Are Political Parties Ready for Democratic Primaries in Bayelsa and Kogi State?

In May 2019, the Independent National Electoral Commission (INEC) released the timetable for the governorship election in Bayelsa and Kogi states.

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YIAGA AFRICA Commences Political, Security Assessment Ahead of Kogi Election

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Kogi Elections: State-Based Organizations, NUJ Call for Early Voter Education

While registering their fears of possible low voter turnout for the Governorship elections in the state, CSOs urged the Independent National Electoral Commission (INEC) to reach out to citizens at various communities with voter education messages ahead of time.

Speaking during the exercise, Executive Director of Initiative for Grassroots Advancement (INGRA) Hamza Aliyu lauded YIAGA AFRICA for the initiative saying it will prepare the election stakeholders in the state for better civic engagement. While hailing the credibility of YIAGA AFRICA's data-driven election observation methodology, he urged that attention should also be channelled to the community level so that communities understand the electoral process better.

He further advised collaboration between CSOs and other election stakeholders saying INGRA will be actively involved in voter education and pre-election observation activities for the Kogi elections.

Similarly, Executive Director of Conscience for Human Right and Connect Resolution (CHRCR) Idris Miliki Abdul also reaffirmed the importance of voter education saying the political and security terrain in Kogi is also taking an ethnic dimension. According to him, to forestall any possible violence, there is a need to design special messages against electoral violence. He said there is a need to map flashpoints in the state and intensively stop and search vehicles to check arms proliferation.

In a similar vein, chairman of the Kogi state council of NUJ, Alhaji Momoh Jimoh Adeiza commended YIAGA AFRICA for the steps taken to ensure a free, fair and violent free election in Kogi state, urging them to step up their campaign.

Other State-based organizations that are part of the assessment exercise includes, Lift Up Care Foundation (LUCAF), Challenged Parenthood Initiative (CPI) and Participation Initiative for Behavioural Change in Development (PIBCID).

#WatchingTheVote is a citizen led election observation initiative aimed at enhancing the integrity of elections in Nigeria using technological tools like SMS and evidence-based research methodology tools for election observation. The initiative is designed to promote credible elections and boost citizens confidence in the electoral process through the provision of citizens’ oversight on elections throughout the electoral cycle.
YIAGA AFRICA Commences Political, Security Assessment Ahead of Kogi Election

Ahead of the November 16 Governorship elections in Bayelsa and Kogi State, YIAGA AFRICA’s project has commenced a critical assessment of the political and security situation in the states as part of its plan for election observation.

Speaking during an assessment visit to Kogi state’s Independent National Electoral Commission (INEC) office earlier this week, Programs Manager Cynthia Mbamalu said, as YIAGA AFRICA’s Watching The Vote (WTW) project commences plan for pre-election observation in the state, the assessment visit is aimed to engage stakeholders in a bid to understand the political and security dynamics in the state.

According to Cynthia, WTW will be observing the pre-election observation environment starting from the political party primary elections saying the team will also be deploying Long-term observers to observe the pre-election environment in each of the 21 LGAs in the state.

She explained that the objective of the WTW is to provide timely and accurate information about the election process to voters and stakeholders, to ensure that citizens votes count by deterring fraud and manipulation during the conduct of elections and collation of result and as well build citizens’ confidence in the elections.

She said that YIAGA AFRICA would be collaborating with INEC, security agencies, the media and other stakeholders to mitigate electoral misconduct, which allegedly characterized previous elections, and ensure it is reduced to the barest minimum.

“We shall be monitoring the build-up to the election across the state. Identify flashpoints and work with all stakeholders to ensure that violence during the November governorship election in Kogi state is reduced to the barest minimum,” she said.

The team, according to her, will be carrying out more advocacy visit to stakeholders to create the desired awareness towards a more participatory election in the state.

Reacting to this during the meeting, INEC Head of Voter Education and Publicity in Kogi state, Ahmed Biambo expressed delight with YIAGA AFRICA’s early assessment and preparation ahead of the November polls. He reiterated the imperativeness of voter education saying election stakeholders and Civil Society Organizations have a role to play in reaching out to citizens with voter education messages.

According to him, “the success of every election is a collective responsibility of all stakeholders and the commission is ready to collaborate especially in the area of voter education and publicity”.

 фактор, поскольку это процесс, который должен быть своевременным и точным, чтобы обеспечить, что гражданские голоса засчитываются, а не фальсифицируются или манипулируются во время проведения выборов и подсчета голосов, а также для создания доверия граждан к системе выборов.

Она сказала, что YIAGA AFRICA будет сотрудничать с INEC, правоохранительными органами, СМИ и другими заинтересованными сторонами, чтобы снизить коррупцию в выборах, которая характеризовала предыдущие выборы, и сделать это до минимума.

"Мы будем наблюдать за подготовкой к выборам в регионе. Идентифицировать ключевые точки и работать с всеми заинтересованными сторонами, чтобы снизить насилие во время выборов губернатора в Коги в 2023 году до минимума," - сказала она.

Участники команды, по ее словам, проведут еще больше визитов к заинтересованным сторонам, чтобы создать необходимое осведомленность о более активном участии в выборах.

Отвечая на это во время встречи, глава INEC по избирательной просвещению и публичности в Коги, Ахмед Бимбо, выразил радость по поводу ранней оценки YIAGA AFRICA и подготовки к выборам до ноября. Он подчеркнул важность избирательного просвещения, сказав, что все заинтересованные стороны, включая гражданское общество, имеют роль в этом.

По его словам, "успех каждой выборов является обязанностью каждого участника и комитет готов поддержать, особенно в области избирательного просвещения и публичности".
The timetable highlights series of activities beginning with the notice of election scheduled for the 17th of August 2019 and immediately followed by the collection of the forms CF001 and CF002 which kickstarts the timeline for the conduct of the party primaries scheduled from 18th August to 5th September 2019. Party primary is a fundamental activity in the electoral process for several reasons. At first instance, the primary election is central because it is the process through which candidates emerge in a political party to contest in the elections, without which parties cannot field candidates in the elections. In addition, the constitution of the Federal Republic of Nigeria does not provide for independent candidacy but recognizes duly registered political parties as the platforms upon which an individual can contest in an election. On another instance, primaries facilitate the right to contest in an election because the conduct of primaries is a major determinant of a political party’s access to the ballot. As reiterated by the supreme court in *APC & Anor. V Senator Kabiru and Ors (Zamfara APC case)*; “where a political party fails to conduct primaries, then it is apparent that that political party cannot participate in the general elections. For this reason, all political parties have promulgated their constitutions and guidelines where the procedure for selection of candidates for general elections are provided.” As such, only parties that have duly conducted primaries in line with the Electoral Act and Guidelines for the conduct of primaries and within the timeline in the Election Timetable are granted access to the ballot. Beyond the guarantee of the access to ballot, party primaries ordinarily are to set the agenda for the elections giving aspirants the opportunity to highlight the issues in their manifesto as they commence their campaigns for the primaries. Although this is not always the case, as political parties in Nigeria are yet to appreciate the importance of robust political debates on issues during elections as more focus is just on the politics of winning the party ticket. However, the ability of different aspirants to articulate the issues in their manifesto during the campaigns for the primaries enables the voter to understand what each candidate represents and make informed decision at the polls. As Nigeria’s democracy grows, there is more interest by citizens and Civil society groups in the party primaries which ordinarily are viewed by political parties as “party affairs”. The growing quest to observe the primaries is borne from the recognition of the role the primaries play in our electoral democracy and the fact that the shortfalls from the primary elections can hinder efforts targeted at achieving credible elections.

As revealed in the YIAGA AFRICA Watching The Vote observation reports on the 2019 Party Primaries for the general elections, the monetization of the primaries and the non-compliance with existing laws and guidelines created an environment that enabled the increase in the reports of the purchase of the PVC, voter inducement and vote buying. In addition, was the incidents of electoral violence and the litany of pre-election cases that negatively impacted on the 2019 general election. Accordingly, while Political parties may assert that the primary election is an internal political party, the reality is that the primary election informs a political culture which influences the practice within the party, sets the tone for political campaigns and has major impact on how democratic or otherwise the elections will be. A flawed primaries process enables a vulnerable electoral system exposed to election related conflicts, undermining the confidence in the electoral process and leaves a litany of aggrieved persons which as was the case in the 2019 general elections, leads to a
plethora of pre-election cases court. This growing trend of flawed primaries is not sustainable, remains inimical to the development of our electoral process in Nigeria and at the least raises situations that creates distraction to the electoral commission in the preparation for election.

The Electoral Act in section 87 clearly states that “a party seeking to nominate candidate in the elections shall hold primaries for aspirants into the elective offices” which further states that the parties can adopt a direct or indirect primary. With the direct primaries requiring that all aspirant be given equal opportunity to be voted for. While for the indirect primaries, special congresses are to be held in the Local Government Areas with delegates voting for each aspirant and the aspirant with the highest votes cast declared the winner of the primaries.

With the timetable of Bayelsa and Kogi released, political party campaign activities towards the party primaries have commenced with the All Progressive Congress (APC) and the People’s Democratic Party (PDP) dominating the political scene so far. Other parties that are coming up into the race in recent times are: Social Democratic Party (SDP), Africa Democratic Congress (ADC), Accord Party (AP), Young Progressives Party (YPP), All Progressives Grand Alliance (APGA), and Peoples Redemption Party (PRP) with the potential for more parties as the primaries begin. Notably, certain issues already dominating the discourse on the primaries include the method of primaries adopted by the parties with the APC and PDP adopting indirect primaries and then high cost of nomination and expression of interest forms, especially by the APC and PDP in both states. The APC nomination and expression of interest cost N22.5 million with a 50% discount for female aspirants plus an additional administrative fee to be paid. While for the PDP, the cost for nomination is N20 million while expression of interest is 1 million. For female aspirants in PDP the cost for nomination is 1 million naira with no requirement to pay expression of interest fee. For the PDP, about 21 aspirants and 12 aspirants had by the last week of July 2019 purchased their nomination in Bayelsa and Kogi states respectively.

More importantly is the role the electoral commission will be playing in ensuring strict compliance to the election timetable and the Guidelines for the conduct of primaries. The role of INEC to monitor political party primaries requires that each party be assessed by their compliance with the required procedures and the provisions of the Electoral Act. The Supreme court’s decision on the Zamfara APC case is a call to political parties and their leaders to review their party processes and commit to duly conducting democratic party primary elections, and as urged by the court; to “play the game according to the law and guidelines which they themselves have made”.

Possible Issues to look out for in the party primaries include:

**Political Exclusion:** high cost of nomination forms by both the APC and PDP remains worrisome as it maintains the trend of money determining the aspirants in a primary rather than qualification, capacity, competence and manifesto for the candidates. The cost of nomination is therefore the first screening grounds to exclude on grounds of financial strength especially for young aspirants and women.

**Commercialization of the votes:** Beyond the cost of nomination is also the role money will play in determining the votes of the delegates. With money becoming a determining factor already, the cost of a delegate’s vote will not be decided by the delegates conviction of an aspirant capacity but in his/her interest in bargaining the best price for the vote. The cost for each
vote may be a huge burden on aspirants with less financial strength.

**Intra-Party Conflict and threat of Electoral Violence:** Both the APC and PDP have opted to adopt the indirect primaries for their party primaries with different aspirants in the APC for instance, questioning the decision for the process of primaries adopted by the party leadership. Beyond that is the wrangling's already existing within the parties in the pre-primaries phase already creating a politically tensed atmosphere. The ability of the party leadership to manage and balance the interests for different top individuals seeking to clinch the party ticket will be a significant factor in quelling post-primaries conflict. In addition, the willingness to comply and the level of compliance by the political parties with the party guidelines, INEC Guideline for the conduct of Primaries, the Electoral Act and conducting transparent primaries will play a significant role in reducing the tendency of violence during the primaries, post-primaries conflict and also the number of pre-election matters in court.

**Troubled times for women in politics** - The primaries for the different political parties will also be determining the number of female candidates to contest in both elections. The APC and PDP have only 1 female aspirant each, but as more parties plan for their primaries, there may be hope that more female aspirants will contest. However, the question is whether we will have women emerging as candidates in both states from parties contesting in the election. Will Political parties be willing to support female candidates in the 16 November 2019 governorship elections in Bayelsa and Kogi states?
Barely four months to the Governorship elections in Bayelsa and Kogi state and with the controversy of over the usage of server hovering over the Independent National Electoral Commission (INEC), the commission may just remain in a fix on possibility of using a server for the upcoming Governorship elections. Although the court has taken a decision on permission to request to access the server that has been initially declared non-existent, stakeholders have interpreted the judgement in different ways. This is despite, election observation group like YIAGA AFRICA revealed that its observers saw INEC officials “attempting” to transmit elections result to a server and reports from media says officials of the commission confessed to have transmitted results to a server. While some believe the court decision further reaffirms non-existent of server, others think the court only decided it’s too early to access the server at the preliminary stage of the litigation.

It is no brainer that the commission transmitted results to a server using the smart card reader during off-circle Governorship elections in Ekiti and Osun 2018. The only logical explanation for this is the expectation that the new electoral law will be signed into law and thus electronic transmission can be implemented in full force during the 2019 elections. This is apparently why transmission of results using smart card reader was also in the electoral guideline for the 2019 elections. Then conundrum here however is that the lack of assent to the electoral law means, information on the server remain unharnessed as it has not been used to publicly authenticate manual data of either accreditation or results.

This article is not in any way taking readers back to the 2019 Presidential election tribunal on the server controversy as Chairman of the commission, Prof. Mahmood Yakubu, has said he will address the server controversy that trailed the 2019 general elections, after the Presidential Elections Tribunal. All the same, there is need to forecast the plans of the commission with the use of server in the upcoming off-circle governorship elections.

Argument abound on the idea of electronic voting or at least electronic transmission of election results is to provide a transparent evidence vis-à-vis results pasted at polling units and collation centers. Political analysts have said electronic voting and result transmission to server is the solution to the consistent electoral hitches. Although, this is subject to assent to the new electoral act, analysts believe that the upcoming Kogi and Bayelsa election is another opportunity for the commission to sincerely test run its server ahead of subsequent elections pending when the electoral law is signed.

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| ACTIVITY                                                                 | DATE                | REMARKS                                                                                             |
|-------------------------------------------------------------------------|---------------------|-----------------------------------------------------------------------------------------------------|
| Notice of Election                                                      | 17th August 2019    | Section 30 (1) of the Electoral Act, 2010 provides not later than 90 days before the election     |
| Collection of Form CF001, CF002 for the election by Political Parties at INEC Headquarters | 18th August 2019    | Collection by Political Parties to be issued to their candidates                                      |
| Conduct of Party Primaries including resolution of disputes arising from the Primaries | 18th August 9th September 2019 | To enable Political Parties democratically nominate candidates for the election as required by Section 87 of the Electoral Act, 2010 |
| Commencement of campaign by Political Parties in public                 | 18th August 2019    | Section 99(1) of the Electoral Act, 2010 provides 90 days before polling day                         |
| Last day of submission of Forms CF001 and CF002 at the INEC Headquarters | 9th September 2019  | Section 31(1) of the Electoral Act, 2010 provides for not later than 60 days before the election   |
| Publication of Personal Particulars of candidates (CF001) and list of candidates | 14th September 2019 | Section 31(1) of the Electoral Act, 2010 provides for not later than 60 days before the election   |
| Last day for withdrawal by candidate(s) / replacements of withdrawn candidate(s) by Political Parties | 23rd September 2019 | Section 35 of the Electoral Act, 2010 provides not later than 45 days to the election               |
| Last day for the submission of Nomination forms by Political Parties     | 2nd October 2019    | To enable Political Parties comply with Section 32(1) of the Electoral Act, 2010 (as amended)       |
| Publication of official Register of Voters for the election              | 3rd October 2019    | Section 20 of the Electoral Act, 2010 provides not later than 30 days before the day of election   |
| Publication of final list of nominated candidates                        | 17th October 2019   | Section 34 of the Electoral Act, 2010 provides at least 30 days before the day of election         |
| Publication of Notice of Poll                                           | 2nd November 2019   | Section 46 of the Electoral Act, 2010 provides not more than 14 days before the election           |
| Last day for submission of names of Party Agents for the Election to the Resident Electoral Commissioner (REC) | 2nd November 2019   | Section 45 of the Electoral Act, 2010 provides not later than 14 days before the election           |
| Last day for campaigns                                                   | 14th November 2019  | Section 99(1) of the Electoral Act, 2010 provides 90 days for the commencement of campaigns by Political Parties and end of same 24 hours before polling day |
| Day of election                                                         | 14th November 2019  | Section 178(1) & (2) of the Constitution of the Federal Republic of Nigeria 1999 (as amended - 4th Alteration) |

Note: (1) Run off election to the office of Governor of a State (if any) will be held within 21 days after the announcement of the result of the election in accordance with Section 179 of the Constitution of the Federal Republic of Nigeria, 1999 (as amended - 4th Alteration).