



United States Institute of Peace

“Nigeria: Elections and Human Rights”

Statement before the Tom Lantos Human Rights Commission

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I would like to thank the co-chairs of the Tom Lantos Human Rights Commission, Congressman Hultgren and Congressman McGovern, for convening this briefing today on Nigeria. I appreciate the opportunity to present my views. I am a senior program officer at the United States Institute of Peace (USIP), although the views expressed here are my own. USIP was established by Congress over 30 years ago as an independent, national institute to prevent and resolve violent conflicts abroad, in accordance with U.S. national interests and values.

It is a privilege to appear before you today, along with colleagues to discuss the risks, challenges, and opportunities around the upcoming elections in one of Africa's most important countries.

Nigeria's keenly anticipated presidential and national assembly elections are scheduled for February 16, 2019, while the elections for state governors and state assemblies are scheduled for March 2, 2019. These elections come 20 years after the restoration of democratic, multiparty constitutional rule in Nigeria. The 2019 elections follow the country's first-ever peaceful transition of power to an opposition candidate in 2015. Thus, the upcoming elections will test the resilience of Nigeria's democratic institutions to successfully conduct two consecutive credible elections. While democratization is not a linear process, many Nigerians expect further progress in 2019, including a credible electoral process.

While Nigeria has made major strides in its democratic development, the struggle to control the widespread violence that plagues its communities is far from over. Nigeria's democracy remains fragile and its elections remain vulnerable.

Nigeria's political parties are now in full campaign mode ahead of next year's elections. Unfortunately, signs are emerging that election-related violence is a real possibility. However, it is not too late for Nigerians and the international community to take steps to reduce the risks of election-related violence in 2019. The United States has actively encouraged Nigeria's democratic progress in the past and should step up its attention on Nigeria's 2019 elections.

To do this effectively, it is crucial that as much attention be paid to flashpoints at the state-level as to tensions surrounding the higher profile campaigns for the presidency. International and domestic observers reported incidents of voter intimidation by security forces and party agents during the re-run of the off-cycle gubernatorial election in Osun state in September. This illustrates the intensity of state elections and the associated risks. Elections next year in states that are considered higher profile than Osun are likely to be even more volatile.

The 2019 state-level elections will usher in leadership to some of the most populous and economically important states in Nigeria and Africa, including Lagos, Kano and Rivers, as well as in states that experience recurring intercommunal violence including Plateau, Kaduna and Benue.

The gubernatorial elections will take place in 29 of Nigeria's 36 states, just two weeks after the presidential elections. Seven other state elections are scheduled off-cycle for various reasons. In the 29 contests, incumbent governors are defending 19 seats. Of those, 12 are members of President Muhammadu Buhari's ruling All Progressives Congress (APC). The other seven

belong to the People's Democratic Party (PDP) of opposition candidate and former Vice President Atiku Abubakar. Incumbent governors running for a second four-year term hold significant advantages because of their domination of state party structures, leverage over powerful patronage networks, and the ways they can manage to employ state funds to bolster their campaigns. Incumbents in the remaining 10 of the 29 states, cannot run again because of term limits or because they lost out in their state party primaries, making elections in these states' competitive open races.

State-level elections are important for democratic progress in Nigeria. State races often function as a proving ground for candidates aspiring to national office. Moreover, the country's powerful state governors, allocate federally disbursed revenue, shape policy on development and security, and also oversee the state election commissions which manage local government elections across Nigeria's 774 local government areas. A 2018 USIP study on the Nigeria elections noted the growing prominence of local government elections among Nigerians, who are increasingly viewing local elections as a testing ground for budding politicians – in other words, democracy at the grassroots.

The USIP study which was conducted in 8 states (Kano, Adamawa, Plateau, Kaduna, Rivers, Ekiti, Lagos, Anambra) and in the federal capital territory, Abuja, found that many political and conflict conditions have changed since 2015. So, it is important that the nature of these changes—and the forces behind them—be considered in weighing whether election-related violence at the national or state-level is likely, and if so, how to prevent it or mitigate the consequences.

Among these changes are the shifting perceptions of narratives of security and insecurity in Nigeria. The prominence of the pastoralist-farmer conflicts has shaped perceptions that large parts of the country are insecure. Clashes between farmers and herders over land and water have escalated and are particularly deadly in the northern states of Benue, Taraba, Plateau, Adamawa, Zamfara and Kaduna. Some of those states, including Benue and Plateau, fall within the politically influential region of North Central Nigeria. In the country's Northeast, the military claims to have “technically defeated” Boko Haram, but the terrorist group continues to stage well-publicized attacks. Meanwhile, paramilitary forces, such as the civilian joint task force (CJTF), which were organized in response to the terrorist threat, now pose a danger themselves in places such as Borno State - the epicenter of the Boko Haram insurgency. So, the state-level contest to replace Borno's term-limited Governor Kashim Shettima will be especially important.

Another significant change since 2015 are the proliferating divisions within the two largest political parties, the APC and the PDP. Particularly within the ruling APC, it continues to exhibit an inability to consolidate its internal party structure and effectively resolve internal rivalries. The recent October party primaries in the APC-led Zamfara state were marred by violence and the party leadership has been unable to address the internal grievances. Preparations for the Zamfara state elections in 2019 also continue to be controversial. Nigeria's Independent National Electoral Commission (INEC) has declined to accept the APC's gubernatorial candidate, stating that the party submitted his name too late.

As intraparty conflicts sharpen, rivalry between the APC and the PDP remain intense. This competition lies at the root of persistent violence, including around elections, in the Niger Delta's leading oil producer, Rivers State. This state is considered a "political prize" for any party that can capture control of the jurisdiction. State-level elections in Rivers are often characterized by high levels of violence. According to the Fund for Peace, Rivers state experienced the most election violence incidents and fatalities of any Nigerian state during the 2015 elections. Political hostilities in Rivers have heightened since APC's growing challenge to the PDP's previous dominance in the 2015 elections. The personal rivalry between the former Governor and current transportation minister, Rotimi Amaechi (APC), and the current state Governor, Ezenwo Nyesom Wike (PDP), continues to exacerbate divisions along party lines.

Despite the short amount of time before the elections and the potential for election violence in 2019, there are still opportunities for action.

First, clear plans for the prevention of election violence need to be in place now. These plans should be effectively communicated to citizens by the INEC and security agencies and should be sustained longer to contain post-election incidents.

For many Nigerians, the memories of election-related violence are still current because the Nigerian government has been unable to establish mechanisms to address electoral offenses. The recommendations from the 22-member presidential committee on the 2011 post-election violence – Nigeria's bloodiest elections since the transition in 1999 in which human rights organizations estimated over 800 people were killed - have not been implemented.

The National Human Rights Commission, which is a statutory body mandated to document human rights violations and initiate processes for prosecution, is a weak institution and has been relatively ineffective since 2015. A bill to create a specialized electoral offenses commission with the authority to investigate, enforce, and prosecute electoral offenses is still pending in the National Assembly. It is unlikely that this bill will pass before the 2019 elections.

With less than three months to the elections, the U.S. and international community should prioritize engagements with their Nigeria counterparts on ways to effectively address and prosecute electoral offenses in the 2019 elections. In addition, Nigeria should hold itself to a higher standard when it comes to prosecuting electoral offenses. Proposing that a credibly elected government that emerges after the 2019 elections prioritize the passage and implementation of the bill to establish a specialized electoral offenses commission could be a good way to start.

In the short term, Nigerian authorities should identify credible state-level and community leaders in advance who could provide leadership and advice—or even mediation—in the event of rising tensions. USIP's Nigeria Working Group on Peacebuilding and Governance, a group of eminent civic leaders from diverse backgrounds, could be a source of support to the Nigerian authorities. Other community leaders with the skills and influence to prevent and defuse violence should be engaged as well.

The National Peace Committee, which played an important role in securing the peaceful transition of presidential power in 2015, should be reenergized. Given the current realities and possibilities of higher levels of violence during the gubernatorial elections, peace committees should also be created at the state-level.

Some states already have institutions designed to reduce violence, such as the Plateau State Peacebuilding Agency, the Kaduna State Peacebuilding Commission, and the Adamawa State Peace Commission. These bodies are still getting their footing. USIP is working closely with them and with local community leaders and civil society representatives to address state-level violence before, during, and after the 2019 elections.

Secondly, the U.S. and other international supporters of the electoral process in Nigeria should intensify their efforts to reinforce the work of key institutions that administer and support the electoral processes, most notably the INEC and the Nigerian Police.

INEC's election management process has improved over the years, but challenges remain. The Commission has carried out many commendable reforms under its new Chairman, Prof. Mahmood Yakubu. However, their good technical work may be of limited value if it is not widely known, understood, and trusted by the electorate or if voters feel that they will experience intimidation on election day.

Nigeria's security agencies, particularly the police that is the lead agency on election security, should commit to better coordination with INEC and neutrality in the electoral process to positively influence voter confidence.

The U.S. government should support INEC and the Nigerian Police to ensure that the existing Inter-agency Consultative Committee on Election Security (ICCES), which bring together INEC, the police, and other security agencies in a forum for election security planning at both the federal and state levels, serves as an effective coordinating mechanism. This coordination is especially important at the state-level to ensure a peaceful electoral process.

The INEC should also implement a more assertive and far-reaching public relations strategy to communicate with the voters, media, and political parties before, during, and after elections. The INEC should also have a transparent approach on the release of election results. A reinvigorated INEC strategy could go beyond generic voter information and civic education and be designed and differentiated for the realities of different regions, states, and elections in Nigeria.

Finally, Nigeria will be looked to in the region to fulfill its proper role as one of the best examples of democratic development in Africa. While there has been much improvement, Nigeria's political leaders can and should do better.

The United States and international community, including the African Union and the Economic Community of West African States (ECOWAS), should intensify their pre-election diplomacy. All stakeholders with potential influence on Nigeria's leaders can convey their expectation that Nigeria's political parties act responsibly throughout campaigns, balloting and the post-election

period. They can also convey to Nigerian leaders an expectation that political parties discipline their members, officials and their candidates if they violate standards of acceptable conduct.

The conduct of the 2015 elections raised citizen expectations for government performance. A credible electoral process in 2019 will strengthen Nigeria's democratic development and enhance public confidence in its democratic institutions. A flawed election could result in a regression in democratic values in Nigeria and weaken the democratic progress that prevails in much of West Africa.

Despite its many challenges, Nigeria shows a commitment to democratic values. It is in the interest of the U.S and the international community to continue supporting Nigeria's democratic development. Focusing efforts to reduce election-related violence in 2019, especially in the state gubernatorial elections, could be an important place to start.

The view expressed in this statement are those of the author and not the U.S. Institute of Peace.