



## **International Election Observers' Perception of Nigeria's 2023 General Election: Lessons for 2027**

**Chinemerem Alvan Nwankwo<sup>1</sup> & Robert Oghenedoro Dode<sup>2</sup>**

<sup>1</sup> & <sup>2</sup>Department of International Relations, Dennis Osadebay University, Asaba, Delta State,  
Nigeria

*Corresponding Author's E-mail:* chinemerem.nwankwo@dou.edu.ng

### **Abstract**

The centrality of the role of election observers in an election is underscored by their tendency for non-partisan and non-interventionist observation. Added to that is their impartial assessment of the whole exercise – as reflected in their post-election reports. If anything, independent international election observers' reports tend to confer some form of political legitimacy on elected government officials. Nigeria's 2023 general election cycle was not different as an appreciable number of domestic and foreign election observers participated actively in it. This paper, therefore, sets out to assess how international observers perceived the 2023 general elections, with a view to highlighting key areas that must be kept in focus ahead of the next election cycle in 2027. Drawing from the norm of international election monitoring, the paper argued that the role of international election observers in Nigeria – along with their post-election reports – would remain ceremonial for as long as pseudo-democrats remain in power. Baseline data constituted the primary sources of information for the paper, and analysis was done qualitatively. The paper recommended, among other things, that the international community should (collectively) investigate elections scored low by international observers and thereafter, perpetrators can be sanctioned accordingly. That way, the work of international election observers would cease to be considered actions in futility.

**Keywords:** Election, Election Observation, Election Observers, Democracy, Democratic Consolidation

**Citation of article:** Chinemerem, A. N. & Dode, R.O (2024). International Election Observers' Perception of Nigeria's 2023 General Election: lessons for 2027, *African Journal of Politics and Administrative Studies AJPAS*, 17(1): 584-602

**Date Submitted:** 04/04/2024 **Date Accepted:**2/05/2024 **Date Published:** June, 2024

### **Introduction**

One of the major factors in the continued universal spread of democracy is the involvement of election observers in elections. Put differently, election observation is a deliberate act, or exercise, in support of democracy. The fecundity of election monitoring lies in the ability of election watchdogs (or observers) to ascertain – as objectively as possible – that elections are not just free and fair, but also that electoral outcomes are reflective of the collective will of



majority of citizens. In addition, election observation provides “political legitimacy for elected leaders and a foundation from which to govern...” (ACE Project, n.d., p.1). This explains why those that emerge victorious in elections seek validation through positive reports from observers.

The United Nations (UN, 2005, para.4) defines international election observation as:

the systematic, comprehensive and accurate gathering of information concerning the laws, processes and institutions related to the conduct of elections and other factors concerning the overall electoral environment; the impartial and professional analysis of such information; and the drawing of conclusions about the character of electoral processes based on the highest standards for accuracy of information and impartiality of analysis. International election observation should, when possible, offer recommendations for improving the integrity and effectiveness of electoral and related processes, while not interfering in and thus hindering such processes. International election observation missions are: organised efforts of intergovernmental and international nongovernmental organisations and associations to conduct international election observation.

The rationale for the above definition, according to the UN (2005), is that international election observation has the potential to enhance the integrity of election processes, by deterring and exposing irregularities and fraud and by providing recommendations for improving electoral processes. It can promote public confidence, as warranted, promote electoral participation and mitigate the potential for election-related conflict. If election observation is an international norm, it is expected that it must not just have some universal backing, but also some specific guidelines. It was in 2005 that the UN adopted the Declaration of Principles for International Election Observation and Code of Conduct for International Election Observers. This Declaration was endorsed on October 24, 2005 by African Union (AU), Asian Network for Free Elections (ANFREL), The Carter Centre, Centre for Electoral Promotion and Assistance (CAPEL), Commonwealth Secretariat, Council of Europe European Commission for Democracy through Law (Venice Commission), Council of Europe – Parliamentary Assembly, Electoral Institute of Southern Africa (EISA), European Commission, European Network of Election Monitoring Organisations (ENEMO), and, Electoral Reform International Services (ERIS). Others are: International Foundation for Electoral Systems (IFES), International Institute for Democracy



and Electoral Assistance (International IDEA), Inter-Parliamentary Union, International Republican Institute (IRI), National Democratic Institute (NDI), Organisation of American States (OAS), Organisation for Security and Cooperation in Europe, Office of Democratic Institutions and Human Rights (OSCE/ODIHR), Pacific Islands, Australia & New Zealand Electoral Administrators' Association (PIANZEA), Pacific Island Forum, Southern African Development Community Parliamentary Forum (SADC-PF), United Nations Secretariat, and, United States Association of Former Members of Congress (USAFMC). These international organisations send observer missions to states holding general elections. Nigeria has been no exception, as can be seen from the 1999, 2003, 2007, 2011, 2015, 2019 and 2023 general elections. For instance, in the 2023 general elections, the Independent National Electoral Commission (INEC) accredited 33 international organisations deploying 2,113 observers (ThisDay Newspaper, March 21, 2023). These observer missions deployed election monitors across virtually all the six geo-political zones of Nigeria. This wide coverage, among other things, ensured that reports were gotten in real time, and comparisons made where necessary. Thereafter, observer missions released their consolidated reports.

The thrust of this paper, therefore, is to assess reports of international election observer missions on Nigeria's 2023 general elections, with a view to highlighting lessons to be gleaned ahead of the next round of elections in 2027. The broad objective of this study is to assess international election observers' perception of Nigeria's 2023 elections and identify specific lessons for 2027 general elections. Specifically, the objectives of the paper are to:

- (a) evaluate reports of international election observers on the 2023 general elections;
- (b) establish trends in selected international observer missions' reports;
- (c) critically examine the implication of international observer missions' reports on Nigeria's democracy; and,
- (d) highlight notable key points for the next round of elections in 2027.

### **Conceptual Clarification**

For clarity and ease of comprehension, it is essential to clarify the key concepts used in this paper. The concepts include election, election observation, and democracy.

**Election:** Election is one of the most popular words in Social Sciences' lexicon. Thus, a lot has been written on the meaning and essence of elections (see, for instance, Przeworski, 2018; Schubert et al, 2014; Dobratz et al, 2012; Igwe, 2002; etc.). In general, election refers



to either the official process of choosing a person for public position/office, or the formal process of accepting or rejecting a political proposition through voting. For the purpose of this paper, however, the first definition of election (as the official process of choosing a person for public position/office) is adopted. It should be noted that not all elections are competitive. In fact, according to Encyclopaedia Britannica (2023), it is common practice for most countries to hold elections in at least a formal sense, but in many of them the elections are not competitive, or the electoral situation is in other respects highly compromised.

**Election Observation:** Election observation has come to be an integral aspect of contemporary representative democracy – especially in the Global South. Election observation is done by both domestic and international actors. For the purpose of this paper, election observation is conceptualised as the process of collecting, organising, and analysing election-related data by non-partisan state and non-state actors, and using same to draw objective conclusive reports which could be used in assessing the overall electoral cycle. A few points are intrinsic in this definition. First is that election observation is a process which covers an entire election cycle – not just election days. Second is that both local and international election observers are involved – this provides a balanced yardstick for comparison. Third, election observers are non-partisan, non-state actors – this way, a high level of objectivity and neutrality (or impartiality) can be guaranteed. Fourth, election observation reports are valid and reliable yardsticks for assessing electoral outcomes. These four points underscore the fecundity of election observation.

Tapoko (2017) pointed out that even though election monitoring is closely related to election observation, they are not the same. According to IDEA (1997, cited in Tapoko, 2017, p.53), *election monitoring is an activity which involves the authority to observe an electoral process and to intervene in the process if relevant laws or standard procedures are being violated or ignored*. On the other hand, *election observation seeks to evaluate a given electoral process in order to legitimise it, where appropriate*. Even though their main goals are to evaluate the entire electoral process which covers the pre-election, election and post-election phases, Matlosa (2002) noted that an election monitoring mandate is more comprehensive and extensive than that of election observation.



**Democracy:** Just like election, democracy appears to be an everyday concept in the Social Sciences. This is especially so with Abraham Lincoln’s famous explanation that democracy is ‘a government of the people, by the people and for the people’. Interesting as this conceptualisation may be, it raises questions as to who the people really are. The superior minority, the inferior majority or every member of the geographical entity in question? Dye and Ziegler (2009, p.4) define democracy as “individual participation in the decisions that affect one’s life”. A collection of individual participation translates to majority participation. For the purpose of this paper, therefore, democracy is conceptualised as a doctrine which prioritises numerical majority participation in (political) decisions affecting an entire geographical entity – particular reference to decision on who governs.

### **Theoretical Framework**

This paper draws from the norm of international election monitoring, as expounded by Hyde (2011a, 2011b). According to the theory, the norm of inviting observers was initiated by leaders of developing countries in an effort to attract increased international support for democratic and democratising governments. When powerful states expressed a general preference for supporting democratic regime types, initially in the early 1960s and overtly in the 1980s, the premium for being identified as a democratising regime gave “true democrats” an incentive to signal their democratic credentials to international audiences (Hyde, 2011a, p.12). Thus:

The norm of international election observation was created through a diffusely motivated process. In response to increased rewards associated with recognition as a democratising state, election observation was initiated as a signal of a government’s commitment to democratisation. Particularly for leaders of regimes that were not already established democracies, democracy-contingent benefits created an incentive for incumbent leaders to identify a credible signal that they were, in fact, holding democratic elections (Hyde, 2011b, p.358).

Hyde (2011b) explained that there are two major actors in election observation – the incumbent state leader and democracy promoters. The incumbent may be an individual or a group of leaders who opt to invite international election monitors. Incumbents are of two types – true democrats and pseudo-democrats. While true democrats are those who believe in and obey the letter and spirit of electoral laws, pseudo-democrats are those who manipulate



electoral outcomes in order to retain their strangle-hold on power. Democracy promoters, on the other hand, include “powerful Western states, foreign investors, international organisations, and any other actors with a preference for democracy and the ability to allocate international benefits” (p.358). Hyde further explained that even though promoters of democracy make international benefits available, pressuring for election observation is not required. Rather, the pressure is subtly applied because “simply by valuing and rewarding countries that they believe to be democratic, they create incentives for other incumbents to identify a credible signal of their country’s democratic credentials” (Hyde, 2011b, p.358).

Hyde (2011a, 2011b) also highlighted that with increment in rewards for ‘demonstrating a commitment to democracy’, international actors came to believe that every government holding potentially democratic elections would invite international observers. The implication here is that other incumbents seeking benefits keyed in despite their lack of commitment to democratisation. This widespread and repeated behaviour, coupled with the growing importance of democracy to international actors, changed international expectations such that inviting observers became an international norm. The norm holds that prodemocracy actors believe that all good types invite observers and receive their endorsement. Thus, pro-democracy actors, at both the international and domestic levels, began to rely on election monitoring to evaluate the democratic credentials of states and tied foreign aid and other targeted benefits to internationally certified elections.

In relation to Nigeria’s 2023 general elections, therefore, Hyde’s norm of international election monitoring is quite apt. From every indication, the pseudo-democratic incumbents had no intention of abiding by the electoral laws, let alone relinquishing their grasp on power. This undemocratic stance was orchestrated through institutionalised electoral fraud at a grand level. Failure to compromise the reports of different international and domestic election monitors led to outright government rejection of the reports. So began the rather ridiculous long course of courting international credibility through congratulatory/goodwill messages by world leaders.



## Methodology

Data for this paper were gathered through reports from on-field election monitors. These are regarded as baseline data given their origin. Data were also generated through secondary sources like journal articles and internet materials that specifically addressed the issues raised in this study. Data generated were analysed qualitatively. Here, emphasis was on establishing a logical sequence of data which would enable valid conclusions to be reached.

## Principles and Ethics of International Election Observation

As noted earlier, the UN, in 2005, adopted the Declaration of Principles for International Election Observation and Code of Conduct for International Election Observers (henceforth, UN Declaration of Principles). In this document, what constitute the ethics and essence of election observation are clearly spelt out. In the preamble to the UN Declaration of Principles, also, UN noted that ‘international election observation expresses the interest of the international community in the achievement of democratic elections, as part of democratic development, including respect for human rights and the rule of law. International election observation, which focuses on civil and political rights, is part of international human rights monitoring and must be conducted on the basis of the highest standards for impartiality concerning national political competitors and must be free from any bilateral or multilateral considerations that could conflict with impartiality. It assesses election processes in accordance with international principles for genuine democratic elections and domestic law, while recognising that it is the people of a country who ultimately determine credibility and legitimacy of an election processes.

What then are the ethics and principles of international election observation? First of all, the UN Declaration of Principles specifies that international observers *must be free from any political, economic, or other conflicts of interest*. This is necessary to avoid compromising their neutral assessment ability. This explains why citizens are excluded from every international election observation mission to their own countries, as well as why such missions are barred from accepting any form of sponsorship by the host government. Furthermore, paragraph 12 of the UN Declaration of Principles outlined some specific conditions which must be met to ensure effective and credible international election observation. These are as follows:



- a. Issues an invitation or otherwise indicates its willingness to accept international election observation missions in accordance with each organisation's requirements sufficiently in advance of elections to allow analysis of all of the processes that are important to organising genuine democratic elections;
- b. Guarantees unimpeded access of the international election observer mission to all stages of the election process and all election technologies, including electronic technologies and the certification processes for electronic voting and other technologies, without requiring election observation missions to enter into confidentiality or other nondisclosure agreements concerning technologies or election processes, and recognises that international election observation missions may not certify technologies as acceptable;
- c. Guarantees unimpeded access to all persons concerned with election processes, including:
  - i. electoral officials at all levels, upon reasonable requests,
  - ii. members of legislative bodies and government and security officials whose functions are relevant to organising genuine democratic elections,
  - iii. all of the political parties, organisations and persons that have sought to compete in the elections (including those that qualified, those that were disqualified and those that withdrew from participating) and those that abstained from participating,
  - iv. news media personnel, and,
  - v. all organisations and persons that are interested in achieving genuine democratic elections in the country;
- d. Guarantees freedom of movement around the country for all members of the international election observer mission;
- e. Guarantees the international election observer mission's freedom to issue without interference public statements and reports concerning its findings and recommendations about election related processes and developments;
- f. Guarantees that no governmental, security or electoral authority will interfere in the selection of individual observers or other members of the international election observation mission or attempt to limit its numbers;





- g. Guarantees full, country-wide accreditation (that is, the issuing of any identification or document required to conduct election observation) for all persons selected to be observers or other participants by the international election observation mission as long as the mission complies with clearly defined, reasonable and non-discriminatory requirements for accreditation;
- h. Guarantees that no governmental, security or electoral authority will interfere in the activities of the international election observation mission; and,
- i. Guarantees that no governmental authority will pressure, threaten action against or take any reprisal against any national or foreign citizen who works for, assists or provides information to the international election observation mission in accordance with international principles for election observation.

In sum, international election observation must be by invitation, must have unimpeded access to electoral processes and technologies, unimpeded access to stakeholders, freedom of movement, freedom to issue reports, be free from interference in mission composition, have full accreditation, zero interference in observation, and enjoy protection of interlocutors. In the absence, or partial fulfilment of these basic requirements, the election observation mission may be called off. In relation to the code of conduct of international election observers, the following are considered essential:

1. ***Respect Sovereignty and International Human Rights***: Election observers must respect the sovereignty of the host country, as well as the human rights and fundamental freedoms of its people.
2. ***Respect the Laws of the Country and the Authority of Electoral Bodies***: Observers must respect the laws of the host country and the authority of the bodies charged with administering the electoral process.
3. ***Respect the Integrity of the International Election Observation Mission***: Observers must respect and protect the integrity of the international election observation mission.
4. ***Maintain Strict Political Impartiality at All Times***: Observers must maintain strict political impartiality at all times, including leisure time in the host country.
5. ***Do Not Obstruct Election Processes***: Observers must not obstruct any element of the election process, including pre-election processes, voting, counting and tabulation of results and processes transpiring after election day.



6. ***Provide Appropriate Identification:*** Observers must display identification provided by the election observation mission, as well as identification required by national authorities, and must present it to electoral officials and other interested national authorities when requested.
7. ***Maintain Accuracy of Observations and Professionalism in Drawing Conclusions:*** Observers must ensure that all of their observations are accurate. Observations must be comprehensive, noting positive as well as negative factors, distinguishing between significant and insignificant factors and identifying patterns that could have an important impact on the integrity of the election process.
8. ***Refrain from Making Comments to the Public or the Media before the Mission Speaks:*** Observers must refrain from making any personal comments about their observations or conclusions to the news media or members of the public before the election observation mission makes a statement, unless specifically instructed otherwise by the observation mission's leadership.
9. ***Cooperate with Other Election Observers:*** Observers must be aware of other election observation missions, both international and domestic, and cooperate with them as instructed by the leadership of the election observation mission.
10. ***Maintain Proper Personal Behaviour:*** Observers must maintain proper personal behaviour and respect others, including exhibiting sensitivity for host-country cultures and customs, exercise sound judgment in personal interactions and observe the highest level of professional conduct at all times, including leisure time.
11. ***Violations of this Code of Conduct:*** In a case of concern about the violation of this Code of Conduct, the election observation mission shall conduct an inquiry into the matter.
12. ***Pledge to Follow this Code of Conduct:*** Every person who participates in election observation mission must read and understand this Code of Conduct, and must sign a pledge to follow it (Code of Conduct for International Election Observers, 2005).

From the foregoing, it could be seen that international election observation missions usually adopt a do-no-harm approach. While the host state is required to create an enabling environment for observer missions, observer missions are also required to maintain certain ethical standards, prominent among which are respect of state sovereignty and non-interference in the election.



### **Selected International Election Observers' Reports on Nigeria's 2023 General Elections**

The 2023 general elections in Nigeria were held between February 25 and March 18, 2023. It was the seventh consecutive general election since the inception of the Fourth Republic in May, 1999. Ahead of the elections, Nigeria's electoral umpire, Independent National Electoral Commission (INEC) introduced a strategic four-year election project plan. Among other things:

A new Electoral Act enacted one year in advance of the election stipulated the early release of election funds to INEC and empowered the electoral commission to deploy election technology, including electronic transmission of results. The Act made it possible for INEC to introduce new technologies for the general election such as the Bimodal Voter Accreditation System (BVAS) and INEC Election Results Viewing Portal (IREV). The introduction of improved technology for voter registration by INEC, especially online pre-registration to vote, increased voter interest in the election. The Commission also established new polling units to decongest overcrowded ones and to locate polling units closer to voters to facilitate easier access (YIAGA Africa, 2023, pp. 7-8).

According to INEC's 2021-2022 registration exercise data, 93,469,008 people registered to vote. Of this number, 49,054,162 (52.5%) were males while 44,414,846 (47.5%) were females. Furthermore, there were 8,809 registration areas/wards and 176,846 polling units. 18 registered political parties fielded a combined total of 15,309 candidates. The Presidential seat, 28 Governorship seats, 109 Senatorial seats, 360 House of Representatives' seats and 993 State Houses of Assembly seats were contested for (1,491 seats in total). As seen in the reports of different observer missions, however, Nigeria's 2023 general elections can be described as one that promised so much, but delivered very little. In fact, while the Nigeria Civil Society Situation Room (2023) described it as 'a missed opportunity', YIAGA Africa (2023) refer to it as 'dashed hope'. An evaluation of the reports of some selected international observer missions is pertinent at this juncture.

### **African Union Election Observation Mission (AU-EOM)**

The African Union Election Observation Mission (AU-EOM) was led by Uhuru Muigai Kenyatta, a former President of the Republic of Kenya. The Short-Term Observation Mission



comprised ninety (90) observers drawn from thirty-two (32) AU Member-States and was supported by a five-member Expert Team.

The AU-EOM deployed 32 teams of observers in 17 States drawn from across all six (6) geopolitical zones. The observers visited a total of 438 polling units in order to observe the opening, voting, closing and counting procedures in selected urban and rural areas. In 95% of polling units visited by the AU-EOM, the atmosphere was generally calm and peaceful, except for isolated incidents of violence in Kano, Lagos, Delta, Abuja, and Cross River State. Again, 83% of the polling units visited opened late. The average delay was over an hour; in some cases, they opened as late as 11:00am. This was largely due to the late arrival of polling officials and materials as well as slow set up of the polling units (AU-EOM Report, 2023).

As at the time of writing this paper, the AU-EOM had only released a preliminary statement on the 2023 general election. Thus, the preliminary report did not go beyond what transpired before, and during the presidential and national assembly election of February 25, thereby making it difficult to ascertain the final position of the AU on Nigeria's 2023 election cycle. Be that as it may, the preliminary report of AU-EOM (2023) stated that the electoral environment was generally peaceful despite isolated incidents of violence. The polls also took place against the backdrop of a cash crisis following the redesigning of the Naira currency. While a range of stakeholders acknowledged the positive spirit of the policy of Naira redesign, AU-EOM noted that the timing of its implementation impacted on the economy as well as the logistical operations of INEC, the campaign process, the conduct of election observation, among others. A major highlight of the AU-EOM report is that it "noted an unbalanced allocation of voters per polling unit. While INEC had capped 750 as a ceiling of voters per polling unit, the allocation of voters ranged from one (1), sixteen (16) to three-thousand (3,000) in some polling units". This skewed allocation of voters constituted a significant logistical challenge in the conduct of the elections.

### **Report of International Republican Institute/National Democratic Institute (IRI/NDI)**

The International Republican Institute (IRI) and the National Democratic Institute (NDI) jointly organised an international election observation mission (IEOM) for Nigeria's 2023 general elections. The IEOM deployed thematic analysts to Nigeria to monitor the pre- and post-election periods. Also, they deployed a 40-member delegation of short-term observers drawn from across Africa and around the world for the February 25 elections. The delegation



which was led Joyce Banda, a former President of Malawi, and Ambassador Mark Green, former Administrator of the United States Agency for International Development (USAID), observed in 20 states, including the FCT.

According to the NDI/IRI-IEOM report, Nigeria's 2023 elections had the potential of being a watershed moment in the country's democratic trajectory. However, 'the elections fell short of Nigerian citizens' legitimate and reasonable expectations, as significant logistical, technological, and communications failures by INEC, political parties that relied on divisive rhetoric rather than running on issues, regional disparities in electoral integrity, instances of vote manipulation, political violence, and marginalisation of key populations marred the electoral process and disenfranchised voters. The report further noted that there were incremental improvements in election administration, advances in results transparency, increased competitiveness in the presidential race, and quality engagement of youth, the elections saw the lowest turnout for national contests in Nigeria's modern democratic history with only one in five registered voters participating. Sustained protests and allegations of irregularities persisted due to the poor administration of the election' (NDI/IRI-IEOM Report, 2023).

### **Report of Commonwealth Election Observation Mission**

Just like the AU-EOM, the Commonwealth Election Observation Group (COG) final report on the 2023 general election in Nigeria was still being expected as at the time of preparing this paper. From the available interim statement, however, a few points could be gleaned. Led by Thabo Mbeki, a former President of Republic of South Africa, the 16-member COG covered the Federal Capital Territory (Abuja), Benue (Makurdi), Edo (Benin City), Kano, Lagos, Ondo (Akure), Rivers (Port Harcourt), and Sokoto states. The 7-page interim statement of COG, among other things, noted *incidences of election-related violence and insecurity, some of which regrettably resulted in loss of life and postponement of elections in some polling units*. COG also observed that *these elections took place amidst a Naira demonetisation policy and fuel scarcity*. Election day, however, proceeded largely peacefully. The statement also applauded the determination, patience and resilience of voters that turned out to vote.



Furthermore, the preliminary statement mentioned the evident vibrant participation by the youth, especially in campaigns and on social media. Another point noted was the use of disinformation and hate speech during the campaigns. Again, there were “significant delays in the opening of polls in most of the polling units observed, which impacted on pre-poll procedures. In some instances, polling officials arrived late at their designated polling units, while in other instances, there were gaps observed in the timely supply and delivery of essential materials” (COG Report, 2023).

### **Report of European Union Election Observation Mission (EU EOM) in Nigeria**

EU EOM had a combined total of 126 observers for Nigeria’s 2023 general elections. The Mission was led by the Chief Observer, Barry Andrews, Member of the European Parliament from Ireland. Others include a core team of 11 analysts and 40 long-term observers deployed to all the six geopolitical zones of the country. For the first round of election on February 25, the EU EOM was boosted with 54 locally recruited short-term observers bringing the total to 110 observers from 25 EU Member States, as well as from partner countries Canada, Norway and Switzerland and including a seven-member delegation of the European Parliament, led by Evin Incir, Member of the European Parliament from Sweden. For the 18 March election day, the EU EOM was reinforced with 16 locally recruited short-term observers (EU EOM, 2023). The 94-page EU EOM’s report appears to be one of the most comprehensive, elaborate and explicit reports of the 2023 election cycle. According to the report:

The 2023 general elections did not ensure a well-run transparent, and inclusive democratic process as assured by the Independent National Electoral Commission (INEC). Public confidence and trust in INEC were severely damaged during the presidential poll and was not restored in state level elections, leading civil society to call for an independent audit of the entire process. The pre-poll environment was volatile and challenging, affected by economic crises. Fundamental freedoms of assembly and movement were broadly respected, yet the full enjoyment of the latter was impeded by insecurity in some parts of the country. Abuse of incumbency by various political office holders distorted the playing field and wide-spread vote buying detracted from an appropriate conduct of the elections. Incidents of organised violence shortly before and on election days in several states created an environment deterring voter’s participation. Media raised voters’ awareness, fact-checkers stood up against



disinformation and civil society demanded INEC's accountability (EU EOM, 2023, p.7).

Added to the above,

The widely welcomed Electoral Act 2022 (the 2022 Act) introduced measures aimed at building stakeholder trust. However, the Act's first test in a general election revealed crucial gaps in terms of INEC's accountability and transparency, proved to be insufficiently elaborated, and lacked clear provisions for a timely and efficient implementation. Weak points include a lack of INEC independent structures and capacities to enforce sanctions for electoral offences and breaches of campaign finance rules. Furthermore, the presidential selection of INEC leadership at federal and state level leaves the electoral institution vulnerable to the perception of partiality (EU EOM, 2023, p.7).

The introduction and use of the Bimodal Voter Accreditation System (BVAS) and the INEC Results Viewing Portal (IREV) also featured in the report given that BVAS and IReV were said to be critical towards ensuring the integrity and credibility of the elections. According to the EU EOM report, however,

in practice, multiple missteps and lack of transparency before the polls, compounded by severely delayed display of presidential result forms, dashed the public trust in election technologies used. INEC failed to give a timely and comprehensive explanation for the failures on 25 February, hence the improved online display of results forms from the 18 March state elections just fuelled further speculations about what exactly caused the delays after the presidential poll (p.7).

Violence and suppression of voters were also mentioned in the report. It was noted that: the EU EOM recorded 101 violent incidents during the campaign, including at least 74 fatalities. Assassination attempts and killings increased closer to the polls, creating a particularly insecure environment in the southern states. In several northern states, systematic attacks by political thugs on rallies and political opponents was observed. Use of violence obstructed the campaign, disturbed the elections, and suppressed voter participation (p.8).



Again,

on 25 February voting was critically delayed by the late arrival of sensitive materials and, during the early stages of the collation, presidential result forms from polling units were not displayed real-time on the IReV as committed to by INEC and anticipated by all stakeholders. A critical failure in the entire election process manifested at collation stage on 25 February, due to widespread disorganisation, a lack of adherence to prescribed procedures, and an unsuitable environment. By the time of the declaration of presidential results, one quarter of result forms were still missing from the IReV, and a significant percentage of the forms uploaded on IReV, often needed for comparison with manual results, were not legible (p.9).

Other issues highlighted by the report include lack of inclusivity of women, people with disabilities and internally displaced people. Suppression of media freedom through indiscriminate sanctions without due process by the National Broadcasting Commission (NBC) was equally mentioned – as well as distortion of information (fake news).

### **Lessons for 2027 general election**

The utility of this paper lies mostly in its ability to chart a blueprint for the 2027 general election on the basis of the (major) shortfalls of the 2023 exercise. Here, the question of what could be done differently becomes pertinent. First, the National Assembly should revisit provisions on the appointment of INEC chairman, as well as its commissioners. By leaving such appointive powers entirely to the executive president as it is, neither independence, neutrality, objectivity nor non-partisanship of the electoral umpire can be guaranteed. If this is done, institutional electoral fraud would be significantly minimised in the 2027 general election.

Second, gaps identified in the 2022 Electoral Act need to be filled to eliminate any form of ambiguity. For instance, Clause 50 gives INEC the legal backing for electronic transmission of election results. Ahead of 2027, there is need to clarify whether this provision is compulsory or optional. Third, an unfortunate fact is that offenses or crimes that go unpunished within the ambit of extant laws do not wither on their own, rather, they become more entrenched. Even though there are evidences of breaches of the Electoral Act, the justice system is yet to catch up with any of the offenders. If the 2027 general





election is to be anything different, electoral offences must be punished to serve as a deterrent.

Fourth, having acquired the infamous tag of ‘promising much but delivering very little’, the psychological effect of the ‘disappointment’ of the 2023 general election on the electorate, especially first-time voters, cannot be underestimated. According to Chatham House (2023), the youth comprised more than 70% of 9 million-plus new voters added to the register before 2023. A lot more than mere political rhetoric would be required to rebuild the confidence of the electorate by erasing the impression that election in Nigeria is a mere symbolic exercise.

Fifth, the issue of disproportionate allocation of voters to polling units was also flagged in one of the reports. Ahead of 2027, therefore, it would be necessary to create more polling units to ensure that none exceeds the stipulated 750 voters’ maximum limit.

### **Conclusion and Recommendations**

Reports of international election observer groups, over time, have come to be a yardstick for measuring democratic consolidation – especially in the Global South. In the case of Nigeria, reports on the 2023 general elections appear to have a common decimal – a disappointing performance by the electoral umpire. With a colossal damage having been done to the integrity of the electoral process in Nigeria, dwelling so much on that would be self-defeatist, to say the least. What should preoccupy the mind of every genuine democrat in Nigeria is how such colossal failures can be by-passed in the next round of general elections. All hands are required on deck in this instance. If the figures used to declare the presidential election result are anything to go by, one would conclude that there was very low turnout of voters during the election. Such a conclusion is questionable given the difficulty in ascertaining how the electoral umpire arrived at the figures declared.

On the contrary, there was massive turnout of voters across Nigeria – despite obvious attempts to suppress and intimidate voters in order to disenfranchise them. This massive turnout and participation of voters need to be encouraged and sustained in 2027. To do this, emphasis should be laid on the fact that aberrations as witnessed in 2023 are not norms and, therefore, must not be allowed to become enshrined.



## References

- ACE Project (n.d.). Election observation. <https://aceproject.org/ace-en/topics/eo/onePage>.
- African Union Election Observation Mission (February 27, 2023). Preliminary statement: 25 February 2023 presidential and national assembly elections in the Federal Republic of Nigeria, Abuja, 27 February 2023. <https://www.peaceau.org/en/article/preliminary-statement-african-union-election-observation-mission-to-the-25-february-2023-presidential-and-national-assembly-elections-in-the-federal-republic-of-nigeria-abuja-27-february-2023>.
- Benstead, L., Kao, K., & Lust, E. (2020). Does it matter what observers say? The impact of international election monitoring on legitimacy. *Mediterranean Politics*, 1-22.
- Bhattacharjee, A. (2012). *Social science research: Principles, methods and practices*. USF Tampa Bay Open Access Textbooks Collection, Book 3.
- Chatham House (March 31, 2023). Nigeria: Trust and turnout define 2023 elections. <https://www.chathamhouse.org/2023/03/nigeria-trust-and-turnout-define-2023-elections>.
- Commonwealth Observer Group (February 27, 2023). Interim statement of the Commonwealth Observer Group to Nigeria's 2023 general elections. <https://thecommonwealth.org/interim-statement-commonwealth-observer-group-nigerias-2023-general-elections>.
- Dobratz, B. A., Waldner, L. K. & Buzzell, T. (2012). *Power, politics, and society: An introduction to political sociology*. Routledge.
- Dye, T. R., & Ziegler, H. (2009). *The irony of democracy: An uncommon introduction to American politics, fourteenth edition*. Wadsworth.
- Encyclopaedia Britannica (2023). Elections. <https://www.britannica.com/topic/election-political-science>.
- European Union Election Observation Mission (). Nigeria 2023 general elections 25 February and March 18: Final report. <https://www.eods.eu/library/EU%20EOM%20NGA%202023%20FR.pdf>.
- Hyde, S. D. (2011a). *The pseudo-democrat's dilemma: Why election observation became a norm*. Cornell University Press.
- Hyde, S. D. (2011b). Catch us if you can: Election monitoring and international norm diffusion. *American Journal of Political Science*, 55(2), 356-369.
- Igwe, O. (2002). *Politics and globe dictionary*. JAMOE Publishers.



International Republican Institute (IRI)/National Democratic Institute [NDI] (June, 2023). *IRI/NDI International Election Observation Mission to Nigeria Final report of the 2023 general election*. IRI/NDI.

Kelly, J. (2008). Assessing the complex evolution of norms: The rise of international election monitoring. *International Organisation*, 62(2), 221-255.

Kelly, J. (2009). D-minus elections: The politics of norms of international election observation. *International Organisation*, 63(4), 765-787.

Lappin, R. (2009). Why observe elections? Reassessing the importance of credible elections to post-conflict peacebuilding. *Canadian Journal of Peace Research*, 41(2), 85-117.

Luo, Z. & Rozenas, A. (2018). The election monitor's curse. *American Journal of Political Science*, 62(1), 148-160.

Matlosa, K. (2002). Election monitoring and observation in Zimbabwe: Hegemony versus sovereignty. *African Journal of Political Science*, 7(1), 129-154.

Nigeria Civil Society Situation Room (2023). *Report on Nigeria's 2023 general election*. 2023 Nigeria Civil Society Situation Room.

Przeworski, A. (2018). *Why bother with elections?* Polity Press.

Schubert, L., Dye, T. R., & Zeigler, H. (2014). *The irony of democracy: An uncommon introduction to American politics, sixteenth edition*. Wadsworth.

Tapoko, G. C. (2017). Election observation and the question of state sovereignty in Africa. *Journal of African Election*, 16(1), 46-71.

ThisDay Newspaper (March 21, 2023). INEC accredits 146,913 observers for 2023 elections, warns against interference in electoral process. <https://www.thisdaylive.com/index.php/2023/02/21/inec-accredits-146913-observers-for-2023-elections-warns-against-interference-in-electoral-process>.

United Nations (2005). *Declaration of Principles for International Election Observation and Code of Conduct for International Election Observers*. UN.

YIAGA Africa (2023). Dashed hopes? YIAGA Africa report on Nigeria's 2023 general election. [https://yiaga.org/wp-content/uploads/2023/07/Dashed-Hopes-Yiaga-Africa-Report-on-the-2023-General-Election\\_.pdf](https://yiaga.org/wp-content/uploads/2023/07/Dashed-Hopes-Yiaga-Africa-Report-on-the-2023-General-Election_.pdf).