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Nigerian State Elections during the Covid-19 Pandemic

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Nigerian State Elections during the Covid-19 Pandemic

Ibrahim Sani

1. Introduction

The Covid-19 pandemic forced electoral management bodies (EMBs) worldwide, the Independent National Electoral Commission (INEC) of Nigeria among them, to choose between postponing elections and going ahead—with the risk of exposing the public to an unprecedented health hazard (see James and Alihodzic 2020; Landman and Splendore 2020). Nigeria confirmed its first case of Covid-19 on 28 February 2020 (BBC 2020; Vanguard 2020a). At the beginning of September, confirmed cases had risen to 55,000 and there had been 1,000 deaths (NCDC 2020a). The Nigeria Centre for Disease Control (NCDC) reported that the virus had spread exponentially between 27 February and 15 September (NCDC 2020b).

Given the novelty of the virus, there were very few opportunities to learn from past experience, and international best practices were barely emerging. Internationally, election practitioners, public health experts and civil society groups could not immediately reach a consensus on the most appropriate responses. The dilemma remained whether to postpone elections or seek to modify electoral procedures so as to minimize infection risks (Asplund and James 2020; Ellena 2020; James and Alihodzic 2020; Landman and Splendore 2020; Spinelli 2020).

Before the first cases of Covid-19 in Nigeria were identified, the INEC had scheduled two gubernatorial elections in Edo and Ondo states—the subject of this case study—for 19 September and 10 October 2020, respectively. Also, within the same period, the electoral body had to schedule nine by-elections. These were the five senatorial district by-elections of Bayelsa Central and West, Imo North, Plateau South, and Cross Rivers North, and four state constituency by-elections of Nganzai and Bayo of Borno state, and Bakori and Nasarawa Central state constituencies of Katsina and Nasarawa respectively. It was difficult legally for INEC to postpone these latter two elections in particular. The 1999 Constitution (as amended) and the Electoral Act 2010 (as amended) provided, for instance, that the earliest date for election into the office of the Governor of Edo and Ondo states was 15 June 2020 (150 days away). The latest dates were 13 October and 27 September (Nigeria 1999, section 178 (1) and (2); Nigeria 2010, section 25 (7) and (8)). Therefore, the postponement was difficult because the Commission could only postpone elections if ‘... there is a reason to

believe that a serious breach of the peace is likely to occur if the election is proceeded with on that date or it is impossible to conduct the elections because of natural disasters or other emergencies' (Nigeria 2010, section 26 (2)).

This case study outlines how the INEC held the Edo and Ondo state governorship elections under Covid-19 conditions. The case study documents the Commission's Covid-19 mitigation measures, actions of other electoral stakeholders, and lessons learnt, including by way of a poll worker survey.

2. Background

The Edo and Ondo governorship elections are among the few off-season elections in Nigeria, that is, ones not conducted together with other regular general elections—presidential, Senate, National Assembly, governorship (x 36) and state Houses of Assembly elections. The INEC conducts governorship elections to fill in an Executive Governor vacancy when one arises in any of Nigeria's 36 states. Each Governor has prerogative executive powers and is the Chief Executive of their state (Nigeria 1999, section 176).

A candidate must score the highest number of votes cast (first-past-the-post) but also with a minimum threshold, namely not less than one-quarter of all the votes cast in at least two-thirds of all the local government areas in a state. The Edo and Ondo elections were always likely to be competitive; being strategically important for the ruling All Progressive Congress (APC) ahead of the 2023 general elections, and the movement of Governor Obaseki of Edo state from APC to the People's Democratic Party (PDP) in the build-up to the Edo governorship elections, further added to the tension. The Governor claimed that the decision to join PDP was made after wide consultation within the state and across the federation and expressed confidence that the party is rooted in democratic practices of justice and fairness to its members (Vanguard 2020b). Several political parties fielded in candidates for the governorship elections (see INEC 2020a for details of candidates fielded in Ondo by the APC, its main opposition the PDP and others).

While Nigerian electoral law had not envisaged a pandemic, it provided the INEC some flexibility to develop and modify certain electoral procedures and to ensure Covid-safety. INEC released the timetable and schedule of activities for the Edo and Ondo governorship elections as early as 6 February 2020. Subsequently, on 30 March it had to suspend all non-essential activities and close its offices nationwide for an initial 14 days. During the previous two months confirmed cases of Covid-19 had begun to climb, with a total of 162 recorded in Nigeria by March (NCDC 2020b).

The Commission nevertheless decided to hold the two states' elections as planned on 19 September and 10 October 2020. The INEC Chairman explained that INEC considered it imperative to synchronize all electoral planning and activities to avoid a possible legal lacuna, arguing that '[o]ur democracy and electoral processes cannot be truncated due to [a] pandemic' (Yakubu 2020). It also decided to implement the 14 senatorial and State Assembly elections on 31 October 2020, including four senatorial by-elections in Bayelsa, Imo and Plateau states postponed in March (Opejobi 2020). Those elections were later further postponed in the wake of the 'End SARS' movement (mass protest by young people against the Special Unit Anti-Robbery Squad, SARS, of the Nigerian Police) and associated violence (Vanguard 2020d).

Table 1 provides details of the elections that the INEC conducted under Covid-19 conditions in Nigeria. The INEC conducted elections in 62 local government areas (LGAs), as shown by column two. Edo and Ondo each had 18 LGA elections. This involved 4,032,880 prospective registered voters, 5,636 polling units and 395 registration areas.

Table 1. Nigeria's subnational elections schedule during Covid-19

S/ NO	Constituency/election	LGAs	Registration areas	Polling units	Registered voters	Staff required
1	Edo governorship	18	192	2,627	2,210,534	20,974
2	Ondo governorship	18	203	3,009	1,822,346	17,913
3	Bayelsa Central senatorial district, Bayelsa state	3	43	788	418,109	4,662
4	Bayelsa West senatorial district, Bayelsa state	2	26	396	234,649	2,281
5	Imo North senatorial district, Imo state	6	64	692	389,245	3,874
6	Plateau South senatorial district, Plateau state	6	68	712	671,209	6,374
7	Cross River North senatorial district, Cross River state	5	51	56	429,488	4,042
8	Nganzai state constituency, Borno state	1	12	85	34,871	362
9	Bayo state constituency, Borno state	1	10	59	48,319	456
10	Nasarawa Central state constituency, Nasarawa state	1	7	44	71,919	673
11	Bakori state constituency, Katsina state	1	11	179	124,261	1,113
Total	62	687	8,647		6,454,950	62,724

Source: INEC, 'Forthcoming Elections: Constituencies & Delimitations Details', 30 May 2020c.

3. Implementation challenges

The elections posed challenges because the number of registered voters in Edo and Ondo had increased substantially in recent years. The Edo governorship elections conducted in 2003, 2012 and 2016 saw 1.4 million, 1.6 million and 1.9 million registered voters respectively. The 2.2 million registered in 2020 was therefore much higher again. The INEC also had to recruit a large number of poll workers; 62,724 were needed to conduct both the Edo and Ondo governorship elections and the other rescheduled by-elections. This number is in addition to the police, army, civil defence corps, and other security personnel required to provide election security, and excludes also the election observers—domestic and foreign, media and other civil society groups—and INEC permanent staff deployed to monitor the elections.

The Commission designed and released its *Policy on Conducting Elections in the Context of the Covid-19 Pandemic* (INEC 2020b) on 21 May. The policy sought to protect the health of electoral officials, voters, and other stakeholders in the electoral process by establishing protective measures. These included using infrared thermometers in the registration centres

and polling units (PUs), mandating face masks in all election areas, and the use of hand sanitizers for election officials in all polling stations (INEC 2020b: 3).

Also, the INEC explained how it would deal with voters and electoral officials showing symptoms of Covid-19. How these protocols were applied in practice is described in more detail below. Candidate nomination by political parties, accreditation of media, and selection and accreditation of foreign and domestic observers were all carried out online via a dedicated website created and managed by the Commission (Yakubu 2020).

Poll worker survey

A survey of poll workers was conducted by the INEC to ascertain the problems experienced on the ground in conducting the election. The survey was developed from earlier poll worker surveys by Alistair Clark and Toby James (Clark and James 2017; James and Clark 2020) for any EMB seeking to do evaluations. The survey was circulated to INEC staff via WhatsApp groups. Respondents were selected from the various categories of poll workers: presiding officers (POs); assistant presiding officers (APOs) I, II and III; collation officers at registration areas and LGAs, and state collation officers. The survey had 132 responses but the responses from ad hoc staff were over-represented in the sample; 84 respondents (75.7 per cent) were ad hoc staff employed and trained by the Commission and 25 (22.5 per cent) were INEC staff, with a remaining 6 (5.4 per cent) being volunteers.

Table 2 summarizes the respondents' demographic profiles. More than half were aged under 30 years. This trend was unsurprising as the National Youth Service Corps (NYSC) remained the Commission's major recruiting pool. These are NYSC members who are on national service after completing a university degree or equivalent—reflected also in the finding that a majority (64.7 per cent) of respondents had this level of qualification.

While the survey had 132 respondents, only 111 responses were recorded for the multiple answer question—How did you come to work on the election? yet, ad hoc staff were adequately represented by the sample 84 respondents (75.7 per cent) were ad hoc staff employed and trained by the Commission and 25 (22.5 per cent) were INEC staff, with the remaining 6 (5.4 per cent) being volunteers.

Table 2. Social profile of poll workers surveyed

Age	Frequency	%
20–29 yrs	62	52.9
30–39 yrs	31	26.6
40 and above	23	21.1
Educational qualification		
Post-secondary education or below	2	1.7
University Bachelor's degree or equivalent	75	64.7
University Master's degree/equivalent and above	36	31
Gender		
Male	68	62.4
Female	41	37.6

Source: Toby J. Alistair, C. and Sani, I, 'Nigeria Election Workers Survey', 2020, Questions 9, 10 and 11.

Note: Multi answer questions: Percentage of respondents who selected each answer option (e.g., 100% would represent that all this question's respondents chose that option).

4. Stakeholder engagement

Among the first steps taken by INEC to conduct the elections in the context of Covid-19 was its partnership with the Nigeria Centre for Disease Control (NCDC). Together, they introduced several public health measures to ensure Covid-safe elections. The NCDC Guideline was released later (on 7 July 2020—see NCDC 2020c) than the INEC’s abovementioned Covid-19 election policy, made available to electoral stakeholders on 21 May (INEC 2020b; Vanguard 2020b). The NCDC paper recommended the following risk mitigation measures: (a) no mass gatherings; (b) strict adherence to physical distancing of at least two metres; (c) adequate provision for hand hygiene by providing handwashing facilities/sanitization with an alcohol-based sanitizer; and (d) mandatory, correct wearing of face masks, as wearing the mask inappropriately is as good as not wearing it at all (Vanguard 2020c).

Together with the INEC, the NCDC developed protocols for political party campaigns and candidate rallies. These were developed on the assumption that individuals with the virus might not show any symptoms at the early stage of infection, and could be present at various party rallies, campaign venues and PUs. The INEC embarked on early awareness strategies by sharing messages about how campaigns should run, and Covid-safe arrangements for polling day. The INEC used voter education posters, videos, and radio jingles to inform the electorate of the necessary precautions. It also engaged political parties and undertook outreach to communities, sharing public information about the safe exercise of the right to vote and express one’s choice.

To achieve public inclusion, accountability and transparency when physical meetings were almost impossible, the INEC used web conferencing to engage relevant electoral stakeholders—political parties, civil society organizations (CSOs), the media and election observer groups, both foreign and domestic, including for its regular consultative meetings. The INEC’s Covid-19 election policy was announced on the 1, 2 and 3 June 2020.

Media outreach

The INEC tried to allay voters’ fears and reassure them that their health was protected at the polls. Voter education clips were aired routinely across several media houses two weeks prior to elections in both Akure and Benin City, and the ads’ frequency increased as the elections drew closer (Director of Voter Education and Publicity 2021). The INEC Citizens Contact Centre (ICCC) used its social media platforms—INEC Twitter handles, Facebook, Instagram, and You-Tube accounts—for the same purposes.¹ Figure 1 shows three typical examples of such Covid-19 safety.

Figure 1: Examples of pre-election health and safety advertisements



Source: INEC website [n.d.], <www.inecnigeria.org>, accessed 16 August 2021.

The INEC accredited both the print and electronic media that would cover the elections on the proviso that each outlet must observe all the health protocols issued by the NCDC/PTF (Covid-19 Presidential Task Force), Commission, and various state governments. The same accreditation process applied to all election observers, including CSOs.

Safety of the electoral campaign

The INEC adopted several measures to give political parties the chance to advertise their various candidates and manifestos, engage with the public and canvass for votes in a safe manner. For instance, the guidelines indicated that political parties must observe the 2 metre/6 ft social distancing rule at rallies and in all campaign activities (NCDC 2020c: 3, 5; INEC 2020b: 11). The traditional way of campaigning through mass gatherings was discouraged.

Political parties and candidates of course made full use of Twitter, Facebook groups and other social media platforms. Also, several achievements and failures of both the incumbent

governors of Edo and Ondo were publicized by these means. However, to completely discontinue mass gatherings in favour of media and virtual campaigning methods would have been unrealistic and socially excluding in Nigeria given the unreliability of Internet and power supply in the country, as well as literacy and poverty levels.

Between these two extremes, door-to-door campaigns would have been an apt alternative. But the public health repercussions of the campaign as practised have not been scientifically established.

5. Voting procedures

While election managers and other stakeholders alike recognized the need for special voting arrangements such as early and postal voting, these were not adequately provided for in Nigerian electoral law. Alternative methods of voting would have expanded the overall voter turnout by enfranchising those under quarantine and at isolation centres.

On the other hand, and again due to legal limitations, a voter whose temperature was above 37.5°C would be requested, but not compelled, to leave the PU and seek medical attention. Such individuals could decide to vote as there were no legal grounds to refuse people with symptoms the right to vote.

The INEC was, however, able to introduce changes at polling and collation centres. For example, to achieve social distancing a two-tier queuing system was used at polling stations—an outer queue and an internal queue. Persons wishing to vote were required to join the former, from which the APO III would bring voters into the internal queue in manageable batches. The APO III was also required to ensure that voters in the queues observed minimum distances using twines and markings. Anybody without a face mask was to be politely requested by the PO to leave the PU or voting point. Voters were encouraged to wash their hands thoroughly before joining the queue.

There was also a requirement for the periodic disinfection of all furniture and work areas, and adequate ventilation, at all electoral venues. The APO III was mandated to frequently sanitize the Smart Card Reader (SCR) with a prescribed disinfectant provided by the Commission after reading each voter's fingerprint. Similarly, the INEC insisted that poll workers must disinfect electoral materials during sorting and counting. All other used personal protective equipment (PPE)—both reusable and disposables—were hygienically packaged for processing.

Compliance and effectiveness

Information about the revised polling process was described in a Voters' Code of Conduct and explained through signage (see Figure 2). An election observation group assessed compliance with these guidelines and PTF protocols during the two elections and reported strong observance in both cases. According to the Abuja-based CSO YIAGA Africa, voters' fingers were cleaned with disinfectant before the card reader was used in 98 per cent of PUs, and hand sanitizers were provided at all PUs in Edo (YIAGA Africa 2020a). In Ondo state the group reported compliance with INEC Covid-19 protocols on the two-tier queuing system in 88 per cent of PUs, and in 74 per cent, compliance with use of infrared thermometer and disinfectant/sanitizers (YIAGA Africa 2020b). However, in both states, the group insisted that there was poor observance of social distancing across all the PUs observed (YIAGA Africa 2020a and 2020b).

Evidence from the poll worker study tentatively supports the view that INEC public health measures were effective. Table 3 shows the proportion of respondents who agreed with

the statement that ‘the safety of elections staff, voters, and candidates from Covid-19 was adequately provided for’ by the changes introduced by the INEC during the elections.

Table 3: Perceptions of ‘adequate’ Covid-safety by respondent

	Strongly disagree	Disagree	Neither agree nor disagree	Agree	Strongly agree
Election staff	4 (3.7%)	9 (8.3%)	5 (4.6%)	41 (37.6%)	50 (45.9%)
Voters	4 (3.7%)	8 (7.5%)	10 (9.3%)	50 (46.7%)	35 (32.7%)
Candidates	5 (4.8%)	9 (8.6%)	10 (9.5%)	48 (45.7%)	33 (31.4%)

Source: Toby J. Alistair, C. & Sani, I, Nigeria Election Workers Survey, 2020, Questions 5.10, 5.11 and 5.12.

Figure 2. Voters’ Code of Conduct (INEC)*

INDEPENDENT NATIONAL ELECTORAL COMMISSION
Plot 436 Zambezi Crescent, Maitama District, Abuja.

VOTING IN SAFETY

Voters Code of Conduct (VCC) for Elections During the COVID-19 Pandemic

- Wearing of face mask at Polling Units and all election locations is mandatory. Please come with your own face mask, which you can make yourself using a handkerchief, scarf or such materials. You may be asked to lower your mask for identification when necessary.**
- Voting starts by 8.30 am and stops at 2.30 pm.
 - There shall be two queues – one inside and one outside the polling area. You will be called from the outer queue into the voting area in batches.
 - By 2.30 pm, the outer queue shall close, but you will vote if you are already on the queue.
 - Maintain order while on the queue and keep a distance of 2 meters (6 feet) from other people.
- Any voter showing symptoms of COVID-19 such as high temperature, coughing, sneezing, etc. will leave the queue or voting area to be attended to by designated officials. Obey all directives by the officials to keep yourself and others safe. Report any health emergencies urgently to an official at the Polling Unit.**
- After you cast your vote, move away from the voting area. You may observe the counting of votes and announcement of result from a designated area.**
- Avoid touching of surfaces or leaning on walls and other surfaces at the Polling Unit. Hand sanitizer will be provided on request, if available.**
- Please take away your used protective materials such as face masks and hand gloves when leaving the Polling Unit. Do not litter the Polling Unit!**
- An election official may ask to clean your fingers with an antiseptic before your fingerprint is read with the Smart Card Reader.**
- Remember that cell phones or any other device that can take pictures are still not allowed in the voting cubicles.**
- Please show your voters’ card to election officials whenever requested.**
- Obey all directives issued by election officials, including security officials, and be orderly at all times. INEC shall not tolerate assault of any election official and you may be prosecuted for doing so.**

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Source: INEC, ‘EC of Voting in Safety: Voters Code of Conduct (VCC) for Election during the Covid-19 Pandemic’, 21 May 2020d.

*See also ‘Voting in Safety’ video clips, <<https://www.youtube.com/watch?v=Jnlr09hYPhM>>.

Training and human resources

The INEC designed new training for election personnel, including election security personnel. A revised manual for election officials was developed, which elaborated on the necessary processes and procedures put in place to ensure that voters, all permanent and ad hoc electoral staff, election observers, and the public were adequately safeguarded from the danger of contracting the virus. The manual was named 'Covid-19 Edition' with a slogan: #Wear Your Mask; #Stay Safe.²

It was anticipated that there might be a shortage of poll workers to run the polling stations (a total of 5,636 in Edo and Ondo states combined). However, many ex-NYSC members attended the various training venues thus enabling a reserve pool in case of absentees, withdrawal or other unforeseen circumstance.

The INEC also trained both poll workers and party agents to understand that safety and health measures are imperative to health protection and democratic development. Despite widespread education campaigns, the Centre for Democracy and Development (CDD) Nigeria reported clear cases of disregard of the PTF and INEC Covid-19 protocols by political parties and their supporters during political rallies and campaign activities (CDD 2020a and 2020b). The two-tier queuing system and social distancing in all electoral locations was mandatory. To prevent overcrowding, the INEC also explained to polling agents that only one polling agent of a party on the ballot should have been allowed into the polling and collation areas during collation. The Commission extended the same training to election security personnel who were encouraged to observe the NCDC and INEC protocols.

6. Lessons learnt

The pandemic posed a severe threat to life and a major challenge for the INEC, as it did for many EMBs. The delivery was nonetheless adjudged positively by YIAGA Africa, a civil society group that monitored the elections and which urged all contesting parties and candidates to accept the results (Ibileke 2020). Also commended was the INEC's and other public health institutions' Covid-19 prevention and mitigation measures (YIAGA Africa 2020b: 2).

The poll worker survey did reveal that some citizens showed hesitancy in voting: 30 per cent agreed and 25.5 per cent strongly agreed that 'voters showed hesitancy to vote because of fear of Covid-19'.

The successes notwithstanding, anecdotal evidence revealed other challenges too. Some survey respondents complained that 'people at the rural level barely follow instructions' and reported 'difficulty in controlling voters to adhere to the Covid-19 rules and maintain the social distance on the queue'. There were 'not enough hand sanitizers, water in the container and soap as promised by INEC', and 'most of them [voters] find it difficult to wear their face masks'. One poll worker complained that 'there were not enough vehicles to carry ad hoc staff and election materials on election day'.

Beyond the issues related to Covid-19, innovations were introduced which proved to add value to the outcome's integrity and credibility. The new portal for uploading election results at the PU level is worth mentioning. This single innovation has improved the election's credibility by eliminating opportunities to fraudulently change election results. Edo's and Ondo's elections have rekindled the INEC's hope for regaining public trust and accountability. They have also set the stage for building a comprehensive but disaggregated election database that would provide researchers, policy analysts and electoral practitioners with a pool of data for in-depth analysis of Nigerian electoral politics.

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About International IDEA

The International Institute for Democracy and Electoral Assistance (International IDEA) is an intergovernmental organization with the mission to advance democracy worldwide, as a universal human aspiration and enabler of sustainable development. We do this by supporting the building, strengthening and safeguarding of democratic political institutions and processes at all levels. Our vision is a world in which democratic processes, actors and institutions are inclusive and accountable and deliver sustainable development to all.

What do we do?

In our work we focus on three main impact areas: electoral processes; constitution-building processes; and political participation and representation. The themes of gender and inclusion, conflict sensitivity and sustainable development are mainstreamed across all our areas of work.

International IDEA provides analyses of global and regional democratic trends; produces comparative knowledge on democratic practices; offers technical assistance and capacity-building on reform to actors engaged in democratic processes; and convenes dialogue on issues relevant to the public debate on democracy and democracy building.

Where do we work?

Our headquarters are located in Stockholm, and we have regional and country offices in Africa, Asia and the Pacific, Europe, and Latin America and the Caribbean. International IDEA is a Permanent Observer to the United Nations and is accredited to European Union institutions.

<<https://www.idea.int>>

Endnotes

1. See, e.g., <<https://twitter.com/inecnigeria/status/1293878839026868224?s=08>>; <<https://twitter.com/inecnigeria/status/1306457445129162752?s=08>>.
2. See related video, <<https://www.youtube.com/watch?v=YRegQY84T4o>>.