] This is an increase from the turnout of 66.4% in the 2016 election.[146] It is commendable that Niger was able to increase turnout, albeit marginally, even during the COVID-19 pandemic. This level of voter turnout can be attributed to the role of the CENI in promoting transparency which helped to increase trust in the process, facilitating voter registration among underprivileged populations, and promoting inclusion particularly among youth who constitute the majority of the population. Although turnout during the second round of the presidential election decreased to 62.91%,[147] it is still impressive that such a high number of voters came out to vote for the second time within a short while.

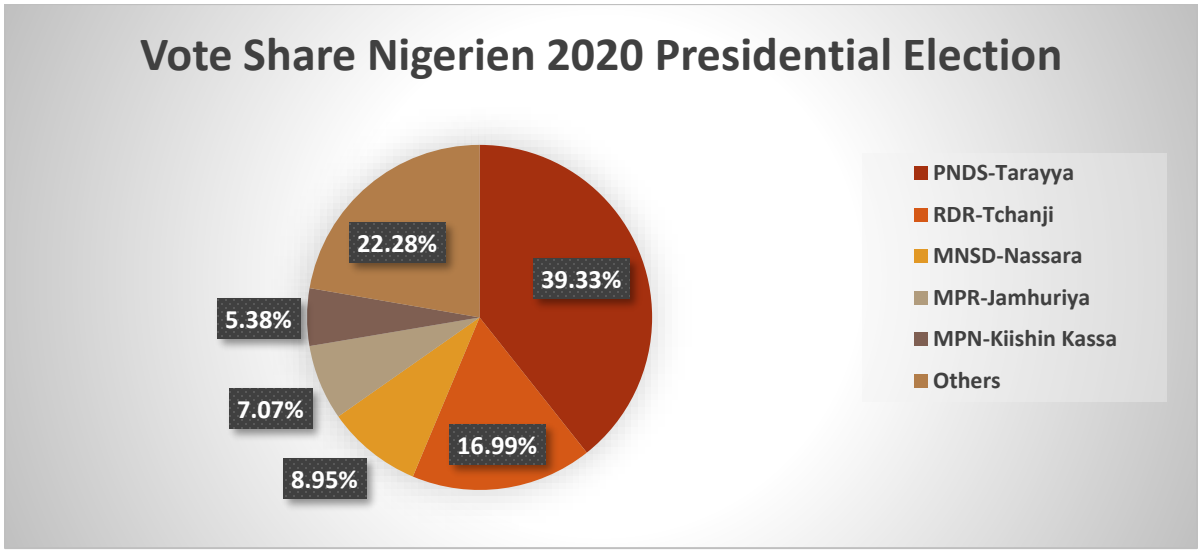
d. Multi-Party Voting:

Although the two leading parties were PNDS (Tarayya) with 39.33% of the vote and RDR (Tchanji) with 16.99%, multi-party voting was evident during the presidential elections. MNSD (Nassara) gained 8.95%, MPR (Jamhuriya) gained 7.07%, MPN (Kiishin Kassa) gained 5.38%, and the other 24 parties (and one independent candidate) gained as much as

[144] Ojeme 2020
[145] https://www.ceniniger.org/presidentielle/
[146] http://www.cour-constitutionnelle-niger.org/documents/arrets/matiere_electorale/2016/arret_n_12_16_cc_me.pdf
[147] https://www.ceniniger.org/2ndtour2021/

22% of the vote combined. This trend of multi-party voting reflects the choice that is an essential part of democracy and is in sharp contrast to countries such as Nigeria where 71 minor parties gained only 3.18% of the vote combined during the 2019 presidential elections.[148]

Multi-party voting was also evident in Niger's legislative election, with as many as nineteen parties being represented in the current parliament.[149] This high level of representation can be attributed to the voting system used for Niger's legislative elections – the party-list proportional representation system – as well as the fact that certain seats are reserved for minorities and Nigeriens living abroad. In this way, Niger's system has helped to promote multi-party voting which not only ensures representation of smaller parties, but is also likely to lead to more effective legislative scrutiny and consensus building among different parties.



Source: CENI[150]

148 https://www.inecnigeria.org/wp-content/uploads/2019/10/2019-GE-PRESIDENTIAL-ELECTION-RESULTS.pdf

149 https://www.ceniniger.org/legislatives/'

150 https://www.ceniniger.org/presidentielle/

Weaknesses of the Election

a. Insecurity:

Niger has been confronted with the twin menace of COVID-19 and insecurity. Conflicts around its border regions with Mali and with Northern Nigeria have been a source of concern. Despite the relatively peaceful atmosphere during the elections, pre-existing fears of insecurity may have affected participation. Also, the voter registration exercise was negatively impacted by insecurity, particularly in the Tillaberi region.

Another dimension of insecurity pointed out by the ECONEC mission is the fact that "despite the civic and voter education activities organized at the national level by CENI and other stakeholders, electoral violence remains a concern in the Nigerien political landscape,"[151] as it was manifested "on polling day in the form of threats, vandalism, attacks targeting electoral material".[152]

Insecurity also affected the runoff election, as it is reported that in the Tillaberi region, at least seven people died and three more were seriously injured when a vehicle belonging to the CENI hit a landmine.[153] Although an advisor to the governor of Tillaberi has noted that "it's unclear if it was intended to target the electoral commission officials or if it was related to the election",[154] the incident demonstrates how the general context of insecurity in Niger also has an impact on election security.

b. Gender Inclusion:

Despite the fact that women make up about 55% of the registered voters, they are still grossly underrepresented in the political process. This is glaring from the fact that out of

[151] ECONEC: ECOWAS Network of Electoral Commission 2020
[152] Ibid.
[153] https://www.dw.com/en/niger-ruling-party-candidate-takes-the-lead-in-presidential-runoff/a-56639664#bodyContent
[154] Ibid

the 30 presidential candidates, none was a woman. Similarly, only 25.9% of the Members of Parliament are women.[155]

In this light, the Nigerien authorities need to have a strategic action plan for the inclusion of women in the electoral process and it should be followed up with vigorous implementation. The ECONEC mission stated that there is a need:

> to set up a real division in charge of gender issues and to adopt a mechanism for capturing disaggregated participation data in order to have reliable statistical data on female candidates and the results of legislative elections for example, as well as data on the numerical participation of women in the various elections.[156]

As suggested earlier in this paper, there should also be training and sensitization sessions, capacity building workshops, and financial support to encourage more women to contest and win elections in Niger.

c. Mistrust between Stakeholders:

"The persistence of a climate of mistrust between the main actors in [Niger's] electoral process"[157] was noted by a pre-electoral mission conducted by the African Union and ECOWAS in Niger at the beginning of December— just a few weeks to the election. This mistrust existed particularly between the opposition and the ruling party, which has led to the opposition refusing to sit on the CENI and boycotting political dialogue with the government. Elections held under these conditions can lead to cynicism among segments of the electorate which in turn can negatively impact participation in the electoral process. Pre-election recommendations by the AU and ECOWAS missions included a call for

[155] https://www.ipu.org/parliament/NE
[156] ECONEC: ECOWAS Network of Electoral Commission 2020
[157] Krippahl, Cristina. *Niger: Election just the start of challenges for new president.* December 22, 2020. https://www.dw.com/en/niger-election-just-the-start-of-challenges-for-new-president/a-56028361 (accessed February 8, 2021).

"dialogue between stakeholders"[158] and the ECONEC mission's post-election recommendations included the need for CENI to "strengthen dialogue with all stakeholders, especially political parties, and make it an ongoing process." Evidently, the employment of broad-based dialogue may significantly curb the pervasive mistrust between stakeholders.[159]

d. Poor Implementation of COVID-19 Safety Measures

The poor implementation of COVID -19 safety measure put millions of Nigeriens at risk and could have created a serious public health disaster. The ECONEC mission had rightly recommended:

> The implementation of anti-Covid-19 barrier measures, equipment and social distancing. It could be done either by the appointment of a COVID 19 ambassador in each polling station, responsible for enforcing the barrier measures (according to the Ghanaian model for the 2020 elections) or the assignment of this task to an electoral officer who will be responsible for it in addition to its traditional task (according to the Nigerian model for example). The experience of Guinea could also be useful. During the 2020 presidential election, CENI-Guinea, in addition to 13 traditional barrier measures, carried out systematic COVID-19 testing beforehand for any agent deployed inside the country and disinfection of polling stations. The CENI could also design a COVID-19 guide in the form of guidelines for election officials. The Advisory for conducting elections in the context of the Covid-19 Pandemic that ECONEC developed and published with the support of OSIWA is a good basis for the preparation of a guide for election officials at the national level.[160]

[158] Ibid.
[159] ECONEC: ECOWAS Network of Electoral Commission 2020
[160] Ibid.

e. Rejection of Outcome:

Following the announcement of the results of the runoff election, Ousmane's campaign manager demanded the immediate suspension of the publication of the results, claiming that they do not take into account the will of the Nigerien people.[161] Ousmane claimed to have won the elections narrowly with 50.3% of the vote.[162] Outside his campaign headquarters and in other parts of the capital, his supporters took to the streets to protest, engaging in acts such as burning tyres.[163] In return, they were chased by police officers who fired tear gas at them.[164] The situation escalated further, as it is reported that "at least one police station and shops owned by people perceived as being close to the government had been pillaged".[165] In Dosso, the offices of a pro-government party were also damaged by fire.[166] In Niamey's central market area, "protesters threw stones" and "at least one petrol station was attacked".[167] These events demonstrate how rejection of outcomes by the opposition can escalate tensions and prompt a descent into anarchy. In order to prevent situations like this from occurring, candidates should be willing to concede defeat after elections.

f. Lack of a Situation Room:

An innovation that has helped transparency, effective monitoring and observation, election result assessment and building of trust in the electoral process in Nigeria is the establishment of Election Situation Rooms (ESRs) by the EMB and CSOs. The ECONEC mission recommended that "CENI will have to set up a support and monitoring center

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[161] https://www.usnews.com/news/world/articles/2021-02-23/mohamed-bazoum-extends-lead-in-nigers-presidential-election-runoff

[162] https://www.today.ng/news/africa/niger-opposition-leader-alleges-election-fraud-declares-victory-349008

[163] https://www.africanews.com/2021/02/23/niger-s-mohamed-bazoum-wins-presidential-election-round-2-ec//

[164] Ibid

[165] https://www.today.ng/news/africa/niger-opposition-leader-alleges-election-fraud-declares-victory-349008

[166] Ibid

[167] Ibid

(Situation Room) accessible to all stakeholders on polling day."[168] This will definitely promote transparency, enhance monitoring and evaluation, and bolster confidence in the electoral process. Nigeria needs to keep up the practice.

[168] Ibid.

Conclusion

The National Assembly elections and the first round of the presidential election have been held with relative success despite the dual menace of the COVID-19 pandemic and pockets of localized armed conflicts in Niger. The strengths and weaknesses highlighted can be used as experiential learning tools for Nigeria as they reinforce the need to continue certain on-going practices and implement some others.

Just like Niger, Nigeria is faced with the dual menace of the COVID-19 pandemic and pockets of localized insurgencies. There is need for improvement of the security situation in areas affected by these insurgencies, because they can be a source of disenfranchisement of voters, as was recorded in the Tillaberi area where citizens could not be registered during the biometric voter registration program. Also, the incidences of electoral violence in the form of threats, vandalism and attacks targeting electoral material are not uncommon in Nigeria; and the Niger experience reinforces the need to check this form of insecurity as well. This requires efforts from security agencies, including inter-agency bodies like the ICCES (Inter-Agency Consultative Committee on Election Security).

The setting up of ESRs is one of the practices that should be sustained in Nigeria by the EMBs and CSOs. Nigerian authorities have to continue to promote dialogue between stakeholders as it has its own climate of distrust among stakeholders. There is also the need for Nigeria to improve electoral inclusion especially for women and youth who form the bulk of the electorate. This can greatly improve turnout as seen in Niger; which had a 69.67% turnout for the presidential election and 69.1% turnout for the legislative elections, as compared to the 2019 elections in Nigeria which saw a turnout of about 34.75%.

INEC in Nigeria needs to continue implementing its public health safety measures and even improve on what it did in 2019. Finally, the Nigerian authorities can learn from Niger the importance of setting a calendar of events and sticking to it, as well as ensuring the

availability of materials. Nigeria cancelled elections just hours to the polls in 2019 and this greatly affected participation by voters who had traveled from other locations just to vote, as well as dampened the spirits of many voters thereby contributing to voter apathy. Distribution and availability of materials is a problem the Nigerian authorities are still grappling with and there is an urgent need to improve this aspect of electoral management.

Based on these recommendations, it is evident that various stakeholders, including EMBs, CSOs, and security agencies, have roles to play in improving the electoral process of Nigeria. By drawing on the strengths of Niger's elections, as well as learning from their weaknesses, these stakeholders can contribute to promoting electoral integrity and credibility.



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