



Press Statement
05/07/2021

DRAFT ELECTORAL BILL: THREE STEPS BACKWARDS

The Peoples Redemption Party (PRP) is sad and seriously concerned that the National Assembly is poised to squander yet another opportunity for bringing remarkable improvement to Nigeria's electoral legal framework. All patriotic citizens of Nigeria interested in deepening democracy and bringing about good democratic governance in our fatherland need to rise with one voice and demand that the National Assembly refocuses the current electoral reform process towards ensuring electoral integrity.

For about a decade, since 2010, no serious amendments have been made to the Nigerian Electoral law, the Electoral Act 2010 (As Amended), in spite of the experiences garnered in the 2011, 2015 and 2019 general elections and many other off-cycle elections, which clearly pointed to the need for significant reforms. Thus, when the 9th National Assembly announced its commitment to electoral reforms and renewed the process of enactment of a new Electoral Act, Nigerians who wish to see the integrity of elections upscaled, and democratic development deepened, individually and in their various groups, saw this as a welcome development long overdue and vigorously supported the process. They submitted memoranda, interacted with the honourable members and senators and actively participated in the public hearings. The Committees of both Chambers responded fairly favourably to the needs and aspirations of Nigerians for credible reforms in the first draft, even though it could have done better.

Regrettably, the so-called final copy of the Electoral Bill 2021 now before the Nationally Assembly, which is set to be passed on Tuesday July 6th or thereabout, has jettisoned some of the key accepted

recommendations by stakeholders and also includes fresh amendments, which if not quickly addressed, would jeopardize the integrity of future elections in Nigeria. Three issues / matters in particular need to be revisited and addressed.

For example, Section 50 (2), if passed as is, would prohibit the use of electronic transmission of results by INEC. Yet, globally, once done robustly and appropriately, electronic transmission of results adds remarkable integrity to a country's electoral process, by among other things, removing human interference and tampering with results; making results tabulation real-time and transparent; and also speeding up the process of tabulation and declaration of results in the shortest possible time. Thus, electronic transmission of result has become a global best practice for electoral integrity, being introduced and/or perfected in many electoral jurisdictions. Yet, the National Assembly seems set to prohibit INEC from doing it! By prohibiting rather than legalizing it, the National Assembly members would seem to endorse tampering with results collation, tabulation and processing of results, which the current manual/analogue processing entails, with all the accompanying fraudulent activities.

Secondly, the initial draft of Electoral Bill 2021 sought to grant INEC powers to quickly address a recent dangerous tendency which has emerged, in which powerful but crooked politicians compel Returning Officers (ROs) to declare results under duress. In past elections, politicians have found ways of either threatening or inducing Returning Officers (ROs) to declare false results in their favour hiding under the legal cover that once ROs declare results only the Tribunals can review them. In the 2019 general elections in particular, 2 Senators from Imo State got 'elected' in this manner, and somehow scaled the legal huddles at the Tribunals. This is a crass irregularity and fraudulent activity, which INEC could have easily resolved had it got the legal power to review petitions regarding the results before declaration by ROs. Given this trend, citizens groups have demanded that INEC be given the power to review results declared under duress or in contravention of electoral law and guidelines. This was accepted and incorporated into the new Bill; yet, somehow, in the version now before the National Assembly, in Section 65, this power to INEC has been removed. If this section is left as currently is, politicians in future elections would very likely be even more brazen in either buying off Returning Officers or literally 'putting guns to their heads' to get them to declare fraudulent results while INEC watches helplessly, as was the earlier cited case in Imo State.

Thirdly, and inexplicably, the Bill now before the National Assembly for likely passage on Tuesday July 6 or thereabouts, has, in Section 88, significantly raised the thresholds and limits of candidate campaign financing! If this is passed, a presidential candidate would be free to spend up to N15 billion, raised from N1 billion; a gubernatorial candidate could spend up to N 5 billion raised from N200 million; a Senator is free to spend up to N1.5 billion from N40 million; a candidate for House of Representatives could spend up to N500 million raised from N30 million; and a candidate for State house of Assembly could spend up to N50 million, raised from N10 million (Section 88). Unless this Section is addressed and the thresholds drastically scaled down, the National Assembly would legalize electoral contests for the highest bidders and the richest candidates! For elections to be truly representative, candidates and party election financing need to be curbed appropriately to create a level playing field for all contestants, not just the rich.

In view of all these, the PRP wishes to call on the National Assembly to halt the passage of the so-called new Electoral Bill 2021 scheduled for passage this week, until appropriate corrections are made, consistent with citizens popular demands. In particular, PRP calls upon the National Assembly to as a matter of urgency:

1. Review Section 50(2), remove the prohibition of electronic transmission of results and grant INEC the power to introduce a technologically robust and transparent electronic transmission of results so as to remarkably improve the integrity of Nigerian electoral process;
2. Revisit Section 65, and grant INEC the legal power to appropriately review the results declared by any returning Officer under duress; and
3. Revisit Section 88, and drastically reduce the campaign financing thresholds and limits, to curtail the influence of money in politics and create a level playing field for all contestants, without undue advantage being granted to the rich and wealthy contestants.

For members of the National Assembly to truly answer the title of peoples' representatives, they would need to bring into effect an Electoral Act that respects and represents the wishes of the Nigerian people, as articulated and expressed during the consultations and public hearings which were held.

For the avoidance of doubt, the PRP condemns any attempt by anybody

or group of persons to hoist on Nigerians a so-called New Electoral Act, which would undermine rather than improve the integrity of elections in Nigeria.

In conclusion, the PRP calls on all patriotic Nigerians, individually and in organized groups, to bring pressure to bear on the members of the National Assembly to do the right thing, rather than rush a new Electoral Bill which would significantly undermine the integrity of future elections in Nigeria.

Long Live Peoples Redemption Party, PRP!
Long Live the Federal Republic of Nigeria!!

**Falalu Bello, OFR
National Chairman,
Peoples Redemption Party (PRP).**