

# Nigeria's Dangerous 2015 Elections: Limiting the Violence

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## *Executive Summary*

Nigeria's presidential, parliamentary and state gubernatorial and assembly elections, scheduled for February 2015, will be more contentious than usual. Tensions within and between the two major political parties, competing claims to the presidency between northern and Niger Delta politicians and along religious lines, the grim radical Islamist Boko Haram insurgency and increasing communal violence in several northern states, along with inadequate preparations by the electoral commission and apparent bias by security agencies, suggest the country is heading toward a very volatile and vicious electoral contest. If this violent trend continues, and particularly if the vote is close, marred or followed by widespread violence, it would deepen Nigeria's already grave security and governance crises. The government, its agencies and all other national figures must work urgently to ensure that the vote is not conducted in an explosive situation as this could further destabilise the country.

Nigerian elections are traditionally fiercely contested, but in 2015, risks of violence are particularly high. This will be the first nationwide contest essentially between two parties – the ruling People's Democratic Party (PDP) and the opposition All Progressives Congress (APC) – since the return to civilian rule in 1999. While a genuine contest is a welcome sign of progress for Nigeria's democracy (thanks to the emergence last year of the APC, a merger of the four largest opposition parties), increasingly acrimonious relations between the two parties could engender even fiercer clashes among their supporters once campaigning formally starts in December.

Factional feuds within both parties could degenerate into violence during their national and state primaries. Competing claims to the presidency, between northern leaders and their Niger Delta counterparts, could also result in violence in either or both regions, particularly after the polls. As in 2011, clashes could erupt in some northern states if the APC, whose frontrunners are all northerners, loses the polls; there is similarly a high risk of violence if the PDP loses the presidency, particularly in the Niger Delta, home region of the party's candidate, President Goodluck Jonathan.

The Boko Haram insurgency and the state of emergency in Borno, Adamawa and Yobe could prevent voting in parts of those north-eastern states. If this occurs, the opposition APC, which has large following in those (and other northern) states, could lose a significant number of votes, reject the presidential polls' outcome and question the elected government's legitimacy. An election not held in all states may also fall short of the constitutional requirements for electing a president, namely that the winner score 25 per cent of the votes in two-thirds of the 36 states, thereby raising serious legal disputes. Equally worrying are the increasing availability of firearms, the rise in communal violence across several northern states since 2013 and deepening criminality in the Niger Delta.

Deficiencies in electoral preparations are also compounding the risks of violence. Proposed amendments to the 2010 Electoral Act, including provisions for establishment of an election offences tribunal, which were intended to prevent or punish electoral offences including violence, remain stuck in the National As-

sembly (federal parliament). There is no certainty they will be passed in time to have meaningful impact on the polls.

Repeated assurances by the chairman of the Independent National Electoral Commission (INEC), Professor Attahiru Jega, that the polls will be an improvement on the past, are not entirely supported by realities on ground. There are growing fears that INEC may not be able to produce an updated and credible voter register before the polls. The commission's decision to create 30,000 new polling units, mostly in northern states, was widely rejected by southern leaders and groups who feared Jega, a northerner, was handing his home region an electoral advantage. INEC's decision to put the new polling units on hold has not entirely dispelled southern misgivings. Amid such lack of confidence, an election conducted with an incomplete voter register will certainly be disputed.

Actions by the police and other security services, all controlled by the federal government, could also aggravate tensions around the polls and undermine the credibility of their outcomes. The conduct of some senior police officers, notably in Rivers state, has raised fears that the agency could be manipulated to serve the PDP's interests. Similarly, some actions and pronouncements by the Department of State Security (DSS) – Nigeria's main domestic intelligence agency – have raised concerns about institutional bias. If these agencies act or are perceived to act in a partisan manner, they could undermine free and fair polls and heighten the risks of violence, particularly after the vote.

With only three months before elections, the government cannot engage in long-term structural efforts to improve the quality of the vote, but it can and must be encouraged to urgently take several steps to limit the risk of widespread violence. These include increasing efforts to contain the Boko Haram insurgency, paying special attention to the police to improve the security environment, reinforcing the capacities of the INEC to restore confidence in the electoral process, and along with all politicians, avoid playing the religious card and reducing tensions within and between the parties. The government – President Goodluck Jonathan, the federal legislature, INEC and security agencies – must bear the greatest responsibility for implementing these measures, but other national and political figures, including civil society, as well as international partners must also rally to stop the slide.

## *Recommendations*

### **To the government of President Goodluck Jonathan:**

1. Step up efforts to contain the conflict in the north east and ensure elections are held in all states, particularly by strengthening security services, improving coordination with state governments and implementing regional security arrangements in concert with neighbouring countries.
2. Direct publicly the heads of the Nigeria Police Force and other security agencies to act lawfully and impartially with all parties and individuals participating in the elections.

### **To the president, major political parties and their candidates:**

3. Avoid inflammatory rhetoric, publicly denounce violence, pledge to respect rules, in particular the Code of Conduct for Political Parties, and pursue grievances through lawful channels.
4. Respect party constitutions and particularly allow democratic candidate selections.

### **To leaders of regional, ethnic and religious groups:**

5. Organise national, regional, ethnic and inter-faith public forums to jointly and publicly commit to non-violence, and establish channels of communication and contingency plans to respond to large-scale communal violence.

### **To the National Assembly:**

6. Ensure speedy passage of the amended Electoral Act.
7. Approve urgently supplementary funds for INEC to meet its logistical requirements.

### **To the Independent National Electoral Commission:**

8. Intensify efforts to build relations with all parties, particularly opposition parties, including holding constant consultations to discuss and explain major decisions, sparing no effort in trying to increase confidence and ensuring transparent relations with all parties, individuals and civil society.

### **To the Nigeria Police Force and other security agencies:**

9. Improve security arrangements for the elections by training more personnel for election duties and strengthening capacity to gather information, monitor developments and analyse threats; strengthen ongoing efforts to curb the influx and availability of illegal arms particularly in violence-prone areas; and ensure the newly established Elections Security Planning and Monitoring Unit is well resourced, firmly led and instructed on international best practices.
10. Direct publicly all officers to ensure neutrality in relations with all parties and apply exemplary sanctions against any officer who fails to comply.

**To civil society organisations and mass media:**

11. Engage more actively with youth leaders especially in poor urban and rural areas, strengthen participatory early warning and early response systems, and raise timely alerts of possible violence.
12. Ensure factual and balanced reporting of all election-related developments, and avoid publishing hateful, divisive and inflammatory statements.

**To the UN, EU and other international partners:**

13. Sustain ongoing capacity building programs for major institutions involved in the elections, particularly INEC and the police, and increase technical and financial support to relevant civil society organisations.
14. Deploy observer missions for longer periods before and after the votes to monitor the process more comprehensively.
15. Create a common donor forum for collectively messaging and pressuring President Jonathan, political parties and their candidates, security agencies and all other stakeholders to act lawfully and prevent or mitigate violence.

**Dakar/Abuja/Brussels, 21 November 2014**

# Nigeria's Dangerous 2015 Elections: Limiting the Violence

## I. Introduction

Nigeria's next general elections, the fifth since 1999, are scheduled for 14 and 28 February 2015.<sup>1</sup> All 36 states will hold presidential, federal parliament and Houses of Assembly (state parliaments) elections. Gubernatorial polls will be held in 29 states.<sup>2</sup>

General elections in Nigeria have always been a turbulent and violent affair, even after the return to civilian rule in 1999 that ended fifteen years of military dictatorship. Indeed, the 2007 polls were widely condemned as the most violent, poorly organised and massively rigged in Nigeria's troubled electoral history. Even the winner, President Umaru Musa Yar'Adua, conceded flaws.<sup>3</sup> Unlike in 2007, analysts and observers considered the April 2011 elections the most credible since the return to democracy, but over 1,000 people were killed in post-election protests.<sup>4</sup>

The 2015 elections will be particularly challenging as the first nationwide contest essentially between two parties – the ruling People's Democratic Party (PDP) and the opposition All Progressives Congress (APC) – since the return to democratic rule.<sup>5</sup> The emergence last year of the APC, a merger of the four largest opposition parties, altered the political landscape, potentially posing a serious challenge to the PDP, which has held the presidency and majority of state governorships for fifteen years. Preparations for the elections are going on amid unprece-

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<sup>1</sup> For background on the country, see Crisis Group Africa Report N°113, *Nigeria: Want in the Midst of Plenty*, 19 July 2006. On previous elections, see Crisis Group Africa Reports N°123, *Nigeria's Elections: Avoiding a Political Crisis*, 28 March 2007; N°126, *Nigeria: Failed Elections, Failing State?*, 30 May 2007; Briefings N°79, *Nigeria's Elections: Reversing the Degeneration?*, 24 February 2011; and N°81, *Lessons from Nigeria's 2011 Elections*, 15 September 2011.

<sup>2</sup> The election cycle in the other seven states was altered by court rulings over disputed elections that ousted fraudulently elected governors in 2007 and 2011.

<sup>3</sup> The polls were denounced by virtually all stakeholders, including some senior PDP members, as well as national and international observers. The Coalition of Opposition Candidates (COC) said they were "worse than military coups". Crisis Group Report, *Nigeria: Failed Elections, Failing State?*, op. cit., p. 1.

<sup>4</sup> Crisis Group Briefing, *Lessons from Nigeria's 2011 Elections*, op. cit., p. 1. After that election, a magazine observed that: "Results in Nigerian elections come in two separate columns. One records the votes cast at polling stations; the other the number of people killed around the time of the election". "Ballots and bullets: Political violence reaches new heights", *The Economist*, 14 April 2011.

<sup>5</sup> The PDP, founded in 1998, was formed by a broad-based platform of political leaders known as the G-34, which opposed General Sani Abacha's plan to transition from military dictator to civilian president. It has won every presidential election since 1999. The APC was formed in 2013, when the four biggest opposition parties – the Action Congress of Nigeria (ACN), the Congress for Progressive Change (CPC), the All Nigeria People's Party (ANPP), and a faction of the All Progressives Grand Alliance (APGA) – merged.

dented acrimony between the two parties and deepening regional and religious polarisation.

Apart from the political tensions, preparations for the elections are also challenged by the grim security situation arising from the Islamist insurgency in the north east (the federal government declared a state of emergency in three states in May 2013), the prevalence of various armed groups in other parts of the country, as well as by institutional shortcomings on the parts of INEC and the security agencies. The electoral commission has delivered progressively better elections since 2011, but these were for polls conducted in single states where it could concentrate all of its resources at one time. There are fears that INEC may not perform as well in a nationwide exercise.

This report examines the fluid and volatile environment in which preparations for the February 2015 elections are taking place. It identifies and describes several risks of serious, and potentially uncontrollable, violence around the election process, some already clearly evident, others yet unfolding. It recommends several measures that need to be taken, urgently and by various stakeholders, to minimise and mitigate bloodshed before, during and after the elections.



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## II. Political Tensions

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The Boko Haram insurgency makes this election particularly fraught. It is of great concern to many Nigerians and is also garnering significant international attention. However, the Boko Haram crisis is only a microcosm of the country's deeper malaise. It should not distract from fundamental Nigerian political practices and tactics – which often include the use of armed thugs and other political violence.

### A. *North-South Claims to the Presidency*

The political climate is aggravated by competing claims, by politicians and ethnic leaders from different regions, to the presidency and other offices. While the 1999 constitution allows a president to run for two consecutive terms totalling eight years, the PDP had, in 1999, adopted an internal and unwritten arrangement that alternates the presidency between the north and the south.<sup>6</sup>

In October 2013, the Northern Elders Forum (NEF), a pressure group, declared that “the North magnanimously conceded power to the South in 1999” and that “there is no going back on the presidency returning to the North in 2015”.<sup>7</sup> Northern opposition to Jonathan's re-election has deepened because of the prevailing insecurity in the region. Particularly since 14 April 2014, when Boko Haram kidnapped 276 schoolgirls in Chibok, Borno state, the president has been increasingly criticised across the region, over what many see as his slow, incompetent or half-hearted response to the crisis.<sup>8</sup> On 11 August, NEF issued an ultimatum to Jonathan that he rescue the girls and end the insurgency by the end of October or otherwise forget his 2015 ambition.<sup>9</sup> Though some other northern leaders promptly denounced that ultimatum as unhelpful, widespread frustration with the insurgency's seeming intractability has hardened northern sentiments against the president.

Sentiments in the south run to the contrary. Many, especially in Jonathan's home region of the Niger Delta, insist he must be allowed another four years. They argue that it would be unacceptable for the first national leader from the Niger Delta, the region from which the country draws most of its revenue, to be “bullied out of office” after just one term.<sup>10</sup> Ijaw (Jonathan's ethnic group) leader

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<sup>6</sup> “Zoning” is a common practice under which key positions are allocated in rotation to candidates from the major regions of the country or of a state. Emeka Anyaoku, former secretary-general of the Commonwealth, said, “2015 worries me .... My worry stems from the fact that the political competition of 2015 is seen in terms of sectional interest. And my worry is: what happens when these sections are disappointed, when they do not get what they are affirming is their sectional right?”. Crisis Group interview, Chief Emeka Anyaoku, Lagos, 27 March 2014.

<sup>7</sup> “2015: power shift to North not negotiable – northern leaders”, *The Nation* (Lagos), 26 October 2013. In 1999, in order to compensate the Yoruba in the south west after the 1993 elections won by their kinsmen (Moshood Abiola) was annulled by a northern-dominated military government, all political parties fielded Yoruba candidates; Olusegun Obasanjo (a Yoruba) was elected president.

<sup>8</sup> Of the 276 girls kidnapped, 57 escaped, 219 are still missing. “Presidential committee on Chibok school girls submits report”, *Premium Times* (Abuja), 20 June 2014.

<sup>9</sup> “Produce Chibok girls or forget your 2015 ambition, Northern Elders tell Jonathan”, *Thisday* (Lagos), 11 August 2014.

<sup>10</sup> Crisis Group interviews, civil society leaders, Port Harcourt, 19-20 May 2014. From independence in 1960 to January 1966, the prime minister (Abubakar Tafawa Balewa) was from the

Chief Edwin Clark said, "we cannot continue to feed this country and we are not ruling the country".<sup>11</sup>

Former Niger Delta militant leaders particularly insist Jonathan be given another term.<sup>12</sup> They fear his exit may mean an end to the Presidential Amnesty Programme (PAP) under which thousands of ex-militants have been paid monthly stipends since 2010 and many sponsored to study abroad; and scrapping of both the Niger Delta Development Commission (NDDC) and the Niger Delta affairs ministry, as northern delegates at the National Conference had demanded.<sup>13</sup> Some also fear that if a northerner assumes the presidency, he may adopt a harder line against the involvement of locals in oil theft in the delta, estimated at \$35 million (£20.6 million) a day by a report submitted at the National Conference in June 2014.<sup>14</sup>

The claims and counter-claims have turned into threats of violence. Northern politician Junaid Mohammed, from Kano state, said, "if Jonathan insists on running, there will be bloodshed".<sup>15</sup> On 14 October 2014, NEF warned that those who vote for Jonathan and the PDP in 2015 will be considered an enemy of the north.<sup>16</sup> On the same day, hundreds of thugs, armed with cudgels, pickaxes, bows and arrows stormed the Bauchi residence of the PDP's publicity secretary in the north east, Sani Alamin Muhammed, intending to lynch him: he was not at home, but the thugs, restrained by police from burning his house, left a chilling warning that any politician in the state who supports Jonathan should flee with his family or risk paying with his life.<sup>17</sup>

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north east and from 1966 to 1999, one south-easterner (Major General J. T. U. Aguiyi-Ironsi) ruled for six months and two south-westerners (Olusegun Obasanjo and Ernest Shonekan) for less than four years, while seven northerners (Yakubu Gowon, Murtala Mohamed, Shehu Shagari, Muhammadu Buhari, Ibrahim Babangida, Sani Abacha and Abdulsalami Abubakar) held the top post for the remaining 29 years.

<sup>11</sup> Crisis Group interview, Chief Edwin Clark, Abuja, 10 March 2014.

<sup>12</sup> Crisis Group interviews, ex-militant leaders, Port Harcourt, 20 May 2014.

<sup>13</sup> "Confab: Northern delegates want NDDC, Amnesty scrapped", *Daily Trust* (Abuja), 12 May 2014. In February 2014, the PAP chairman, Kingsley Kuku, reported that ex-militants in the Niger Delta had received budgetary allocations totalling N234 billion (\$1.52 billion) since 2010. "Kuku: Amnesty got N234bn budgetary allocation, not N400bn", *Thisday*, 18 February 2014. The National Conference, organised at the instance of President Jonathan, brought together 492 delegates from all over the country, to make recommendations toward constitutional and administrative reforms. Inaugurated on 17 March 2014, it submitted its report to Jonathan on 21 August 2014.

<sup>14</sup> The 71-page report, cited by Crisis Group, was prepared by the energy committee of the National Conference, headed by Rasheed Ladoja, in June 2014. See also "Nigeria's Criminal Crude: International Options to Combat the Export of Stolen Oil", Chatham House, London, 19 September 2014.

<sup>15</sup> A House of Representatives member in the Second Republic (1979-1983), reportedly said: "Quote me: if Jonathan insists on running, there will be bloodshed and those who feel short-changed may take the warpath and the country may not be the same again .... But we don't pray to get to that level before his ethnic and tribal advisers pull him back". "2015: There'll be bloodshed, if Jonathan runs, warns Junaid Mohammed", *The Sun*, 1 December 2013. Riots erupted in several northern cities after the 2011 polls claiming over 800 lives. "Post-election violence killed 800", Human Rights Watch, 17 May 2011.

<sup>16</sup> "2015: We'll regard anyone that votes for PDP as enemy of the North – NEF", *Vanguard*, 15 October 2014.

<sup>17</sup> "PDP north-east spokesperson escapes lynch for supporting Jonathan's endorsement", *Peoples Daily* (Abuja), 15 October 2014.

In the Niger Delta, Mujahid Asari-Dokubo, a former militant leader and founder of the Niger Delta Peoples Salvation Front (NDPSF), threatened violence if Jonathan is not re-elected. He warned: "2015 is more than do-or-die. It is our very survival that is being challenged, and we must tell them: 'You are a man and I am a man, we are going to meet at the battlefield'".<sup>18</sup> Many ex-militant leaders in the region, sharing Asari-Dokubo's stand, threaten to violently cripple the petroleum industry, and a group of former militants threatened to cut off the supply of petroleum products to the north, if Jonathan is not re-elected in 2015.<sup>19</sup> A former militant leader added that major companies owned by northerners operating in the Niger Delta, including Atiku Abubakar's Intels Nigeria Limited (an oil services company) and Aliko Dangote's sprawling Dangote Group (a vast conglomerate that has large warehouses and terminals in Port Harcourt and Onne, Rivers state), would be expelled from the region.<sup>20</sup>

#### B. *The Religion Factor*

The country's religious diversity also poses a challenge to the conduct of peaceful elections. Many Nigerians have strong religious identities and the two major political parties are dangerously playing up these sentiments to boost their electoral support.<sup>21</sup>

APC leaders accuse Jonathan of pandering to Christian voters. Jonathan is visibly close to Ayodele Oritsejafor, a Pentecostal pastor who is president of the Christian Association of Nigeria (CAN) and has advocated a more assertive and confrontational stance toward Muslims. In October 2013, Jonathan led 30,000 Nigerian Christians on an annual pilgrimage to Israel, the first ever by a Christian president.<sup>22</sup> (Muslim leaders have always gone on pilgrimage to Saudi Arabia, but this is a religious duty). On 23 February 2014, he announced that thenceforth, on every last Sunday of the month, he would not worship at the chapel inside the presidential villa (Aso Rock), but would go to a different church in Abuja, "to show appreciation to Christians for their prayers".<sup>23</sup> On 22 March, he vis-

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<sup>18</sup> He also said: "The day Goodluck is no longer the President, all of us who are on sabbatical will come back. There will be no peace, not only in the Niger Delta but everywhere. If they say it is an empty boast, let them wait and see". "Dokubo – No peace if Jonathan loses 2015", *Daily Trust*, 6 May 2013; "2015 more than do-or-die, Asari-Dokubo insists", *New Telegraph*, 3 May 2014.

<sup>19</sup> Crisis Group interviews, former militant leaders, Port Harcourt, May 2014. A former militant leader, "General" Reuben Wilson, also known as "Ex-General Pastor", said Jonathan "will complete his two terms and even hand over to another person from this region and not the north. The northerners have ruled for too long, and it is not their birthright". "Jonathan's re-election: Ex-militants vow to cut off fuel supply to North if...", *Vanguard*, 1 July 2014.

<sup>20</sup> Crisis Group interview, former militant leader, Port Harcourt, 4 October 2014. Atiku Abubakar is from Adamawa and Aliko Dangote is from Kano state, both in the north.

<sup>21</sup> According to an April 2010 report by the Washington-based Pew Research Centre, 87 per cent of Nigerians say their religion is "very important" to their lives; 11 per cent say religion is "somewhat important". 31 per cent say they would support only leaders from their own religious group. "Tolerance and Tension: Islam and Christianity in Sub-Saharan Africa", Pew Forum on Religion and Public Life, Washington, DC, April 2010.

<sup>22</sup> "President Jonathan to lead 30,000 Nigerian Christian pilgrims to Israel", *Premium Times*, 14 October 2013; "Jonathan leaves for pilgrimage, official visit to Israel", *Thisday*, 23 October 2013.

<sup>23</sup> "Jonathan to attend churches outside Aso Rock", *The Punch* (Lagos), 24 February 2014.

ited Pope Francis at the Vatican, sending a not-so-subtle message to Nigeria's estimated 20 million Catholics, about 12 per cent of the population.<sup>24</sup>

The PDP has labelled the APC, whose two foremost leaders (Muhammadu Buhari and Bola Tinubu) are both Muslims, as "Nigeria's Muslim Brotherhood", and "a party of bloodthirsty, religious and ethnic bigots averse to the unity of the country".<sup>25</sup> It has accused the APC of fuelling the Islamist insurgency, describing its leaders as "a hypocritical lot, wolves in sheep skin, devils who, through their utterances, stoke the fires of violence by night only to wear messianic robes in the morning to shed crocodile tears for their victims".<sup>26</sup>

The continuing manipulation of religious sentiments could aggravate electoral tensions in several states and exacerbate the historical north-south, Muslim-Christian divide. In Lagos state, for example, some Christian leaders are saying, for the first time ever, that it is now their "turn to produce the governor" since the two elected governors since 1999 – Bola Tinubu and Babatunde Raji Fashola – were Muslims.<sup>27</sup> In Taraba state, Muslims are claiming that, as the two elected governors since 1992 were Christians, the next governor in 2015 must be a Muslim.<sup>28</sup>

Particularly in the Middle Belt and central northern states, the manipulation of religious sentiments for political gains could result in dire consequences. Across the region, the largely Christian "indigenous" population fears that losing Jonathan would mean returning to Muslim dominance; while the predominantly Muslim Hausa-Fulani "settlers" passionately desire a northern Muslim president. Political manipulation could aggravate longstanding tensions between these groups, significantly increasing violence around the elections.<sup>29</sup>

### *C. Campaign Violence between Parties*

Tensions between the two major political parties pose another major risk of violence. Over the last year, the APC has been unsparingly critical of the PDP and the Jonathan administration, seizing every opportunity to portray the party and Jonathan as woeful failures, particularly in their management of national security and the economy. It also accuses the president of divisive politics that has deepened ethnic, regional and religious fault lines across the country.

Alarmed that the APC could win more states or even the presidency in 2015, the PDP, and the federal government it controls, have fought back ferociously on several fronts. On the judicial side, the party filed a suit in December 2013, urging a federal court to oust five governors who had defected from the PDP since they were no longer in the party they represented when elected to office. The case is still in court, if idle.<sup>30</sup>

<sup>24</sup> "Jonathan meets Pope, justifies anti-gay law", *The Punch*, 23 March 2014.

<sup>25</sup> "PDP Condemns Dominance of APC Executive by Muslims", *Thisday*, 8 January 2014.

<sup>26</sup> "Fani-Kayode's revelation: we have been vindicated – PDP", statement by Olisa Metuh, PDP national publicity secretary, 3 June 2014, at [www.peoplesdemocraticparty.net](http://www.peoplesdemocraticparty.net).

<sup>27</sup> "Group clamours for Christian governor in Lagos", *The Punch*, 22 September 2014.

<sup>28</sup> "Putting religion before manifestoes", *Tell*, 8 September 2014.

<sup>29</sup> For a detailed analysis of the tensions and conflicts between these groups, see Crisis Group Africa Report N°196, *Curbing Violence in Nigeria (I): The Jos Crisis*, 17 December 2012.

<sup>30</sup> On 24 June 2014, a federal high court in Abuja declined to assume jurisdiction on the matter and adjourned indefinitely on the grounds the PDP failed to properly serve the five governors

The PDP has also sought to deplete the number of APC governors. It has initiated impeachment processes against two APC governors through their PDP-dominated state legislatures. On 15 July 2014, the Adamawa state legislature impeached Governor Murtala Nyako (a PDP-elected governor who defected to the APC with four others in November 2013) for “gross misconduct” and alleged corruption. Although the alleged offences occurred while Nyako was in the PDP, there were no sanctions from the state legislature at the time.<sup>31</sup> In Nasarawa state, legislatures failed to impeach Governor Umaru Tanko Al-Makura in July, but have apparently not given up. APC claimed these actions were masterminded by Jonathan and alleged that PDP leaders bribed the state legislators – a claim the PDP denied.<sup>32</sup> The impeachment processes were clearly not about corruption or other misdeeds – there are plenty of governors facing such allegations – but part of the PDP’s strategy to decimate the ranks of APC governors, so as to win at least 24 states in 2015.<sup>33</sup>

The party has also employed several other irregular tactics, through various federal government agencies, including harassment and intimidation of APC governors and supporters, in efforts to cow the opposition. On several occasions, aircraft carrying opposition governors were impounded or refused permission to fly on questionable grounds or on vague “orders from above”.<sup>34</sup>

Tensions between the parties have also been heightened by inflammatory language on all sides. In May 2012, Muhammadu Buhari, an APC leader, threatened: “God willing, by 2015, something will happen. They either conduct a free and fair election or they go a very disgraceful way. If what happened in 2011 should happen again in 2015, by the grace of God, the dog and the baboon would all be soaked in blood”.<sup>35</sup> In April 2014, Bola Tinubu, another APC leader, warned: “It

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with copies of the suit seeking to declare their seats vacant. “Defection: Court adjourns suit against 5 gobs sine-die”, *Vanguard* (Lagos), 25 June 2014.

<sup>31</sup> As recently as October 2013, the state legislature had passed a “vote of confidence” commending Nyako for his “purposeful leadership”. Nyako challenged his impeachment and denied any wrongdoing.

<sup>32</sup> “APC alleges Adamawa lawmakers got money to impeach Nyako”, *The Guardian*, 16 July 2014; “Jonathan bribed each lawmaker \$300,000 to impeach Nyako – APC”, *Daily Times of Nigeria* ([www.dailytimes.com.ng](http://www.dailytimes.com.ng)), 17 July 2014.

<sup>33</sup> “2015: PDP targeting two-third of states – Akpabio”, *Leadership* (Abuja), 16 July 2014. Section 134 of the 1999 constitution stipulates that a presidential candidate is elected if he wins the majority (where there are only two candidates) or the highest number (if there are more than two candidates) of votes cast, and not less than one-quarter of the votes cast in “each of at least two-thirds of all the states in the Federation and the Federal Capital Territory, Abuja”.

<sup>34</sup> “How we were arrested, our plane grounded in Kano – Amaechi”, *Nigerian Tribune*, 10 June 2014. Borno state Governor Kashim Shettima has been prevented from using the Maiduguri International Airport (closed for non-military flights), forcing him to travel by road in areas where Boko Haram is present. His political opponent, former Governor and current Senator Ali Modu Sheriff (now with the PDP), reportedly is still able to travel to the state by aircraft. “Conflict Briefing Notes”, *Nigeria Stability and Reconciliation Programme*, July 2014, p. 2. In other instances, in April 2013, the civil aviation authority grounded a Rivers state government jet over alleged irregularities with its registration and operations. On 19 June, soldiers and other federal government security agents prevented two opposition governors, Rotimi Amaechi (Rivers state) and Adams Oshiomhole (Edo state), from travelling to Ekiti state, where they had planned to attend an APC rally for Kayode Fayemi, who was seeking re-election. “Soldiers stop Oshiomhole, Amaechi from venturing into Ekiti”, *Thisday*, 20 June 2014.

<sup>35</sup> “2015’ll be bloody if...- Buhari”, *Vanguard*, 15 May 2012.

is going to be rig and roast. We are prepared, not to go to court but to drive you out .... For every action, there will be a reaction".<sup>36</sup> In July, Akwa Ibom state Governor Godswill Akpabio threatened opposition politicians (and dissident members of his party): "those who want to take power through the back door will die. They will die! And the PDP will continue".<sup>37</sup>

There have already been several relatively minor clashes between the two parties' supporters.<sup>38</sup> In addition, there have been politically motivated attacks on individuals. On 15 May, unidentified men levelled the residence of Ikedi Ohakim, the former Imo state governor, two days before he was to announce his intent to run for a seat in the Senate, forcing him to abort the announcement. He blamed the attack on his "political enemies", meaning the APC-aligned All Progressives Grand Alliance (APGA) in power in the state.<sup>39</sup>

On 18 July, gunmen attacked a House of Assembly aspirant, Alfred Watson Belemote, on the Brass/Okpoama waterways in Bayelsa state; he was wounded and two of his aides killed.<sup>40</sup> On 28 July, Temitope Olatoye, an APC legislator in Oyo state, escaped an attack by gunmen in Ibadan, the state capital; he believed it was politically motivated.<sup>41</sup> On 9 September, suspected hired gunmen killed Kingsley Nkemka, a former Imo state lawmaker who was planning to contest for a seat in the House of Representatives.<sup>42</sup> Clashes and attacks may well escalate in frequency and intensity once the 2015 campaigns commence formally.

#### D. *Tensions within Parties*

The two major parties have been plagued by internal discord. The PDP undoubtedly remains formidable: it has substantial resources and can use the government's coercive and mass media instruments to advance its goals. But deep divisions continue to threaten its cohesion. The party was fractured in August 2013, when seven state governors, former Vice President Atiku Abubakar and some other senior members formed a parallel national executive committee.<sup>43</sup> The breakaway faction, which named itself New PDP (nPDP), alleged "increasing re-

<sup>36</sup> "Words of Fire", *Tell*, 7 July 2014.

<sup>37</sup> "Akpabio's ungubernatorial demeanour", *Thisday*, 25 July 2014.

<sup>38</sup> "APC and PDP clash in Sokoto", SaharaReporters (saharareporters.com), 12 January 2014; "PDP, APC members clash over Jonathan's visit", *Leadership*, 15 April 2014; "2 killed, many injured as PDP, APC factions clash in Kano", *Leadership*, 14 May 2014; "Defection violence and the APC, PDP rivalry in Kwara", *Daily Trust*, 20 June 2014; "15 injured as APC, PDP supporters clash in Ile-Ife", *Nigerian Tribune*, 8 July 2014; "2 die as APC, PDP supporters clash in Osun", *Vanguard*, 26 July 2014; "8 wounded in Rivers APC/PDP clash", *Nigerian Tribune*, 14 August 2014; "4 killed, 1 injured as APC, PDP supporters clash in Nasarawa", *Leadership*, 20 August 2014; "55 injured as PDP, APC supporters clash", *The Punch*, 16 September 2014; "Three killed as Lagos APC, PDP youths clash", *The Punch*, 22 September 2014.

<sup>39</sup> "Imo Bomb Blast: Ohakim holds 'political enemies' responsible", *Leadership*, 20 May 2014.

<sup>40</sup> "2 shot dead as gunmen attack House of Assembly aspirant in Bayelsa", *Sunday Sun* (Lagos), 20 July 2014.

<sup>41</sup> "Oyo lawmaker escapes assassination attempt", *Leadership*, 31 July 2014.

<sup>42</sup> "APC aspirant murdered in Imo", *Daily Trust*, 12 September 2014.

<sup>43</sup> The governors were Aliyu Wamakko (Sokoto), Babangida Aliyu (Niger), Rabi'u Kwankwano (Kano), Murtala Nyako (Adamawa), Abdulfatah Ahmed (Kwara), Sule Lamido (Jigawa) and Rotimi Amaechi (Rivers). Others in the faction included one-time acting National Chairman Kawu Baraje, suspended National Secretary Prince Olagunsoye Oyinlola and former Deputy National Chairman Sam Jaja.



pression, restrictions of freedom of association, arbitrary suspension of members" and serial violation of the party's constitution by the chairman, Bamanga Tukur.<sup>44</sup> It also claimed Tukur was encouraged by President Goodluck Jonathan "whose only calculations are geared towards shutting out any real or imagined opposition ahead of the party's presidential primaries for the 2015 elections".<sup>45</sup>

Following an 18 October 2013 court order, which stopped the nPDP from establishing offices and barred the INEC from recognising it as a political party, five of the seven dissident governors joined the APC.<sup>46</sup> Those defections boosted the number of states controlled by the opposition to sixteen, leaving the PDP with eighteen. Furthermore, 49 House of Representatives members and eleven senators (all elected on the PDP platform) also defected, meaning, for the first time ever, that the opposition had assumed parity in the National Assembly.

Seeking to stop the defections and pacify aggrieved members, the PDP replaced Tukur, whose actions were widely seen as divisive, with the seemingly conciliatory Adamu Muazu. With the launch of a peace and reconciliation campaign, this helped to curb the exodus. But deep internal divisions persist. On 2 December 2013, former President Olusegun Obasanjo, an influential party elder, published an eighteen-page letter bitterly attacking Jonathan for reneging on his promise not to seek a second term.<sup>47</sup> On 28 October 2014, Aminu Tambuwal, the PDP-elected speaker of the House of Representatives and fourth highest ranking official in the government, quit the party and joined the APC.<sup>48</sup>

The party has chosen Jonathan as its presidential candidate ahead of its primaries scheduled for 6 December 2014, but his candidacy is being challenged, especially by party members from the north. Some northern PDP politicians argue that they were short-changed by President Umaru Yar'Adua's death in 2010 (after only three years at the helm), which paved the way for then Vice President Jonathan, a southerner, to assume office.

Opponents of Jonathan's candidacy claim that prior to the 2011 elections, he had pledged he would serve only one term and thereafter yield the office to a northerner.<sup>49</sup> In January 2011, Jonathan reportedly told a group of Nigerians in Is-

<sup>44</sup> Tukur, a wealthy businessman from Adamawa state, was executive president of the African Business Roundtable and chairman of the New Partnership for Africa's Development (NEPAD) Business Group from 1975 to 1982. He was elected governor of the old Gongola state (now split into Adamawa and Taraba states) in October 1983 but lost office three months later, following a military coup. From 1993 to 1995, he was industry minister under General Sani Abacha. He was elected PDP national chairman in March 2012.

<sup>45</sup> "People's Democratic Party falls apart", *The Punch*, 1 September 2013.

<sup>46</sup> The governors are Abdulfatah Ahmed, Rotimi Amaechi, Rabi'u Kwankwaso, Murtala Nyako and Aliyu Wamakko. Babangida Aliyu and Sule Lamido opted to stay on in the PDP.

<sup>47</sup> For full text of the letter, see "Obasanjo's letter to Jonathan: Before it is too late", *Thisday*, 23 December 2013.

<sup>48</sup> "Tambuwal defects to APC", *Thisday*, 29 October 2014.

<sup>49</sup> Jonathan denies striking any agreement. "2015: I didn't sign one-term deal with anybody – Jonathan", *Vanguard*, 30 September 2013. On 15 February 2014, PDP's Deputy National Chairman Uche Secondus said: "I am not aware of any agreement that President Jonathan entered into with anyone or group in 2011 that he will only serve as President for one term. I have also not seen any agreement. No one or group has been able to produce such a document. The PDP has no knowledge of such a document". But Abdullahi Adamu, then secretary of the PDP board of trustees, says he was at the meeting in Abuja in 2011 where Jonathan agreed he would serve only one term and then step aside to allow a northerner to take over. "Jonathan agreed to serve only one term – Ex-Nasarawa gov", *The Punch*, 20 June 2014. Niger state Governor

tanbul, Turkey, that he had no ambition of contesting in 2015.<sup>50</sup> His northern opponents point out that if Jonathan wins in 2015, he would have been president for nine years.<sup>51</sup> That would not only exceed the constitutional eight-year limit but also mean a northerner would have been president for only three years since the return to democracy in 1999, a situation many in the region consider unfair and unacceptable.

On 18 September 2014, Umar Ardo, a prominent PDP member in Adamawa state, indicated he would institute judicial action to determine whether Jonathan's candidacy is valid, given the constitutional eight-year limit.<sup>52</sup> A day later, two lawyers and a human rights activist sued Jonathan at the Federal High Court in Abuja, asking the court to stop the PDP from fielding him.<sup>53</sup>

In many local constituencies, there is concern that candidates' struggles for nomination could degenerate into attacks on individuals and factional violence around the party's primaries. For instance, in Akwa Ibom state (south east), allegations of politically motivated assassinations are on the rise. On 13 March 2014, a local PDP leader, Albert Ukpanah, was reportedly strangled to death in Abak: associates say opponents within the party eliminated him amid a dispute over eligibility for political offices in 2015.<sup>54</sup> On 7 May, a PDP leader, Eshiet Usung-Inwang, was shot dead at Ikot Uso Ekong, near Eket, allegedly by rivals over competing claims to the gubernatorial nomination.<sup>55</sup> On 12 May, gubernatorial aspirant Chief Umanna Okon Umana petitioned the National Human Rights Commission (NHRC) to investigate Governor Godswill Akpabio's alleged role in the assassinations and kidnapping of some PDP leaders in the state.<sup>56</sup> On 13 May, Don Etiebet, a permanent member of the PDP's board of trustees, also petitioned the inspector general of police, alleging the governor's agents were planning to eliminate him.<sup>57</sup> Akpabio denies all the allegations.<sup>58</sup> In Katsina state, Governor Ibrahim Shema (PDP) allegedly encouraged his party members to physically assault and possibly "kill" opposition politicians in the state.<sup>59</sup>

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Muazu Babangida Aliyu also insists Jonathan agreed to serve only one term. Former President Olusegun Obasanjo has said repeatedly that there was such an agreement. However, Adamu, Aliyu, Obasanjo and others have not provided any documented proof.

<sup>50</sup> "I'll not contest 2015 election – Jonathan", *Vanguard*, 1 February 2011.

<sup>51</sup> Kano state Governor Kwankwaso argues it would amount to a third term, which is unacceptable. "Kwankwaso: INEC's polls timetable favours Jonathan", *Daily Trust*, 28 January 2014.

<sup>52</sup> "An open letter to PDP national chairman: Constitutional impediments to President Jonathan's candidacy in 2015", *Thisday*, 18 September 2014. In a March 2013 suit over Jonathan's eligibility, an Abuja High Court had ruled that he could contest, as Section 137 sub-section 1 (b) bars a candidate only "if he has been elected to the office of president at any two previous elections". Ardo's suit is hinged on another constitutional provision that limits the cumulative tenure of a president or governor to a maximum of eight years. He argues that since the Supreme Court had invoked this provision in an earlier case involving some state governors, it should also apply the same to Jonathan. Ardo served as special assistant to then Vice President Atiku Abubakar from 1999 to 2003. In 2011 and 2014, he was an Adamawa state gubernatorial candidate.

<sup>53</sup> They are Mase Daphine Acho, Sarki Umar Saddik and Murtala Abubakar.

<sup>54</sup> "A'Ibom: Bloodletting ahead of 2015 Elections", *The Punch*, 14 May 2014.

<sup>55</sup> "Gunmen assassinate PDP chieftain in Eket, Akwa Ibom", *The Guardian* (Lagos), 9 May 2014.

<sup>56</sup> "Killings in Akwa Ibom", *Verbatim* (Abuja), 21 July 2014.

<sup>57</sup> *Ibid.*

<sup>58</sup> "Akpabio denies assassination allegations", *Thisday*, 8 July 2014.

<sup>59</sup> An amateur video first posted on the internet on 12 November 2014 showed the governor describing opposition politicians as "cockroaches". He asked a crowd what they would do if they



The APC also faces serious internal problems. First, drawing its membership from four political parties (now known as the “legacy parties”), it was, from the onset, a marriage of strange bedfellows and bound to be a difficult union. As a commentator described it, the party “is like a church which has Catholic priests, Pentecostal pastors, juju priests, cultists and even magicians as members”.<sup>60</sup> The party has also been stressed by an underlying leadership struggle between Muhammadu Buhari, a former military head of state (1983-1985), and Bola Tinubu, a former Lagos state governor who still commands significant political influence in the south west.<sup>61</sup> Moreover, the fact that the party’s two most prominent leaders – Buhari and Tinubu – are Muslims, initially raised some apprehension among Christian members, who feared the party may eventually be Muslim-dominated. The party has never been able to dispel those initial suspicions entirely.

The influx of top PDP politicians (especially governors) created further problems. While the party was initially viewed by many as possibly a vehicle for change, its admission of so many politicians with no “progressive” track record or inclination for reforms has blurred that identity: it is now largely seen as merely a variant of the PDP. On 16 August, when Nuhu Ribadu, 2011 presidential candidate of the defunct Action Congress of Nigeria (forerunner of the APC), defected to the PDP, he said there was no real difference in the character and ideas of the two parties.<sup>62</sup>

Provision in the APC’s constitution that governors would be the party’s leaders in their respective states deepened its internal problems. It gave pre-eminence to those governors who came from the PDP at the expense of other politicians who had laboured and sacrificed to build the party from scratch. Some, like former Kano state Governor Ibrahim Shekarau and former Sokoto state Governor Attahiru Bafarawa, left in anger, taking their supporters with them to the PDP.<sup>63</sup>

Others complain of “dictatorial tendencies” by party leaders they accuse of plotting to handpick candidates for the elections (so-called “consensus candidates”) rather than allowing candidates to emerge democratically in party primaries.<sup>64</sup> In

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found cockroaches in their homes. He then answered: “Crush them! .... Before now, people from the opposition will humiliate us in the PDP and we will say don’t do anything about it, but now I am telling you to fight back and ‘quote me’”. “Katsina Governor, Shema, caught on video urging supporters to “crush, kill political opponents”, *Premium Times*, 19 November 2014. His office had not issued any reaction to the video at the time of writing.

<sup>60</sup> Crisis Group interview, senior PDP official, Abuja, 2 June 2014.

<sup>61</sup> Buhari (72), a Fulani from Daura in Katsina state, has considerable support in the northern states and was the presidential candidate of the Congress for Progressive Change (CPC) in 2011; he came second to incumbent President Jonathan (56). Ahmed Bola Tinubu (62), a Yoruba from Lagos, was Lagos state governor from 1999 to 2007 and has since maintained significant political influence in the south-western states.

<sup>62</sup> “Ribadu defends defection to PDP”, *The Punch*, 18 August 2014. He was the first executive chairman of the Economic and Financial Crimes Commission (EFCC) from April 2003 to December 2007, tasked with countering corruption and fraud.

<sup>63</sup> Shekarau, who was also the presidential candidate of the All Nigeria People’s Party (ANPP) in 2007, resented the former PDP member and current Governor Rabiul Kwankwaso taking control of the Kano state APC structures. Both men had been political rivals over the years.

<sup>64</sup> Crisis Group interview, Niyi Akinsiju, president, New Lagos Movement (NLM), a group within the APC, Lagos, June 2014.

many states, politicians from the smaller parties in the merger complain of marginalisation and demand their members be nominated as the APC's candidates for some of the elective offices regardless of their political weight.<sup>65</sup>

In both PDP and APC states, tensions have been aggravated by the dearth of internal democracy. This is particularly a problem in the nineteen states where governors are completing their second, and final, four-year terms. Attempts by them to handpick their successors, instead of allowing state party members to nominate the candidate, and differences between the governors and national party leaders (the so-called "godfathers") over the choice of the successors, have created multiple sources of friction. As most of these departing governors are also seeking election to the Senate, a "retirement home" for former governors, their schemes to shut out all other senatorial aspirants from their constituencies are adding to local tensions.<sup>66</sup> In most states, the situation is further complicated by sectional agitation that the gubernatorial ticket must be rotated between all major zones of the state, with various constituencies simultaneously claiming they had been "marginalised" over the years and insisting on their "right to produce" the next governor.

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<sup>65</sup> Crisis Group interviews, APGA official, Port Harcourt, 20 May 2014; former ANPP official, Abuja, 13 June 2014.

<sup>66</sup> "Senate: Governors' Retirement Home", *Thisday*, 23 October 2014.

### III. Security Concerns

#### A. *Boko Haram Insurgency in the North East*

The elections are also threatened by the insurgency continually waged by the militant Islamist group, Jama'atu Ahlis Sunna Lidda'awati wal-Jihad (Arabic for "People Committed to the Propagation of the Prophet's Teachings and Jihad"), more widely known as Boko Haram (Hausa usually translated loosely as "Western education is forbidden"). The group, which emerged in 2002 but started violent attacks in 2009, says it is fighting to establish an Islamic, Sharia-governed state in Nigeria.<sup>67</sup>

Despite the state of emergency in Adamawa, Borno and Yobe states since May 2013 and increased military offensives, the insurgents have adopted and intensified an effective three-pronged strategy of bombings in cities, scorched-earth tactics in rural areas and audacious assaults on military and police bases.<sup>68</sup> These attacks resulted in over 5,000 civilian casualties and the displacement of at least 750,000 persons between May 2013 and October 2014.<sup>69</sup>

The security and humanitarian situation has already adversely affected political activities. As Boko Haram's campaigns have advanced from hit-and-run guerrilla attacks to conventional warfare waged by regimental-size formations, the group's strategy has evolved to capturing and holding territory. By mid-September 2014, the insurgents had seized 25 towns in Adamawa, Borno and Yobe states.<sup>70</sup> On 3 November, an Abuja-based newspaper reported that Boko Haram insurgents had seized and established control over 20,000 sq km of territory in Borno, Yobe and Adamawa states, about the size of Wales in the United Kingdom or the state of Maryland in the U.S.<sup>71</sup> On 7 November, Adamawa state Governor Bala Ngilari said Boko Haram had "overrun" at least five local govern-

<sup>67</sup> For background on Boko Haram and the insurgency, see Crisis Group Africa Report N°216, *Curbing Violence in Nigeria (II): The Boko Haram Insurgency*, 3 April 2014. On 24 August, it released a video in which its leader announced the creation of an Islamic Caliphate in areas it controls in the north east. "Nigeria: Boko Haram claims it is Islamic Caliphate", Associated Press, 25 August 2014; for more see, "Special Report: North-East Nigeria on the Brink", Nigeria Security Network ([nigeriasecuritynetwork.org](http://nigeriasecuritynetwork.org)), 2 September 2014.

<sup>68</sup> In December 2013, Boko Haram attacked army and air force bases in Maiduguri, "incapacitating" two helicopters and three decommissioned military aircraft. On 14 March 2014, hundreds of insurgents attacked the Giwa barracks in Maiduguri, freeing scores of their colleagues. On 3 May, they again attacked a military barracks near the University of Maiduguri, but were apparently repelled by soldiers. "Soldiers repel Boko Haram attack on military barracks in Maiduguri", *New Telegraph*, 3 May 2014. On 20 August, the insurgents attacked and captured a police academy in Gwoza, Borno state. "Boko Haram attacks police academy, Yobe town", *Thisday*, 22 August 2014.

<sup>69</sup> Crisis Group's calculation based on several sources including Nigeria's National Emergency Management Agency (NEMA) and incident reports in major Nigerian newspapers. See also, "Northeast Nigeria: 2013 in Review", *Humanitarian Bulletin*, issue 8, December 2013; "1,000 killed in Boko Haram conflict this year", *Vanguard*, 26 March 2014; "Boko Haram latest: Mass exodus from Borno to Cameroon", *Sunday Trust*, 1 June 2014. Figures from the National Commission for Refugees, Migrants and Internally Displaced Persons show 725,977 displaced persons living in IDP camps in 21 states, with the highest numbers in Borno state (257,694) followed by Taraba state (108,515).

<sup>70</sup> "25 towns under the control of Boko Haram, says Catholic Church", *Thisday*, 18 September 2014.

<sup>71</sup> "Investigation: Boko Haram territory larger than three states", *Daily Trust*, 3 November 2014.

ment areas in the state.<sup>72</sup> Baba Ahmad Jidda, Borno state government secretary, said:

At this very moment, most parts of Borno state are being occupied by Boko Haram insurgents. Government's presence is minimal or non-existent across many parts of the state .... Most settlements in the affected areas in the state have either been deserted or access to them practically impossible. Thus, [the] majority of political stakeholders cannot, in real fact, reach their constituencies.<sup>73</sup>

Boko Haram's leader Abubakar Shekau, had stated repeatedly that his group is opposed not only to Western education, but also to democracy and secular government, which it regards as forms of "paganism".<sup>74</sup> The group may step up attacks ahead of the elections to prevent political campaigns, intimidate electoral agencies and discourage voting particularly in Borno, but also in parts of Adamawa and Yobe states.

Faced with this bleak prospect, INEC Chairman Attahiru Jega had warned, as early as 16 December 2013, that unless the insurgency and state of emergency ends before 2015, elections may not hold in the affected states.<sup>75</sup> That declaration drew strong protests, mostly from leaders of the APC, which traditionally dominates in the north east. Yobe state Governor Ibrahim Geidam said, "nobody will stop the elections in Yobe come 2015".<sup>76</sup> Murtala Nyako, then Adamawa state governor, said the idea was "a sinister plot" to disenfranchise voters in the three states and would be "resisted by every lawful and constitutional means".<sup>77</sup> The APC warned that it will not accept "the deliberate disenfranchisement of large swathes of the citizenry".<sup>78</sup> The INEC subsequently said it would be ready to conduct elections wherever security conditions permit, but APC leaders still believe the PDP-controlled government plans to sabotage the polls in the three states using the security situation as an alibi.

Beyond the political party disputes, failure to hold elections in parts or all of Borno, Adamawa and Yobe states could have other potentially far-reaching implications. The Boko Haram insurgency, along with other security challenges, have

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<sup>72</sup> Ngilari said the insurgents had seized his entire senatorial district comprising Mubi North and Mubi South Local Government Areas, as well as Gombi and Shanli. "Ngilari: Five LGAs under Boko Haram", *Thisday*, 7 November 2014.

<sup>73</sup> "Discussions on 2015 elections now callous – Borno SSG", *Leadership*, 8 September 2014.

<sup>74</sup> See "Video: Boko Haram leader 'Imam Abubakar Shekau' message to Jonathan", Sahara Reporters, 12 January 2012. In a second video posted online on 25 December 2013, Shekau said his group will "never allow democracy to thrive", adding "The concept of government of the people by the people for the people will never be possible and will never exist. Democracy shall be replaced only by the government of Allah, from Allah and for Allah". *Thisday*, 26 December 2013. In yet another video issued in mid-February 2014, he reiterated the message. "Boko Haram leader, Shekau, issues more threats", *Leadership*, 21 February 2014. In a fourth video issued on 4 May 2014, he said the insurgency is "a war against Christians and democracy and their constitution". "Boko Haram, Jonathan and the northern elders", *Leadership*, 12 May 2014. Shekau was declared dead by the military in 2013, but the group claims he is still alive.

<sup>75</sup> "2015: INEC rules out election in states under emergency rule", *Thisday*, 17 December 2013.

<sup>76</sup> "2015 election must hold in Yobe and north east – Governor Geidam", *Sunday Trust*, 25 May 2014.

<sup>77</sup> "Emergency rule: INEC's move to stop elections a huge joke", *Leadership*, 19 December 2013.

<sup>78</sup> "Rumbles in Borno, Yobe, Adamawa over Jega's comments on 2015", *Daily Trust*, 22 December 2013.

already overstretched the military resulting in increasing desertions, disobedience of battlefield orders, deepening distrust among personnel from different regional and religious constituencies, and less cohesion among the officer corps. The top brass has repeatedly pledged subordination to civilian authorities.<sup>79</sup> However, a highly disputed election resulting in widespread disorder, coupled with the frustrations of fighting a seemingly intractable insurgency, could alter this posture, especially at the middle and lower ranks.

#### *B. Insecurity in Other States*

Risks of election violence could also be exacerbated by growing communal strife in several northern states as well as criminality in the Niger Delta, especially Bayelsa state. Between January and July 2014, there were over 21 incidents of deadly communal violence, running through Kaduna, Katsina, Plateau, Zamfara, Taraba, Nasarawa and Benue states, with at least 900 people killed.<sup>80</sup> Most of the conflicts resulted from rivalries between gunmen suspected to be nomadic Fulani herdsmen and residents of agrarian communities.<sup>81</sup> In many areas, if the tensions between the two groups are further aggravated by strongly disputed results, they could escalate into more deadly violence.

In the Niger Delta, insecurity also poses threats to the elections. Armed violence related to political activities is on the rise. With mounting tensions between the PDP and the APC, particularly in Rivers state, some local politicians are returning to the old practice of arming their supporters to protect them and intimidate their opponents.<sup>82</sup> Kidnapping, which ebbed a few years ago, has surged, increasingly targeting government officials, high-profile politicians and their relatives.<sup>83</sup> Armed gangs have stepped up attacks on waterways, especially in Bayelsa

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<sup>79</sup> "No plan for coup d'etat – Badeh", *Daily Trust*, 20 June 2014.

<sup>80</sup> The most deadly incidents include: on 3 February, gunmen suspected to be Fulani herdsmen invaded three villages in southern Kaduna state, killing at least 30 people, armed men also suspected to be Fulani herdsmen attacked two villages in Riyom local government area of Plateau state, killing at least 31 people, including two soldiers. On 11-12 March, they stormed four villages in Katsina state, killing 117 residents. On 14-15 March, they attacked three villages in Kaduna state, killing about 200. On 3 April, at least 30 Fulani were killed by an army unit deployed to quell recurrent communal violence in Keana local government area of Nasarawa state. On 5-6 April, unknown gunmen suspected of being cattle rustlers attacked a meeting of community leaders and vigilante groups in Unguwar Galadima, Zamfara state, killing about 200 people. On 15 April, at least 50 people, including a soldier, were killed in clashes between Fulani herdsmen and ethnic Jukuns in Wukari, Taraba state. On 8-9 May, soldiers killed about 48 bandits in Wanke and Mayaba villages of Zamfara state. In Taraba state on 15 June, clashes between ethnic Jukun and Hausa/Fulani communities in Wukari and Ibi local government areas left 44 dead, with 1,565 houses, five churches and four gasoline stations destroyed.

<sup>81</sup> Community leaders resent the Fulani who, driven from their traditional grazing grounds by desertification and conflict, are increasingly encroaching on community farmlands. The Fulani resent these communities whom they accuse of increasing cattle rustling.

<sup>82</sup> Crisis Group interviews, ex-militant and civil society leaders, Port Harcourt, 20-21 May 2014.

<sup>83</sup> Between January and August 2014, several kidnappings of high-profile politicians, senior public officers and their relations were reported in Bayelsa and Rivers states. Individuals who have been kidnapped and freed, usually after payment of a ransom, include: Chief Nengite Nitabai, an uncle and foster father to President Jonathan ("Police free kidnapped Jonathan's uncle, Nitabai, Premium Times, 13 March 2014); three PDP leaders – Chinyere Igwe, Ikechi Chinda and Allwell Ihunwo ("Rivers: Kidnapped PDP chieftains regain freedom", *Leadership*, 7 March 2014); Joyce Ebuja, sister of Bayelsa state Sports Commissioner Mitema Obodor ("Kidnappers

state. The Maritime Workers Union of Nigeria (MWUN) state chairman, Comrade Lloyd Sese, said: "Insecurity along the waterways has been our problem over the years but this year, the activities of pirates have increased".<sup>84</sup>

This surge in organised crime is partly linked to either raising money for campaigns through ransoms or intimidating political opponents. The resulting climate of insecurity could hinder INEC's operations as well as the movements of observers and journalists on and around polling day. On 18 August, the Bayelsa state branch of the Nigerian Union of Journalists (NUJ) warned that its members may not be able to cover the 2015 elections in parts of the state due to increasing attacks and kidnappings.<sup>85</sup> If the waterways remain unsafe, the integrity of the elections in the state could be greatly compromised, creating the grounds for disputes and protests that could degenerate into violence.

### C. *Stockpiling Illegal Arms*

The toll of political violence grows with the continuing influx and wide-scale availability of firearms, ranging from pistols to assault rifles. Various security sources indicate an increase in the amount of arms and ammunition being smuggled into the country.<sup>86</sup> The Nigeria Customs Service (NCS) reports that it seized seven times more arms and ammunition in 2013 than it did in 2012 and that in the first half of 2014, it recorded seizures almost daily.<sup>87</sup>

On 1 January 2014, Rivers state Governor Amaechi observed that "the number of arms entering Nigeria today is unmatched at any time in our history .... You will

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free Bayelsa Commissioner's sister", *Premium Times*, 20 March 2014); Awori Miller, an APC leader and Ahoada-West local government chairman ("Abductors free Rivers LG chair", *New Telegraph*, 22 May 2014); Mrs Ogboro Orumo, mother-in-law of the Bayelsa state assembly speaker ("Kidnappers free Bayelsa Speaker's mother", *New Telegraph* (Lagos), 24 June 2014); Golden Chioma, a pro-Amaechi Rivers state House of Assembly member ("Abducted Rivers lawmaker, Golden Chioma, regains freedom", *Today*, 17 July 2014); Madam Patimi Akene, mother of Bayelsa state Land and Surveys Commissioner Furoebi Akene – the abductors initially demanded Furoebi resign, threatening to behead his mother ("Bayelsa Commissioner's mother freed by kidnappers as her son keeps mum on ransom", *Sahara Reporters*, 4 July 2014); Chief Benson Adigio-Eseni, an uncle of former Bayelsa state governor, Timipre Sylva (now APC leader in the state) – he died at the hands of his captors ("How kidnappers killed Sylva's uncle", *Vanguard*, 30 August 2014); Madam Florentina Paulker, mother of Senator Emmanuel Paulker ("Kidnapped senator's mother rescued in Bayelsa", *Vanguard*, 6 August 2014); and Iniokpoemi Benson, younger brother of the Bayelsa state assembly speaker, Konbowei Benson ("Gunmen abduct Bayelsa Speaker's brother", *New Telegraph*, 4 August 2014).

<sup>84</sup> Crisis Group interview, Comrade Lloyd Sese, 20 May 2014. On 14 August 2014, the Bayelsa state chapter of the MWUN threatened an indefinite strike if insecurity persists. "Maritime workers threaten strike over piracy", *Daily Trust*, 15 August 2014.

<sup>85</sup> "2015: Journalists threaten boycott over insecurity in Bayelsa Creeks", *Leadership*, 19 August 2014.

<sup>86</sup> Crisis Group interviews, Dickson Orji, a member of the Presidential Committee on Small Arms and Light Weapons (PRESCOM), Abuja, 3 June 2014; officers of the Nigeria Police Force, Nigerian Customs Service, Nigerian Security and Civil Defence Corps; and chief executives of private security companies in Abuja, Lagos and Port Harcourt, May-June 2014.

<sup>87</sup> Crisis Group interviews, various security sources, Lagos and Port Harcourt, May-June 2014. Among the major seizures this year: on 20 January, the DSS seized a vessel, the *MV Iron Trader*, with a consignment of 2,700 anti-aircraft and anti-tank shells, at the Port Harcourt seaport; on 10 March, customs officers seized 36,250 pieces of ammunition from smugglers in the Saki-Ago area of Oyo state; on 18 August, customs officers in Ogun state intercepted a consignment of 1,480 bullets smuggled from Benin.



be shocked at the rate politicians are stockpiling arms against 2015".<sup>88</sup> Security sources and local media concur that the surge of arms is linked to preparations for the 2015 elections.<sup>89</sup> In the context of the already bitter rivalries within and between political parties, ethnic groups and local communities, the vast quantity of illegal arms could amplify the scope and lethality of electoral violence.

#### D. *Potential Hotspots*

A number of states are at risk of violence, some at high risk.<sup>90</sup> Rivers in the Niger Delta, Kaduna in the north central zone and Kano in the far north appear among the foremost hotspots.

In Rivers state there is a high risk of violence, both within and between the parties. Within the PDP, Nyesom Wike, until recently junior education minister in Jonathan's cabinet, is seeking the party's gubernatorial nomination, strongly supported by Jonathan and his wife Patience Jonathan.<sup>91</sup> Wike's political organisation, the so-called Grassroots Development Initiative (GDI), is well funded and many in the state believe the president will spare no efforts to install him as the state's next governor.<sup>92</sup> However, Wike is Ikwerre (Igbo). If he were to win, it would mean having four Ikwerre governors in a row, which is unacceptable to the other two large ethnic groups in the state, Ijaw and Ogoni.<sup>93</sup>

The contest between the parties promises to be particularly vicious – and potentially bloody. Though Governor Amaechi and 25 of the 29 state legislators have defected to the APC, the party faces a herculean challenge. A PDP strong-

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<sup>88</sup> "2015: Amaechi raises alarm over arms build-up", *Daily Independent*, 2 January 2014.

<sup>89</sup> For media reports on the inflow of arms ahead of the 2015 elections, see "2015 elections: Illegal arms importation rises", *The Punch*, 1 February 2014; "Illegal arms acquisition assumes frightening dimension", *The Union* (Lagos), 17 February 2014; "2015 elections, insecurity: gun market booms", *Sunday Sun*, 17 May 2014.

<sup>90</sup> A July 2014 report by CLEEN Foundation, a Lagos-based non-governmental organisation promoting public safety, security and access to justice, indicated that electoral violence will most likely occur in fourteen states, namely Benue, Nasarawa, Plateau, Borno, Yobe, Adamawa, Taraba, Kano, Kaduna, Rivers, Enugu, Imo, Osun and Ekiti. It also listed seventeen states as mid-volatile, namely Kogi, Niger, Bauchi, Gombe, Katsina, Sokoto, Zamfara, Abia, Anambra, Ebonyi, Akwa Ibom, Delta, Edo, Lagos, Ogun, Ondo and Oyo; and the remaining five states as low-volatile, namely Kwara, Jigawa, Kebbi, Cross River and Bayelsa. The parameters used include: history of violence, degree of control by incumbent and relationship with the federal government, stability of internal state party politics, existence of terrorists and militants, as well as communal and religious conflict. Others include zoning arrangements, bid for second term by the incumbent governor, and jostling for federal and state legislative positions. "Security Threat Assessment: Towards 2015 Elections", CLEEN Foundation, 2 July 2014.

<sup>91</sup> "I'll back Wike to succeed Amaechi – Patience Jonathan", *The Punch*, 8 April 2014. During a solidarity visit to Wike at his Abuja residence on 22 October 2014, Patience Jonathan said to him: "I am giving you the blessing of a mother, the blessing a mother gives to a beloved son. Go and you will conquer". "Patience Jonathan backs Wike's gov bid", *The Punch*, 23 October 2014.

<sup>92</sup> Crisis Group interviews, political and civil society leaders, Port Harcourt, 19-20 May 2014.

<sup>93</sup> There are three ethnic clusters in Rivers state: the Ijaws (comprising the Kalabaris, Obolo, Ibani, Wakrike, Ukoro and others), the Igbo (of which the Ikwerre are a part) and the Ogonis. Since 1999, the state has been governed by Peter Odili (Idoni Igbo), Celestine Omehia (Ikwerre Igbo) and Rotimi Amaechi (Ikwerre Igbo). The contention therefore is that a Wike victory would amount to "perpetuating an Ikwerre hegemony". Crisis Group interview, Rivers state PDP official, Port Harcourt, 19 May 2014.

hold since 1999, the state falls within Jonathan's Niger Delta zone, and many voters will not support any party seen as trying to unseat their "brother".<sup>94</sup>

Since 2013, groups loyal to Amaechi's APC and Wike's PDP have clashed repeatedly. On 9 July, anti-Amaechi lawmakers, seeking to impeach the pro-Amaechi speaker and take control of the state parliament, fought his loyalists, with several legislators wounded.<sup>95</sup> A day later, supporters of the two groups fought in Port Harcourt, wounding many.<sup>96</sup> Most ex-militant leaders in the state, with whom Amaechi had always had uneasy relations, have indicated they will fight his APC.<sup>97</sup> Said former militant leader Dokubo-Asari, "Amaechi has singled himself out as a traitor, he will be treated as a traitor".<sup>98</sup> In early January 2014, they aided pro-PDP supporters in disrupting a rally organised by the Save Rivers Movement (SRM), a pro-Amaechi group, in Bori, Khana local government area. On 19 January, Wike, at a GDI rally in Degema, vowed Amaechi will not know peace until he resigns or is impeached. Some calm returned only after police banned all political rallies, but clashes have increased gradually throughout the year.<sup>99</sup>

Kaduna state has had a longstanding religious divide, between the largely Muslim Hausa and Fulani, who reside in northern parts, and about twenty smaller mostly Christian ethnic groups, in the southern parts. The political and religious differences date back to its subjugation under the Sokoto Caliphate, and perceived marginalisation during the colonial era and even after independence in 1960.<sup>100</sup> Since the state was created in 1976, it had been governed by a succession of Muslim military and civilian leaders, until May 2010 when Jonathan picked the then governor, Namadi Sambo, as his vice president, paving the way for the deputy governor, Patrick Yakowa, a Christian from the south, to take the helm.

Yakowa retained the post in the April 2011 election, but did so after the state had suffered massive violence, with over 400 people killed mostly in Kaduna, Zaria, Zonkwa and Kafanchan, after Jonathan was declared winner of the presidential polls.<sup>101</sup> While still trying to heal the deep wounds created by the bloodshed, Yakowa died in a helicopter crash in December 2011, a tragedy greeted with jubilation by many youths in the northern parts of the state.<sup>102</sup> The suc-

<sup>94</sup> Crisis Group interviews, various civil society representatives, Port Harcourt, 20-21 May 2014.

<sup>95</sup> "Mayhem in Rivers State House of Assembly", *The Punch*, 10 July 2013.

<sup>96</sup> "Port Harcourt in chaos as party, Assembly crisis worsens", *Thisday*, 11 July 2013.

<sup>97</sup> Amaechi had always advocated a hard-fisted attitude to the militants. In October 2008, at an interactive session with the government-constituted Technical Committee on the Niger Delta, he said: "Most of what is going on in the Niger Delta today is outright criminality, not militancy. I have criminals saying they are militants. One of them (names withheld) told former President Olusegun Obasanjo before me and former Governor Odili that he had killed over 2000 Rivers men and women. I can't sit down and negotiate with that kind of person .... The way out is the enforcement of the law". "Amaechi, N'Delta groups want 50% derivation, more states", *The Guardian*, 23 October 2008.

<sup>98</sup> "Amaechi will be treated like a traitor – Dokubo Asari", *The Punch*, 6 May 2013.

<sup>99</sup> Notably, on 18 August, PDP and APC youths fought in four communities of Etche local government area with many wounded, including two soldiers. "Gunmen sack 4 Rivers communities, PDP chieftain fingered as sponsor", *Daily Independent* (Lagos), 20 August 2014.

<sup>100</sup> See "Ethnic Minorities and Political Turbulence in Kaduna State" in Rotimi T. Suberu, *Ethnic Minority Conflicts and Governance in Nigeria* (University of Ibadan, 1996).

<sup>101</sup> "Nigeria: Post election violence killed 800", op. cit. For details, see *Post Election Violence in Nigeria: Experiences with the 2011 Elections*, Policy and Legal Advocacy Centre (PLAC) (Abuja, 2012), pp. 117-128.

<sup>102</sup> "Fatal flight", *The Source* (Abuja), 12 December 2010.



cession by his deputy, Ramalan Yero, a Muslim from northern Kaduna, altered the political dynamics ahead of 2015.

Many in northern Kaduna view February 2015 as an opportunity to consolidate their hold on the state's top office. Those in southern Kaduna, who consider Yakowa's death a major political setback, argue that one of their own should have been allowed to complete his tenure. Many of them also say they will oppose Yero's re-election because he has allegedly abandoned over 80 per cent of the projects the Yakowa administration had started in their zone.<sup>103</sup> Moreover, believing he has not made any real efforts to stop the recent surge of Fulani armed attacks against their communities, many southern Kaduna residents consider the 2015 election an opportunity to elect another governor, preferably from the southern zone, who may be more protective of their communities and interests.

For the presidential election, many southern Kaduna leaders say they will vote for Jonathan, while the northerners will largely prefer a Muslim candidate.<sup>104</sup> The state may therefore be hotly contested between the north and south, especially as it is also Vice President Sambo's home.<sup>105</sup>

Kano, the most populous state – according to the 2006 census – is torn between incumbent Governor Rabi'u Musa Kwankwaso and former Governor Ibrahim Shekarau (2003-2007). Kwankwaso was in the PDP until he defected to the APC (with four other PDP governors) in November 2013; Shekarau was in the APC until Kwankwaso's assumption of party leadership forced him to cross over to the PDP. While APC's landslide victory in the May 2014 local government election left no doubt that it is now the dominant party in the state, the PDP will spare no effort to regain some control in 2015. There are significant risks of clashes between the two parties' supporters once campaigns start formally.

The greater risk of violence revolves around the presidential election. Kwankwaso is one of the top three contenders for the APC's presidential ticket. If he emerges as the party's flag-bearer but loses to the PDP candidate, his supporters will largely reject the results and almost certainly protest violently. Even if he fails to win the party's ticket, his repeated assertion that Jonathan has failed the north so woefully that he stands no chance against an APC candidate, has already set the stage for protests in the event the PDP wins the presidential vote.

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<sup>103</sup> Crisis Group interview, leader of the Southern Kaduna Peoples' Union (SOKAPU), Kaduna, June 2014.

<sup>104</sup> Ibid.

<sup>105</sup> Namadi Sambo, sworn in as vice president on 19 May 2010, is from Zaria in Kaduna state. In 2011, his party, the PDP, lost his ward to the now defunct Congress for Progressive Change (CPC), with only 115 votes against the CPC's 265 votes.

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## **IV. Inadequate Election Arrangements**

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### *A. Deficient Legal Framework*

The legal framework for the polls is deficient. Amendments to the 2010 Electoral Act that were submitted to the National Assembly following the 2011 polls to improve the conduct of elections have not been passed.

INEC had identified 23 sections of the Electoral Act that require amendment. These include: fully guaranteeing the commission's operational independence; setting of election dates by the commission in accordance with the constitution; disqualifying persons convicted of electoral offences from running for office and holding positions in political parties; allowing Nigerians in the diaspora to vote; allowing political parties to access ballots; creating an election offences tribunal with powers to investigate and prosecute; extending the time for conducting run-off elections for president and governor from seven to 21 days; and limiting the role of the armed forces to securing the distribution and delivery of voting materials.<sup>106</sup> The Inter-Party Advisory Council (IPAC), an association of all 25 registered political parties, also urged the National Assembly to outlaw "cross-carpeting" by politicians switching sides after winning elections on the platform of another.<sup>107</sup>

While the lawmakers pledged to prioritise the amendments, they started their two-month annual vacation on 17 July without doing so. Though they resumed on 16 September, it is not certain they will conclude deliberations and pass the amendments early enough for the elections: most of them are now preoccupied with their own re-election campaigns, and some appear not to sense any particular urgency about improving the legal framework for the elections.<sup>108</sup>

### *B. Challenges Facing INEC*

Despite this, INEC has undertaken substantial reforms toward delivering better polls in 2015. An early initiative was to update the voter register and enhance its integrity by introducing biometric voter registration. From May 2014, it rolled out in three phases a nationwide continuous voter registration (CVR) program, which enabled more citizens to be registered. The CVR exercise was followed by issuance of permanent voter cards (PVCs) to registered voters.

The commission's plan to use PVC card readers for the 2015 elections should enhance voter verification and authentication, and thus minimise fraud. In addition, its plan to increase the number of polling units across the country, from 119,973 to 150,000, could ease voters' access to the ballot box.

INEC has also improved its voter education strategy. Recognising that it could not carry it out singlehandedly, the commission established a National Inter-

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<sup>106</sup> "Proposed amendments to the Electoral Legal Framework", INEC, 12 October 2012; available at [www.inecnigeria.org/wp-content/uploads/2013/07/Amended-Electoral-Act.pdf](http://www.inecnigeria.org/wp-content/uploads/2013/07/Amended-Electoral-Act.pdf).

<sup>107</sup> "2015 elections: When stakeholders fine-tuned Electoral Act", *Nigerian Tribune*, 26 August 2014. IPAC also serves as an advisory body to the INEC. It has no constitutional or legal status. Membership and participation in its activities are voluntary.

<sup>108</sup> Crisis Group interview, House of Representatives member, Abuja, 20 October 2014.

Agency Advisory Committee on Voter Education and Publicity (NICVEP).<sup>109</sup> The committee subsequently set up state-level voter education committees.

Some of these reforms have already yielded positive results, evident in the progressive improvement in gubernatorial polls, particularly in Ekiti and Osun states in June and August 2014. In both states, INECs logistical arrangements delivered materials on time, voting was widely adjudged free and fair by most monitors and results were accepted as credible. Even so, challenges remain for the commission's preparations for 2015.

First, INEC's efforts have been hampered by insecurity, notably in the north east. Its staff cannot venture to many parts of Borno, Yobe and Adamawa states to register voters or distribute PVCs.<sup>110</sup> Most of the over three million IDPs nationwide, particularly the over 600,000 in the north east will not be able to enrol on the voter register and collect their cards. If INEC conducts the election with an incomplete register or is unable to conduct elections in some parts of the affected states, it could raise accusations that supporters of one party were under-registered (that is, in the north east, the APC), which could lead to disputes and possibly violence after results are announced.<sup>111</sup>

It has been suggested that if INEC is unable to conduct elections on account of insecurity, the vote in those areas could be postponed. Proponents of this arrangement cite provisions in both the federal constitution and the Electoral Act.<sup>112</sup> However, opponents contend the constitutional provision is applicable only when the country is formally at war with another country, which is not the case in the north east. Though the Electoral Act allows for postponement under less stringent conditions, opponents insist it is subordinate to the constitution. They

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<sup>109</sup> Crisis Group interview, INEC official, Abuja, 16 June 2014. The committee is mandated to review the existing framework, advise the commission on areas of improvement, propose strategies for more effective public awareness and voter education, identify various organisations and agencies capable of undertaking voter education activities, recommend appropriate support for such agencies and develop modalities for periodic review of voter education activities countrywide.

<sup>110</sup> In mid-August 2014, INEC had to suspend its distribution of cards in two local government areas of Yobe state – Gujba and Gulani – due to security concerns. "INEC suspends distribution of PVCs in Yobe over insecurity", *The Guardian*, 19 August 2014. In early September, the commission also suspended issuance of the cards in five local government areas in the northern parts of Adamawa state – Madagali, Maiha, Michika, Mubi North and Mubi South – following insurgent attacks. "INEC suspends voter card issuance in Adamawa", *The Punch*, 10 September 2014.

<sup>111</sup> In May 2014, the Conference of National Political Parties (CNPP) expressed concern that with the N88 billion (\$550 million) invested to procure direct data capture machines (equipped with modern biometric technology) and to provide other logistics, INEC should have produced a clean voters' register well before the campaigns commence. "CNPP accuses PDP, INEC of hoarding voter cards", *The Punch*, 25 May 2014.

<sup>112</sup> Section 180 (3) of the 1999 constitution provides that: "If the Federation is at war in which the territory of Nigeria is physically involved and the President considers that it is not practicable to hold elections, the National Assembly may by resolution extend the period of four (4) years mentioned in subsection 2 of this Section from time to time, but no such extension shall exceed a period of six months at any one time". Section 26 of the electoral act provides that: "Where a date has been appointed for the holding of an election, and there is 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 election as a result of natural disasters or other emergencies, the Commission may postpone the election and shall in respect of the area or areas concerned, appoint another date for the holding of the postponed election, provided that such reason for the postponement is cogent and verifiable".

also point out that the constitution requires a president to win at least 25 per cent of the votes in two thirds of the states, not two thirds of the states in which elections could be held. Failure to hold polls in the three north-eastern states could lead to serious political and legal disputes.

A second challenge arises from funding gaps. In 2011, the commission was given N85 billion (then approximately \$515 million) from a special fund that enabled it to conduct that year's elections successfully. However, in 2012, its allocation dropped to N35 billion (some \$225 million) and then dropped further to N32 billion (about \$200 million) in 2013. This year, the commission had estimated it would need N93 billion (\$560 million) to prepare for next year's elections, but it was appropriated only N45 billion (\$272 million). The reduced funding and the inconsistent manner in which it is disbursed have hampered some of the commission's preparations.<sup>113</sup>

For instance, inadequate funding has affected adversely the storage of voters' data. Explaining difficulties with equipment for updating the voter register, INEC Chairman Jega said: "The major challenge was storage. For the last three years, every time we prepared our budget, we requested funding to create a facility in order to appropriately store [this] equipment. Regrettably, we never had this funding requirement met, and the way the equipment [was] stored really left much to be desired".<sup>114</sup> This is one reason the commission has not been able to produce a "clean" voter register less than six months to the elections.

INEC had scheduled to complete updating of the voter register and distribution of PVCs in August 2014, about six months before the polls. As at mid-November, less than four months to the elections, the commission was still far from completing the process. In the states where INEC has registered new voters and distributed the PVCs, these exercises reported serious flaws. Many registered voters could not find their names in the register. Others who found their names were told their PVCs were not yet available.<sup>115</sup> Although INEC has ruled that no voter would be allowed to cast a ballot without the PVC, there are fears that the commission's inability to complete the distribution of cards ahead of the polls could disenfranchise millions of would-be voters and feed into post-election tensions. Said Clement Nwankwo, coordinator of the Civil Society Situation Room: "My biggest fear for the elections lies with the voter registration".<sup>116</sup>

INEC is also challenged by questions over some of its plans, activities – and inactions. For instance, APC leaders, including Sokoto state Governor Wamakko and his Kano state counterpart Kwankwaso, say INEC's scheduling of the presidential vote ahead of gubernatorial polls, a departure from the sequence at previous elections, is designed to give the PDP "a bandwagon advantage" in the states if Jonathan is re-elected.<sup>117</sup> Conversely, several southern groups have protested the allocation of 30,000 new polling units, 21,615 to northern states and 8,412 to the south, accusing Jega of handing the north an electoral advantage,

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<sup>113</sup> "2015: INEC faces danger of inadequate funding", *Leadership*, 6 April 2014.

<sup>114</sup> "INEC and the challenge of data storage facility", *New Telegraph*, 15 June 2014.

<sup>115</sup> "PVC – Disturbing tales dim expectations of credible polls", *Vanguard*, 13 November 2014.

<sup>116</sup> Crisis Group interview, Clement Nwankwo, coordinator of the Situation Room, a civil society election monitoring network, Abuja, 14 October 2014.

<sup>117</sup> "Wamakko blasts INEC over election timetable", *Leadership*, 11 February 2014.

some even calling for his resignation.<sup>118</sup> Furthermore, INEC's refusal to publicly condemn or at least discourage several pro-Jonathan groups, like the Transformation Ambassadors of Nigeria (TAN), that vigorously drummed up support for Jonathan well ahead of the official start for campaigning, has drawn charges that it is not truly committed to ensuring a level playing field for all parties.<sup>119</sup> These misgivings and the implied loss of confidence in INEC could undermine the elections' ultimate credibility for those on the losing side.

### C. *Neutrality of Security Agencies*

Security agencies may also jeopardise peaceful elections. Some actions by the police, the Department of State Services (DSS, also known as the State Security Service, SSS) and other agencies controlled by the federal government have raised fears they could be used to suppress the opposition, thereby aggravating tensions.

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<sup>118</sup> INEC has said that the allocation of the new polling units was informed by the need to de-congest existing polling units. PDP leaders in the south east protested the allocation of only 1,167 new units to all five states in the zone, less than the 1,200 allocated to the Federal Capital Territory, saying the commission's "gross injustice" to the Igbo, the predominant ethnic group in the zone, completely negates "the spirit of one Nigeria and the progress of the country". "S'East PDP rejects new polling units", *The Punch*, 26 August 2014. A group of prominent southern leaders denounced "a sinister plot" to hand the north "a clear electoral advantage over the south" adding it had "lost confidence in Professor Attahiru Jega as chairman of INEC ... since he has shown obvious inclination to ethnic chauvinism". "Text of Press Conference held in Abuja on Wednesday, 10 September 2014, by Southern Nigeria People's Assembly on the subject of the additional Polling Units created by INEC". A pan-Yoruba socio-political group said it rejected the allocation and passed "a vote of no confidence" over Jega's ability to conduct free and fair elections in 2015. "Afenifere rejects creation of additional 30,000 polling units by INEC", *Vanguard*, 10 September 2014.

<sup>119</sup> TAN is one of over 8,000 groups that have mushroomed, mostly in the south, supporting Jonathan's re-election. "Jonathan's support groups now 8,000 – Presidency", *The Punch*, 1 September 2014. These groups claim they are voluntary, non-governmental organisations, though they are coordinated by the president's special adviser on political affairs, Professor Rufai Ahmed Alkali, under a common umbrella, the Goodluck Support Group (GSG). The more prominent TAN and Protectors of Nigerian Posterity, which have conducted expensive media campaigns and mass rallies in various cities, claim they are funded by private individuals impressed with Jonathan's programs and performance. The president's office denies funding them. "Presidency denies funding pro-Jonathan groups", *The Punch*, 7 September 2014. However, their apparently close relationships with some federal ministers and the governors of PDP-controlled states have raised concerns that they are enjoying financial and logistical support from government treasuries, which would be an abuse of public funds and a violation of campaign funding regulations. Opposition parties consider their activities highly provocative, but INEC says it is unable to sanction them as its mandate is limited to regulating political parties, not citizens' organisations. On 3 September, Hope Democratic Party filed a suit at the Federal High Court in Abuja, seeking an order to restrain TAN and all other groups from holding rallies and canvassing for votes for any candidate. "Party asks court to stop pro-Jonathan rallies", *The Punch*, 5 September 2014. Others have called on the Economic and Financial Crimes Commission (EFCC) to probe the alleged illegal transfers of state funds to these organisations, but the agency has yet to take action. IPAC said the activities of these groups are undermining internal democracy within parties and overheating relations between them; it has proposed an amendment to the electoral act to ensure that while citizens' rights to free expression and association are duly respected, political campaigns are conducted only by registered political parties. Crisis Group interview, Dr Yunusa Tanko, IPAC chairman, Abuja, 10 September 2014.

Recent police conduct, particularly in Rivers state, has raised concerns. Between May 2013 and early 2014, the federally-controlled police in the state (there is no state police) were criticised for alleged bias against the state governor, Amaechi, and his APC supporters. On 16 July 2013, police reportedly stood by as hundreds of anti-Amaechi thugs stoned the motorcade of four northern governors on a solidarity visit to the governor in Port Harcourt.<sup>120</sup> The police were also accused of repeatedly turning a blind eye when groups (including hired thugs and ex-militants) opposed to the governor and the APC paraded Port Harcourt, intimidated residents,<sup>121</sup> while at the same time repeatedly providing protection to pro-PDP groups who attacked and disrupted APC events, including a 12 January 2014 rally in Port Harcourt, at which Senator Magnus Abe, a strong Amaechi ally, was reportedly hit with a rubber bullet and wounded.<sup>122</sup>

The DSS has raised similar fears of bias. It has summoned and interrogated opposition individuals for making "inciting statements", while largely overlooking pro-government groups and individuals who make similar proclamations. For instance, in December 2013, the agency interrogated Junaid Mohammed, a fierce Jonathan critic, following his newspaper interview warning of violence in the north if Jonathan insisted on contesting the presidency in 2015.<sup>123</sup> Similarly, in January 2014, security operatives summoned and interrogated Nasir el-Rufai, an APC official who had warned that the 2015 elections may be followed by violence if the polls are not free and fair.<sup>124</sup> In August, the DSS questioned Joseph Waku, an APC leader who had sharply criticised Jonathan.<sup>125</sup> In contrast, when pro-Jonathan individuals similarly threaten mayhem if Jonathan is not re-elected or criticise opposition leaders provocatively, they are mostly ignored.<sup>126</sup>

The roles of the police and the DSS around the gubernatorial elections in Ekiti (21 June) and in Osun states (9 August) have also raised concerns about partisanship. In Ekiti police responded to an 8 June clash between APC and PDP supporters in Ado-Ekiti by arresting the state's Integration and Intergovernmental Affairs Commissioner Funminiyi Afuye and eleven other APC members and arraigning them under the 2013 terrorism prevention act – an action some lawyers condemned as trivialising the terrorism law.<sup>127</sup> On 20 June, the security officials barred APC Governors Adams Oshiomhole (Edo) and Rotimi Amaechi (Riv-

<sup>120</sup> "Anti-Amaechi protesters attack solidarity visiting northern gov's", *Thisday*, 16 July 2013.

<sup>121</sup> Crisis Group interviews, several political and civil society actors, 18-21 May 2014. "Rivers State: A chronicle of impunity", *The Guardian*, 13 October 2013.

<sup>122</sup> "Rivers Crisis: Police shoot Senator Magnus Abe", *Leadership*, 13 January 2014. The police have countered these allegations of bias and denied firing any shots. "Police deny shooting Sen Abe", *Vanguard*, 12 January 2014.

<sup>123</sup> "SSS interrogates Junaid Mohammed for incitement against Jonathan", *Thisday*, 7 December 2013.

<sup>124</sup> "SSS quizzes, detains El-Rufai", *The Punch*, 27 January 2014; "SSS releases El-Rufai after 15-hour detention", *Premium Times*, 28 January 2014.

<sup>125</sup> "SSS quizzes, releases Senator Waku", *Daily Trust*, 20 August 2014.

<sup>126</sup> Although Niger Delta ex-militant leader Asari-Dokubo was summoned and questioned in February 2014, when he threatened "blood in the streets if Mr. Jonathan is not re-elected", others like the Ijaw ethnic leader, Edwin Clarke, who made similar statements, were not. See "There will be bloodshed if Jonathan loses in 2015, says Asari-Dokubo", *Premium Times*, 9 September 2013; "Presidency warns of 'dire consequences' in Niger Delta if Jonathan is not re-elected", *Premium Times*, 25 April 2013.

<sup>127</sup> Crisis Group interviews, three lawyers, Abuja, June 2014. "Police withdraw terror charges against Ekiti commissioner, other", *The Punch*, 18 June 2014.



ers) from entering the state for their party's final gubernatorial campaign rally, an act that Nobel laureate Wole Soyinka condemned as "not only unconstitutional but also criminal".<sup>128</sup> The security operatives also arrested several APC members a day before the vote.<sup>129</sup>

In Osun state, just hours before the polls, hooded security operatives arrested the APC's national spokesman, Lai Mohammed; the media aide to the party's national leader, Sunday Dare; the deputy chief of staff to Osun state Governor Afolabi Salisu; Osun state's Agriculture Commissioner Wale Adedoyin; and 96 other party members.<sup>130</sup> Most were freed without any charges once voting was concluded, but no PDP leaders or members were ever arrested.

After the elections, DSS spokesperson Marilyn Ogar told journalists that an APC politician had "offered" the service's personnel a 14-million naira bribe (about \$85,000) – which she said was rejected. She subsequently suggested that bombings occurred each time the APC lost an election, insinuating the party had links with Boko Haram.<sup>131</sup> These are serious allegations and the DSS's failure to provide any hard evidence or follow up with appropriate legal actions has deepened fears that the security organisation may have become compromised and partisan, a dangerous development in the countdown to the 2015 elections.<sup>132</sup>

These agencies have created the impression, unwittingly or otherwise, that they are intimidating opposition leaders and their supporters, while allowing PDP agents and Jonathan's supporters free rein. If this impression persists, op-

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<sup>128</sup> "APC governors barred from Ekiti ahead of polls", *Daily Trust*, 20 June 2014; "Sue for rights violation, Soyinka tells Oshiomhole, others", *The Punch*, 22 June 2014.

<sup>129</sup> At Ire-Ekiti, soldiers invaded the home of Bimbo Daramola, director general of Governor Kayode Fayemi's campaign; Daramola had left just before but was later arrested. In Iye Ekiti, headquarters of the Ilejemeje local government council, they picked up Olaiya Popoolati; they also arrested the wife of another leader, Chief Kehinde Babatola, when they could not find her husband. At Epe Ekiti in Moba local government area, the agents arrested Femi Fadare. In Ado Ekiti, the state capital, ten men who were watching a World Cup match at Hilmat Hotel were arrested for reasons never disclosed. Finance Commissioner Dapo Kolawole was arrested in Iloro. "Ekiti: APC raises alarm over arrest of party chieftains", *Vanguard*, 21 June 2014.

<sup>130</sup> "How we were arrested, detained, released by APC's Lai Mohammed", *Sunday Trust*, 10 August 2014; "Osun lawmaker, others lament detention on election eve", *The Punch*, 18 August 2014. Osun state Governor Rauf Aregbesola (APC) reported that, in total, 150 APC members, including the state's commissioner for justice and attorney general, were "harassed, threatened, bastardized" by hooded security operatives. "150 APC members harassed, by Aregbesola", *Sunday Trust*, 10 August 2014.

<sup>131</sup> When asked if she was insinuating the APC was involved in the bomb blasts across the country, Ogar offered no evidence. "SSS spokesperson, Marilyn Ogar, under fire for blaming APC for Nigeria bombings", video, YouTube, 16 August 2014, at <https://www.youtube.com/watch?v=V-IlyOUvv9Y&feature=youtu.be>.

<sup>132</sup> Olanrewaju Suraju, chairman of the Civil Society Coalition Against Corruption (CSNAC), said by making such an unsubstantiated allegation "Ms. Ogar had cleared every doubt that she is ... a PDP apologist". Ezenwa Nwagwu, executive director of Operation Nigeria, said: "Ms Ogar is so partisan that she might be competing with Olisa Metuh, the PDP National Publicity Secretary". Shehu Sani, president of the Civil Rights Congress, said: "Her statement is not from a credible intelligence source. It is more of a political statement. I think the idea is to discredit the party [APC] and tarnish the reputation of its leaders in the international community but there is [not one] iota of truth in what she's said. As a person who has been involved in negotiations and trying to find peace with the insurgents, I have never at any time seen or heard the insurgents showing any form of interest in the APC. It is a very wild accusation". "SSS spokesperson, Marilyn Ogar, under fire for blaming APC for Nigeria bombings", *Premium Times*, 16 August 2014.

position leaders will further lose confidence in the security agencies and their supporters may then resort to unlawful acts of self-help that could precipitate or aggravate violence, particularly after the announcement of election results.



## V. Policy Recommendations

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### A. *Improve Security*

A first step toward ensuring successful elections is to improve security, particularly in the north-eastern states. This will involve strengthening credibility of the federal government's security apparatus – military, police and intelligence – and working more closely with state governments toward achieving better results from the counter-insurgency operations. The government also needs to collaborate much more effectively with neighbouring countries, both bilaterally and through regional platforms.<sup>133</sup> In particular, it must push for speedy deployment of the newly established multinational force, scheduled for November, as agreed at the extraordinary summit of the heads of state and government of the Lake Chad Basin Commission (LCBC) held in Niamey, Niger on 7 October.

However, as Crisis Group had previously urged, the government's efforts at restoring peace and security in the north east must also include comprehensive programs to address the underlying factors that fuel the conflict – endemic poverty, youth unemployment and hopelessness.<sup>134</sup> The Presidential Initiative for the North East (PINE), pulling together funds from federal departments, state governments, foreign donors and businesses, aims to, among other things, provide jobs in community service or reconstruction projects for 100,000 youths, unleash long-term growth from the region's mineral and agricultural resources and stimulate new sectors such as solar and wind energy. Rolling out this program before the end of 2014 will not deliver instant results or end the insurgency, but it could be used to persuade communities in the relevant states that peace is a prerequisite for its successful implementation, and that they need to collaborate more effectively in curbing the insurgents' attacks in order to create an environment in which the program can be implemented.

Northern state governments must also contribute to improving the security environment. This must involve not only the governors of the states directly impacted by Boko Haram, but all others across the central zones (often referred to as the Middle Belt), which have also suffered a surge in violence. The governors of these states must urgently map out joint strategies and collaborative programs that would limit communal violence and encourage peaceful coexistence, especially between Fulani herders and agrarian communities.

Security arrangements for the elections need to be improved. Security officers should be better trained and guided to ensure that they act appropriately and respect the rights and freedoms of voters, election monitors and journalists. In January 2014, the police commenced a special training program for 60,000 officers to equip them to better prevent violence before, during and after the elec-

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<sup>133</sup> In July 2014, Nigeria, Cameroon, Chad and Niger pledged to create a regional force to tackle Boko Haram, with each country contributing 700 troops. This new arrangement is to supplement the already existing Multi-National Joint Task Force (MNJTF) in the Lake Chad Basin. Crisis Group interview, Major General Chris Olukolade, director of defence information, Abuja, 17 September 2014.

<sup>134</sup> Crisis Group Africa Report N°216, *Curbing Violence in Nigeria (II): The Boko Haram Insurgency*, 3 April 2014. p. 42.

tions.<sup>135</sup> However, the number needs to be increased. Other security agencies such as the DSS and Nigerian Security and Civil Defence Corps (NSCDC) should also provide special courses for all their personnel who will be involved in election duties, particularly to ensure they remain neutral.

Agencies also need to develop better institutional arrangements to secure elections, particularly by improving the capacity to gather information, monitor developments and analyse threats. The establishment, in September 2014, of the first ever police Elections Security Planning and Monitoring Unit, is an important first step. Its mandate includes developing frameworks, processes, strategies and systems for election security; conducting threat assessments; coordinating training; and developing and implementing guidelines for the conduct of police officers engaged in election-related duties.<sup>136</sup> Properly developed, this initiative could enhance the agency's overall performance in curbing election violence. However, the unit needs to be well resourced and firmly led.

Security agencies should, through the Inter-Agency Committee on Election Security, jointly strengthen their threats forecast capacity and response strategies at national, state and local levels, particularly for pre-empting or mitigating violence after the announcement of election results. The agencies could use the mapping and tracking of electoral (and other) violence already being conducted by some credible non-governmental organisations and research institutions, notably CLEEN Foundation, Foundation for Partnerships in the Niger Delta (PIND) and the Nigeria Watch project based at University of Ibadan, as a guide in deploying resources to high-risk states, local government areas and communities.

Security agencies must also intensify ongoing efforts to curb the influx of illegal arms and reduce their availability, especially in violence-prone areas.<sup>137</sup> This requires greater collaboration, particularly information sharing across the security community (police, military services, DSS, NSCDC, Nigerian Customs Service), with relevant civil society and community-based organisations,<sup>138</sup> and with counterpart security agencies in neighbouring countries.

Failure to prosecute and penalise actors and instigators of political violence risks creating a climate of impunity. Speedily prosecuting all persons arrested in connection with incidents that have occurred since January 2014, giving publicity to these cases and particularly to convictions and penalties, will indicate a greater determination to ensure that violence before, during and after the elections will not be tolerated.

President Jonathan should publicly direct the heads of the Nigeria Police Force and other security agencies to act lawfully and impartially with all parties

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<sup>135</sup> "Police trains 60,000 officers for 2015 elections", *Thisday*, 26 January 2014. The program included courses in electoral law, human rights, conflict resolution, crisis management, disaster management and operations, bomb awareness and emergency evacuation.

<sup>136</sup> Crisis Group interview, senior police officer, Abuja, 17 September 2014.

<sup>137</sup> The police has adopted some measures. The inspector general embargoed the issuance of gun licences to individuals and ordered closer surveillance of public armouries. The police has discovered and destroyed several illegal "gun factories" and increased checks on the nation's borders and waterways, particularly in Niger Delta. On 13 August 2014, the new police chief, Suleiman Abba, created tactical operation points in select north-east and north-west states, to track and interdict the movement of arms and explosive materials. "Terrorism: IG creates operation points in northern states", *The Punch*, 14 August 2014.

<sup>138</sup> Crisis Group interview, senior police officer, Abuja, 10 July 2014.

and individuals participating in the elections. The heads of security and law enforcement must also ensure that all personnel deployed to election-related duties act as non-partisan officers of the law, not as agents of the ruling party or incumbents. At the very least, the agency helmsmen should speak out, clearly and publicly, ordering their subordinates to ensure neutrality and transparency in dealing with all parties. The Police Service Commission, the civilian oversight body, should monitor the election-related conduct of officers closely and sanction those who act in a partisan manner. Exemplary punishment of a few officers ahead of the elections would help to ensure neutrality during and after the polls.

**B. *Build Confidence in the Electoral Process***

The National Assembly must expedite passage of the amended electoral act. Although both houses started deliberations on member proposed electoral bills, they should prioritise the 23 amendments offered by INEC and give serious consideration to the Inter-Party Advisory Council proposals, particularly regulating the activities of so-called “support groups”, which flagrantly violate electoral laws, and barring elected officials from defecting to other parties while still in office.

Some amendments, such as the provisions for diaspora voting, clearly cannot be implemented ahead of the 2015 elections, but others can. In particular, the creation of an election offences tribunal would be an important step toward dealing with the many violations expected around the elections, and prosecuting cases of related violence. As the Justice Muhammed Uwais-led committee on electoral reforms had argued, the establishment of this tribunal is imperative given that regular courts, already overburdened, have not been able to prosecute electoral crimes effectively.<sup>139</sup> Even if the tribunal is unable to start trying cases ahead of the elections, its mere establishment could serve as a deterrent. Moreover, having in place a new mechanism for dealing with election violations would signal greater commitment to prosecuting and penalising violators.

INEC's ability to conduct free and fair elections will depend on its resources and logistics. Given the shortfall between the N93 billion (\$560 million) it had requested in the 2014 budget and the N45 million (\$272 million) that was appropriated, there is an urgent need to make additional provisions. President Jonathan should send a bill to the National Assembly and request a supplementary allocation. The National Assembly should give the bill speedy consideration and passage. Looking forward, the assembly should make appropriations for polls as a regular cycle, which would ensure INEC's operational efficiency, boost its independence and enhance the integrity of elections.

INEC must review its operations and schedules to address various parties' concerns. Although Chairman Jega on 7 April 2014 foreclosed a single-day balloting for all the February 2015 elections, INEC could improve confidence by re-ordering the sequence of the elections so that the presidential poll comes last, as was previously the case. Such a rearrangement would dispel suspicions that the commission has arranged the timetable to the ruling party's advantage.

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<sup>139</sup> For instance, of 870,000 cases of multiple registration detected during the 2011 elections, only 270 had been prosecuted as at October 2013. This was disclosed by the INEC chairman at a debate on ethics and elections at the Friedrich Ebert Stiftung office in Abuja on 8 October 2013.

Beyond 2015, INEC should conduct future elections simultaneously. That arrangement will not only eliminate the very real problem of bandwagon effects, but also reduce costs.<sup>140</sup> Moreover, as the smaller political parties often do not have sufficient resources to effectively monitor elections that are drawn out through several days, holding elections in one day will increase their credibility.

The commission also needs to generate greater stakeholder confidence before proceeding with the planned establishment of new polling units. While Jega has demonstrated considerable integrity, he would need to convince many voters and leaders in the south that the allocation of the new polling units was based on objective, verifiable parameters, not informed by any sinister or sectional interests. Should he fail to do so, he should put the issue on hold till after the 2015 elections. More broadly, INEC needs to communicate more effectively with the parties, involve them in decisions and explain those decisions convincingly. Its performance is important, but equally crucial is for the commission to generate and sustain the trust and confidence of all stakeholders.

#### *C. Reduce Tensions Between and Within Political Parties*

Security agencies and INEC cannot prevent or even limit electoral violence effectively without the cooperation of political parties and their candidates. The code of conduct signed by the parties, through the Inter-Party Advisory Council (IPAC), is a welcome development.<sup>141</sup> However, as this code is not enforceable, compliance depends on party leaders' will, commitment and discipline. Party leaders should organise forums to sensitise their supporters to the code's provisions. IPAC should develop a system to encourage compliance, even if just naming and censuring violators publicly. The council should also encourage the establishment of inter-party forums at state, local government and ward levels, where parties can collaborate in curbing or mitigating violence.

Within parties, leaders must strive to reduce factional feuds by discouraging the dubious and highly contentious practices of granting incumbents automatic tickets to recontest elections and adopting or endorsing sole candidates (so-called "consensus" candidates), as these practices shut out other contenders, stifle internal democracy and can threaten peace. At the very least, where a candidate is adopted by "consensus decisions", it should still be confirmed through a vote by party members across his or her constituency.

Party leaders and candidates should set examples by denouncing, publicly and repeatedly, all acts of violence and incitement – before, during and after the vote. Early acceptance of results by losers and their immediate congratulation of winners can significantly reduce post-election violence. In the event that a defeated party considers the election marred by logistical shortcomings, security breaches or manipulation, it should follow lawful processes and seek judicial redress. Where violence erupts, candidates, party leaders and other influential persons should promptly and publicly denounce it and call for peace. They must also act,

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<sup>140</sup> In the 2011 elections, staggered over three dates, INEC paid its ad-hoc staff N50 billion (\$322 million) for each day, according to figures provided by Senator Abu Ibrahim, who sponsored a bill to conduct all the polls in one day. "INEC can hold all elections in one day", *Daily Trust*, 9 April 2014.

<sup>141</sup> For the code of conduct, see "Code of Conduct for Political Parties", at [www.inecnigeria.org](http://www.inecnigeria.org).

through the party hierarchy, to rein in their supporters involved in such violence. Lastly, political parties should honour their obligations to the IPAC and strengthen it as an important instrument for resolving inter-party tensions and disputes.

*D. The Role of Civil Society and Community-based Groups*

Beside the political parties and their candidates, regional, ethnic and religious pressure groups could also exert significant influence. In a society where most citizens still owe allegiance primarily to their ethnic and religious groups, the leaders of these groups must bear responsibility for ensuring that their followers pursue their political interests lawfully and peacefully.

Leaders of various groups such as Arewa Consultative Forum (ACF), Northern Elders Forum (NEF), Southern Kaduna Peoples' Union (SOKAPU), South-South Peoples Assembly, Ijaw National Congress (INC), Nigerian Supreme Council for Islamic Affairs and the Christian Association of Nigeria (CAN) must exercise restraint in their public statements, avoid hate speech and unequivocally reject violence. They also need to organise, at national, regional, ethnic and inter-faith levels, public forums at which they would jointly and publicly pledge commitment to non-violence. Even more importantly, they must establish channels of communication and modalities for jointly demanding an immediate end to hostilities in the event of large-scale violence.

Several civil society organisations are playing important roles to minimise electoral fraud and violence. Groups like Democracy Vanguard and Enough Is Enough Nigeria (EiE) are conducting voter education campaigns; others like the Nigerian Civil Society Situation Room, Transition Monitoring Group (TMG), CLEEN Foundation and the Civil Society Legislative Advocacy Centre (CISLAC), have been very active in building the capacities of various actors and developing more effective poll monitoring mechanisms; yet others including the National Association for Peaceful Elections in Nigeria (NAPEN) and the Niger Delta Civil Society Coalition (NDCSC) are engaging with various community and youth groups. In August 2014, TMG launched its Quick Count project, a citizen-fed data system that will provide information on election day processes and independent results verification.<sup>142</sup> These efforts and initiatives need to be sustained.

Broadly, civil society organisations need to intensify civic and voter education to mitigate violence. They must expand their programs, particularly targeting low-income and unemployed youths in urban slums and rural areas, and reach out more effectively to women who could moderate passions and prevent violence. These could encourage community-based initiatives, such as peace councils and inter-faith youth forums where community and religious leaders can discourage violence and agree on preventive arrangements. They must also engage more proactively with youth leaders in volatile areas, expand and strengthen early warning and early response networks, and support efforts to identify, apprehend and prosecute instigators and participants in election-related violence. Civil society organisations developing election risk and security assessments should also develop channels for communicating their forecasts formally, preferably collectively, to INEC and security agencies.

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<sup>142</sup> "2015: TMG launches Quick Count to monitor polls", *Daily Trust*, 26 August 2014.

Mass media organisations must also encourage free and fair elections, as well as discourage violence. They must engage more actively in ongoing education of all stakeholders on their election-related duties, rights and responsibilities. They must avail all parties equal opportunities to present their manifestos and candidates. They should also encourage the parties and their candidates to conduct issue-based campaigns, rather than dwelling on sectional and religious sentiments. Most importantly, they should strengthen their internal information processing and quality assurance mechanisms to avoid the spread of false reports, inciting statements and hate speech that could trigger clashes or escalate violence.

The National Broadcasting Commission, which regulates radio and television broadcasts, must ensure that all organisations comply fully with relevant guidelines or otherwise be sanctioned. The Nigerian Guild of Editors, though having no powers to enforce regulations, should demand greater professionalism. It should also prevail on online publications to refrain from posting unconfirmed reports that could inflame passions and provoke violence.

#### *E. Sustain International Support*

As Africa's most populous country and largest economy, a Nigeria destabilised by election violence poses a regional and international security threat. Accordingly, several international partners are already lending support to limit electoral fraud and violence.

The UN Development Programme (UNDP) is providing technical and financial support to INEC, civil society and institutions such as the judiciary, mass media, national and state assemblies, and political parties, through its Democratic Governance for Development Project (DGD II), a multi-donor platform.<sup>143</sup> The European Union (EU) contributed €19.1 million to DGD II; in February 2014, it sent a mission that evaluated implementation of its 2011 election observation report and it will deploy a long-term observation mission. The U.S. is supporting the elections with \$15 million.<sup>144</sup> Its embassy in Abuja is supporting capacity building programs for INEC, the police and mass media, as well as various civil society organisations involved in promoting electoral reforms, expanding voter

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<sup>143</sup> DGD II is funded by the European Commission (EC), the UK Department for International Development (DfID), the Canadian International Development Agency (CIDA), the Korea International Cooperation Agency (KOICA) and the UN Development Program (UNDP). The project also aims to enhance participation by women, youth and other marginalised groups, and strengthen civic engagement. Its capacity building programs have been particularly active in training. For instance, on 21-22 May 2013, DGD II, in collaboration with INEC, civil society, media and others, held a multi-stakeholders conference in Abuja, with the theme: "Tasks and Responsibilities towards 2015 Elections". On 26 June, the project launched its Political Party Leadership and Policy Development Centre at the National Institute for Policy and Strategic Studies (NIPSS), Kuru, Jos. From 26-27 September, the project, in collaboration with the Nigerian Union of Journalists (NUJ), held an international conference in Abuja, with the theme: "International experience sharing on media and elections".

<sup>144</sup> "2015 elections: US to support Nigeria with \$15m", *Nigerian Tribune*, 13 March 2014. On 1 August, the U.S. announced it would provide approximately \$51 million over five years "to support the conduct of credible and peaceful elections in 2015 and beyond". "Fact Sheet: U.S. Support for Democratic Institutions, Good Governance, and Human Rights in Africa", 4 August 2014.



education and monitoring electoral processes.<sup>145</sup> Since 2009, the UK Department for International Development (DfID) has implemented a five-year, £35-million (\$55 million) program to deepen democracy and mitigate violence.

These engagements are, by some accounts, already contributing to improved capacity for administering and managing the elections.<sup>146</sup> They should be sustained. International partners should prioritise capacity building programs for INEC, security agencies and civil society. The recently established police Election Security and Monitoring Unit could benefit from expert presentations on how such entities operate in other countries and international best practices for securing elections. Several civil society organisations, with committed leaderships and credible programs, but which are working in such challenging environments as the far north and the Niger Delta, should also be better empowered, technically and financially.

Beyond strengthening capacity, international partners could contribute even more significantly through political engagement and messaging. The U.S. ambassador, James Entwistle, has already met with political party leaders, urging non-violence.<sup>147</sup> Western embassies in Abuja are creating a forum to share information and coordinate responses to elections challenges.<sup>148</sup> Donors and other international partners should join or create a similar forum to sustain pressure on Nigeria's political leaders for ensuring free, fair and non-violent elections.

International observer missions could help discourage fraud and deter violence. However, experience shows that deploying large numbers of observers for only a few days around the polls is of limited value. Electoral fraud and political violence do not occur only on voting day but often in the lead-up to the polls or after the results are announced. International observer missions must therefore be deployed well before polling day (ideally before the party primaries) and remain in the country well after. Admittedly, donor funding is limited, but it may be better to deploy smaller numbers of observers, reporting on the electoral process over an extended period, than to send large missions whose snap observation of ballot casting may not fully capture any electoral manipulation that preceded the votes and deter violence that may erupt before or after.

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<sup>145</sup> For instance, in July 2014, it partnered with INEC in organising a four-day workshop for the commission's press officers, in Abuja and Lagos. Between 25 August and 1 September, it partnered with the NUJ for a journalists' training workshop in Abuja and Lagos.

<sup>146</sup> Crisis Group interviews, various representatives of civil society groups and mass media organisations who attended training programs under DGD II, Abuja, 28 September 2014.

<sup>147</sup> He has also invited Nigerians to take an online pledge against electoral violence and to encourage others to do the same. See, <http://nigeria.usembassy.gov/saynoviolence.html>.

<sup>148</sup> They are also reaching out to other important embassies. Crisis Group interview, diplomat, Abuja, 17 October 2014.

## VI. Conclusion

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On 24 July, Jonathan told foreign diplomats in Abuja that “our elections next year will be free and fair. It will be very peaceful in nature that will even surprise the world”.<sup>149</sup> But the realities on ground do not support such optimism. Ibrahim Zikirullahi, chairman of the election watch organisation Transitional Monitoring Group, observes that: “We are approaching the 2015 elections and already the ethnic and sectarian band is being beaten; various groups are talking about marginalization along ethnic, regional and religious lines. If we are not careful, we run the risk of fighting along these lines and further dividing the country”.<sup>150</sup> Wide-scale election violence would deepen Nigeria’s already grave security and governance crises, with very dangerous regional consequences.

With only three months to the polls, reversing the tide requires a sense of urgency, particularly on the part of the government and the election management and security agencies. Salvaging the situation also requires concerted efforts by all other national actors including the political parties and civil society organisations, as well as international partners.

**Dakar/Abuja/Brussels, 21 November 2014**

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<sup>149</sup> “2015 elections will shock the world – Jonathan”, *The Punch*, 25 July 2014.

<sup>150</sup> “TMG decries insecurity ahead of 2015 elections”, *The Punch*, 12 May 2014.



Appendix A: Map of Nigeria



## Appendix B: Glossary of Acronyms

**ACF** – Arewa Consultative Forum: political organisation of northern leaders.

**ACN** – Action Congress of Nigeria: political party that merged with ANPP, CPC and a faction of APGA to form the APC in February 2013.

**ANPP** – All Nigeria People's Party: political party that merged with ACN, CPC and a faction of APGA to form the APC in February 2013.

**APC** – All Progressives Congress: leading opposition party formed in February 2013 as a result of the merging of the ACN, ANPP, CPC and a faction of APGA; presidential candidate to be selected in December.

**APGA** – All Progressives Grand Alliance: political party, a faction which merged with ACN, ANPP and CPC to form the APC in February 2013.

**CAN** – Christian Association of Nigeria: an association of Christian churches founded in 1976 and currently led by Ayodele Oritsejafor.

**CISLAC** – Civil Society Legislative Advocacy Center: NGO working to strengthen relations between civil society and the legislature through capacity building.

**CLEEN Foundation** – Non-governmental organisation promoting security and justice through programs, research and advocacy.

**CPC** – Congress for Progressive Change: political party that merged with ACN, ANPP and a faction of APGA to form the APC in February 2013.

**CVR** – Continuous Voter Registration: nationwide program rolled out in three phases to register citizens to vote.

**Democracy Vanguard** – Non-governmental organisation working to promote free and fair elections in Nigeria through voter education.

**DSS** – Department of State Security: the main domestic intelligence agency.

**EiE** – Enough is Enough: NGO promoting good governance and public accountability in Nigeria through advocacy, activism and the mobilisation of youth.

**GDI** – Grassroots Development Initiative: political organisation headed by Nyesom Wike and based in Port Harcourt, Rivers state.

**INC** – Ijaw National Congress: Ijaw ethnic pressure group formed in 1991, represent-

ing all peoples and communities that speak the Ijaw language.

**INEC** – Independent National Electoral Commission: government commission established in 1999 primarily to organise elections.

**IPAC** – Inter-Party Advisory Council: association of all 25 registered political parties headed by Yunusa Tanko.

**LCBC** – Lake Chad Basin Commission: regional body established in 1964 by the four countries bordering Lake Chad – Cameroon, Chad, Niger and Nigeria – to manage shared water resources; membership has expanded to include Central African Republic and Libya with observer status granted to the Democratic Republic of Congo, Egypt, the Republic of Congo and Sudan.

**MWUN** – Maritime Workers Union of Nigeria: a trade union that protects, defends and promotes the rights, well-being and interests of all workers in the industry.

**NAPEN** – National Association for Peaceful Elections in Nigeria: NGO working to promote peaceful elections through engagement with community and youth groups.

**NCS** – Nigeria Customs Service: agency under the finance ministry responsible for trade facilitation, customs revenue collection and anti-smuggling efforts.

**NDCSC** – Niger Delta Civil Society Coalition: non-governmental coalition of activists and civil society organisations advocating for justice, human rights and peaceful resolution of conflicts in the Niger Delta.

**NDDC** – Niger Delta Development Commission: a federal government agency established in 2000 to facilitate the development of the Niger Delta region.

**NDPSF** – Niger Delta People's Salvation Front: political wing of the Niger Delta People's Volunteer Force (**NDPVF**), formerly one of the most prominent armed groups operating in the Niger Delta; founded by Mujahid Asari-Dokubo.

**NEF** – Northern Elders Forum: pressure group of elders from the northern states opposed to President Jonathan's re-election.

**NHRC** – National Human Rights Commission: commission established by the 1995 National Human Rights Act to ensure the promotion, protection and enforcement of human rights.

**NICVEP** – National Inter-agency Advisory Committee on Voter Education and Publicity: committee established by the INEC to ensure the electorate receives proper information for credible elections in 2015.

**Nigerian Civil Society Situation Room** – coalition of civil society groups established in 2010 for information and resource sharing purposes in order to better respond to election issues.

**Nigeria Watch** – A database project developed under the supervision of the Institute for French Research in Africa (IFRA-Nigeria), based at the University of Ibadan, monitoring and compiling data on violent deaths in Nigeria since June 2006.

**NUJ** – Nigerian Union of Journalists: organisation representing journalists throughout the country currently headed by Garba Mohammed.

**NSCDC** – Nigerian Security and Civil Defence Corps: government security agency mandated to take measures against threats, attacks and/or disasters.

**NSCIA** – Nigerian Supreme Council for Islamic Affairs: religious organisation created to promote Islamic interests throughout Nigeria led by the Sultan of Sokoto, Alhaji Muhammad Sa'ad Abubakar.

**PAP** – Presidential Amnesty Program: program introduced by the late President Umaru Masu Yar'Adua in 2009 granting unconditional amnesty to militants in the Niger Delta; set to end in 2015.

**PDP** – People's Democratic Party: ruling party since May 1999, currently represented by President Goodluck Jonathan.

**PIND** – Foundation for Partnerships in the Niger Delta: NGO with a number of programs working to promote peace and security for economic growth in the Niger Delta.

**PINE** – Presidential Initiative for the North East: initiative funded by federal and state governments, foreign donors and businesses to help economic development in the north east as a means of restoring peace and security.

**PVCs** – Permanent Voter Cards: cards issued following the CVR program that store voter's information.

**SOKAPU** – Southern Kaduna People's Union: political association of the many small ethnic groups in the southern parts of Kaduna state.

**SRM** – Save Rivers Movement: group based in Port Harcourt, Rivers state, strongly supporting Governor Rotimi Amaechi.

**SSPA** – South-South People's Assembly: a pressure group comprising political, business, ethnic and religious leaders from southern Nigeria; strongly pro-Jonathan.

**TAN** – Transformation Ambassadors of Nigeria: well-resourced pro-Jonathan organisation that conducted massive campaigns for his re-election, ahead of INEC's timetable for commencement of campaigns.

**TMG** – Transition Monitoring Group: NGO bringing together member organisations seeking to improve the administration of elections through voter education and election monitoring programs.



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## Appendix C: About the International Crisis Group

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The International Crisis Group (Crisis Group) is an independent, non-profit, non-governmental organisation, with some 125 staff members on five continents, working through field-based analysis and high-level advocacy to prevent and resolve deadly conflict.

Crisis Group's approach is grounded in field research. Teams of political analysts are located within or close by countries at risk of outbreak, escalation or recurrence of violent conflict. Based on information and assessments from the field, it produces analytical reports containing practical recommendations targeted at key international decision-takers. Crisis Group also publishes *CrisisWatch*, a twelve-page monthly bulletin, providing a succinct regular update on the state of play in all the most significant situations of conflict or potential conflict around the world.

Crisis Group's reports and briefing papers are distributed widely by email and made available simultaneously on the website, [www.crisisgroup.org](http://www.crisisgroup.org). Crisis Group works closely with governments and those who influence them, including the media, to highlight its crisis analyses and to generate support for its policy prescriptions.

The Crisis Group Board of Trustees – which includes prominent figures from the fields of politics, diplomacy, business and the media – is directly involved in helping to bring the reports and recommendations to the attention of senior policy-makers around the world. Crisis Group is co-chaired by former UN Deputy Secretary-General and Administrator of the United Nations Development Programme (UNDP), Lord Mark Malloch-Brown, and Dean of Paris School of International Affairs (Sciences Po), Ghassan Salamé.

Crisis Group's President & CEO, Jean-Marie Guéhenno, assumed his role on 1 September 2014. Mr. Guéhenno served as the United Nations Under-Secretary-General for Peacekeeping Operations from 2000-2008, and in 2012, as Deputy Joint Special Envoy of the United Nations and the League of Arab States on Syria. He left his post as Deputy Joint Special Envoy to chair the commission that prepared the white paper on French defence and national security in 2013.

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## Appendix D: Reports and Briefings on Africa since 2011

### Central Africa

*Burundi: From Electoral Boycott to Political Impasse*, Africa Report N°169, 7 February 2011 (also available in French).

*Chad's North West: The Next High-risk Area?*, Africa Briefing N°78, 17 February 2011 (only available in French).

*Congo: The Electoral Dilemma*, Africa Report N°175, 5 May 2011 (also available in French).

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*Somalia: The Transitional Government on Life Support*, Africa Report N°170, 21 February 2011.

*Politics and Transition in the New South Sudan*, Africa Briefing N°172, 4 April 2011.

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*The Kenyan Military Intervention in Somalia*, Africa Report N°184, 15 February 2012

*Somalia: An Opportunity that Should Not Be Missed*, Africa Briefing N°87, 22 February 2012.

*China's New Courtship in South Sudan*, Africa Report N°186, 4 April 2012 (also available in Chinese).

*Uganda: No Resolution to Growing Tensions*, Africa Report N°187, 5 April 2012.

*Ethiopia After Meles*, Africa Briefing N°89, 22 August 2012.

*Assessing Turkey's Role in Somalia*, Africa Briefing N°92, 8 October 2012.

*Sudan: Major Reform or More War*, Africa Report N°194, 29 November 2012 (also available in Arabic).

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