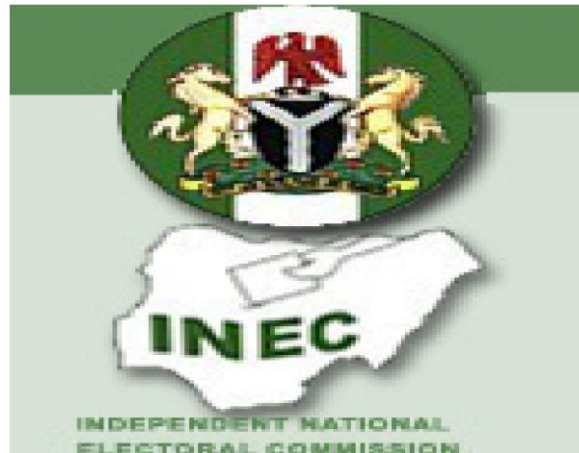


INDEPENDENT NATIONAL ELECTORAL COMMISSION



**REPORT OF THE COMMITTEE TO INVESTIGATE
ALLEGATIONS OF UNDER-AGED VOTING USING INEC
VOTER REGISTER IN THE KANO STATE LOCAL
GOVERNMENT ELECTION OF 10TH FEBRUARY 2018**

MARCH 2018

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ACKNOWLEDGEMENTS

The Committee expresses its gratitude to all invited stakeholders in Kano State for the invaluable support received in the course of its assignment. The attendance of Civil Society Organisations (CSOs), political parties and the media at the Committee's interactive sessions and the significant contributions made were beneficial and have greatly assisted the Committee in successfully carrying out its assignment.

The audience granted by the Kano State Commissioner of Police, the Director of the Department of State Services, the Commandant of the National Security and Civil Defence Corps and the Chairman of the Kano State Independent Electoral Commission (KANSIEC) is hereby acknowledged. The assistance from individuals to verify a particular picture that surfaced on election day is similarly acknowledged.

The Committee is enormously grateful to our host, the Resident Electoral Commissioner (REC) for Kano State, Professor Riskuwa A. Shehu, for his tremendous and resourceful contributions towards the accomplishment of the task of the Committee and for his hospitality as well as the support of the staff throughout the Committee's sittings in Kano.

1.0 INTRODUCTION

The Independent National Electoral Commission (INEC), conscious of the foundational role of a credible Register of Voters in all elections and mindful of the outrage caused by the alleged voting by under-aged persons using the national register in the Local Government elections held in Kano State on 10th February 2018, constituted a Committee to investigate the allegation.

1.1 Members of the Committee

Membership of the Committee was drawn from the National Commissioners, Resident Electoral Commissioners (REC) and directorate level staff as follows:

- i. Engr. Abubakar A. Nahuche National Commissioner Chairman
- ii. Mrs. May I. Agbamuche-Mbu National Commissioner Member
- iii. Barr. Mike A. Igini REC Awka Ibom Member
- iv. Barr. Kassim G. Gaidam REC Adamawa Member
- v. Mr. Yakubu Duku EOps Department Member
- vi. Mr. Paul Omokore ICT Department Member
- vii. Mrs Rukayat Bunmi Bello VR Department Member
- viii. Mr. Jude C. Okwuonu P&M Department Secretary

1.2 Terms of Reference

The Committee was guided by the following Terms of Reference:

- i. Ascertain if the voter register requested by the Kano State Independent Electoral Commission (KANSIEC) was actually used in the Local Government Election;
- ii. Investigate the widespread report that persons below the age of 18 years voted using INEC's register;
- iii. Engage with stakeholders on issues related to the use of the Voters' Register in the election;
- iv. Make any other recommendations which in the opinion of the Committee will prevent under-aged registration and voting.

2.0 LEGAL FRAMEWORK

The Commission was established under Section 153 of the 1999 Constitution (as amended) and vested with the powers in paragraph 15(a) of the third schedule to "organize, undertake, supervise all elections to the offices of the

President and Vice President, the Governor and Deputy Governor of a State and to the membership of the Senate, the House of Representatives and the House of Assembly of each State of the Federation". Also paragraph 15(e) of the Constitution and Section 9 of the Electoral Act 2010 (as amended) vested INEC with the sole responsibility to compile, maintain and update on a regular basis a National Register of Voters of persons who, *inter alia*, have attained the age of 18 years in accordance with Section 12 (1b). On the other hand, State Independent Electoral Commissions (SIECs) are established under the Section 197 of the Constitution of the Federal Republic of Nigeria and saddled with the responsibility of conducting elections into Local Government Councils. INEC is enjoined under Section 15 of the Electoral Act to make the Voters' Register available to SIECs when required for the conduct of their Elections. **It should, however, be noted that INEC has no legal supervisory authority over SIECs.**

3.0 METHODOLOGY

The allegation of under-aged voting linked to the INEC Voters' Register surfaced in various video clips and pictures published on the social media. At its inaugural meeting held on the 28th February 2018, the Committee decided not only to review the social media images but beyond that interact with critical stakeholders in Kano State for additional relevant material/evidence and to thoroughly analyse them in order to establish the truth.

Accordingly, the Committee adopted the following methodology for its assignment:

- i. Visits and interactions with stakeholders which included KANSIEC, Civil Society Organisations (CSOs), Print and Electronic Media, Political Parties and Security Agencies.
- ii. Analysis and review of the circulated pictures and video clips on the social media, video clips from mainstream media, and presentations by the REC Kano State, KANSIEC Chairman and political parties.
- iii. Analysis of INEC 2015 Register of Voters and 2017 Continuous Voter Registration (CVR) exercise for Kano State based on presentations

by representatives of the Voter Registry and ICT Departments in the Committee.

- iv. Review of samples from the Register of Voters, Election Guidelines and reports from CSOs and other stakeholders.
- v. Search for evidence of pictures and video clips of alleged underaged voting on election day through requests to some mainstream media organisations.

4.0 TERMS OF REFERENCE

4.1 TOR 1: Ascertain if the Register of Voters Requested by the Kano State Independent Electoral Commission (KANSIEC) was Actually Used in the Local Government Elections of 10 February 2018

i. Process of Obtaining Register of Voters

The KANSIEC requested for a soft copy of Register of Voters vide their letter Ref. No. KANSIEC/ADM/S/01/1 dated 13th November 2017. The Kano State office of INEC forwarded the request to the Commission for approval vide Ref. INEC/KN/SEC 97/46 dated 14th November 2017. Approval of the Commission was granted vide Ref. INEC/VR/KSMG/3312/1/3 dated 29th December 2017. A soft copy of the Voters' Register in PDF format, including the list of polling units, was sent to KANSIEC and was duly acknowledged.

On 1st March 2018, the Committee paid a visit to the Chairman of KANSIEC, Professor Garba Ibrahim Sheka, and requested for samples of the Voters. Register used for the elections on 10th February 2018 based on the LGAs mentioned in some of the video clips of alleged under-aged voting as well as random selection of additional ones.

ii. Position of KANSIEC

The Chairman of KANSIEC made a PowerPoint presentation of KANSIEC's position on the elections and informed that it was the soft copy of the Voters' Register received from INEC that was printed and used for the elections.

iii. Position of Stakeholders

Based on the interactions with the stakeholders, there are clearly two contending positions on the use of the Voters' Register in the said elections.

A total of forty (40) stakeholders said that although voting took place and the Voters' Register was sighted but was not used for accreditation while two (2) reported that the Register of Voters was used.

4.2 Observations

The Committee makes the following observations:

- i. The sample of the Register used is found to be the same as the actual one given to KANSIEC by INEC.
- ii. From the sample received from KANSIEC, there are indications that the Registers in some polling units had ticks against the names of voters indicating that they were apparently used for accreditation.
- iii. The video clips received from various media organisations only show the accreditation of voters and actual voting taking place in the polling unit where the Governor voted and a few polling units in that vicinity.
- iv. Majority of stakeholders reported that they did not witness the accreditation process in polling units but only saw voting in progress.
- v. All stakeholders, including Chairman of KANSIEC, were unanimous on the late arrival of election materials at polling units. This obviously negatively affected the use of the Register for accreditation of voters.
- vi. The non-use of the Smart Card Reader (SCR) made the determination of accreditation and the actual use of the Voters' Register more difficult.

4.3 Recommendations

The Committee makes the following recommendations:

- i. INEC should advise SIECs to adopt the Commission's processes and procedures, particularly its accreditation of voters using the SCR in conducting elections in order to enhance the credibility of the electoral process. This will require SIECs to develop/improve the capacity and integrity of their ad hoc and regular staff.
- ii. Sustain the interface between INEC and SIECS in the areas of technical support, capacity-building and voter education to

ensure that their elections maintain minimum standard of credibility.

5.0 TOR 2: Investigate the Widespread Report that Persons Below the Age of 18 Years Voted Using INEC's Register

In his submission to the Committee, the Chairman of KANSIEC stated that the Commission did not receive any formal report or complain from any political party or stakeholders of voting by persons below the statutory age of 18 years during the elections. Similarly, the Security Agencies, namely the Department of State Services (DSS), the Nigeria Police Force (NPF) and the Nigeria Security and Civil Defence Corps (NSCDC) informed the Committee that they did not receive any report or observed underaged voting.

During the Committee's interaction with representatives of eighteen (18) media organisations, none of them confirmed the incidence of underaged voting on election day. Similarly, the Committee interacted with Civil Society Organisations (CSOs). Some of them responded while others were said to have travelled to Edo State to observe the Local Government Council Elections. Those present informed the Committee that they observed no case of under-aged voting linked to the Voters' Register. Similarly, reports from six (6) CSOs submitted by KANSIEC made no mention of such under-aged voting.

The Committee interacted with representatives of twenty-four (24) political parties out of which twenty-two (22) said that they did not observe under-aged accreditation and voting. However, the representatives of the People's Democratic Party (PDP) and a faction of the All Progressives Congress (APC) alluded to cases of under-aged voting during the elections without linking such voting to accreditation. However, a careful scrutiny of their written and electronic depositions showed substantial similarity with reports that surfaced on the social media.

5.1 Observations

The Committee makes the following observations:

- i. Majority of stakeholders that interacted with the Committee said they observed no cases of under-aged voting. No election day video coverage was presented to the Committee to prove the incidence of under-aged accreditation and voting using the INEC Voters' Register.
- ii. All the video clips received from Africa Independent Television (AIT), Channels TV, TV Continental (TVC), Nigerian Television Authority (NTA) and Abubakar Rimi Television (ARTV) showed coverage of the polling unit where the Governor voted with no evidence of underaged accreditation and voting.

Video clip from ARTV Kano <https://youtu.be/LoOE2q964Zo>

Channels TV Reports: 1. <https://youtu.be/NKeZkDHzJdM>

2. <https://youtu.be/8qWNUV5crvo>

NTA Kano Report:- <https://youtu.be/KDWcMLLln0E>

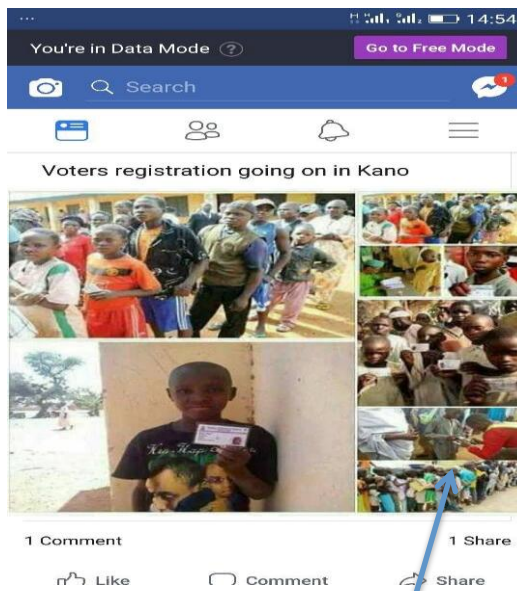
AIT Kano Report:- <https://youtu.be/SuHlyrhVHD8>

TVC TV Kano Report:- <https://youtu.be/t3FcwnfGsOg>

- iii. Despite the public announcement made by the Committee during its interaction with the media to submit any additional information that could assist in its investigation, none was received as at the time of writing this report.
- iv. Most of the images of under-aged voting were reported earlier than the Local Government elections held on 10th February 2018. For example, the following composite picture was widely shared on the social media as evidence of under-aged persons being registered as voters or actually voting in the Kano State Local Government elections held on 10th February 2018:



An analysis of the images reveals the following:

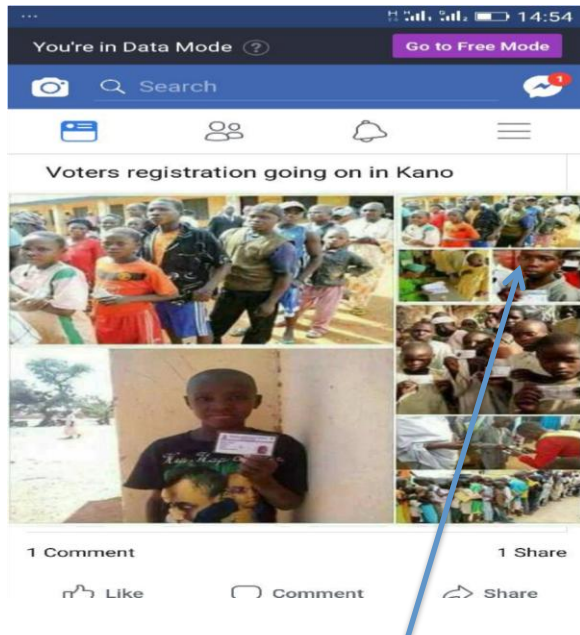


Daily Nigerian 13 February, 2018

<https://dailynigerian.com/inec-no-hand-age-voting-videos-images/>

The above image was first published by the Vanguard newspaper three years earlier on 28th March 2015.

<https://www.vanguardngr.com/2015/03/underage-voters-accredited-intaraba/Chuwkudi/citizen reporter.>



The above picture was not from Kano but Nasarawa State. It was reported seven years before the 2018 Kano Local Government election by the Vanguard newspaper online on 17th April 2011.

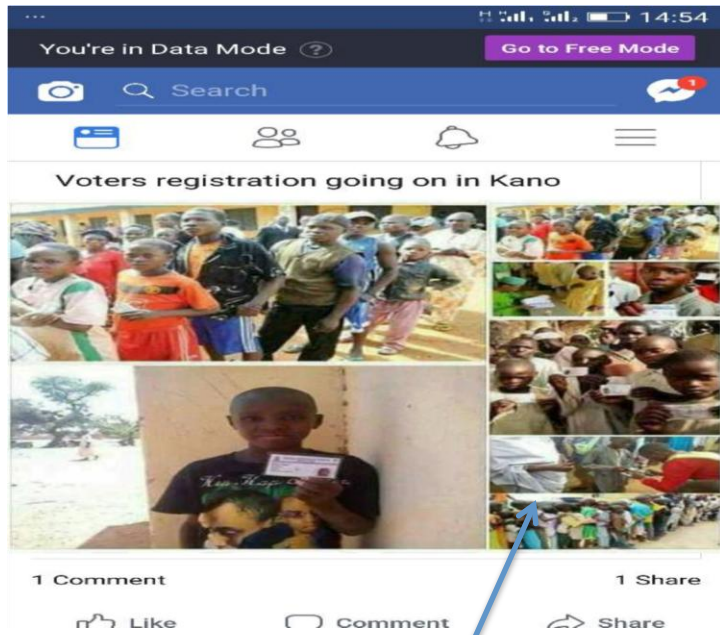
<https://www.vanguardngr.com/2011/04/amid-presidential-poll-monitors-allegeintimidation-underage-voting/>



The above picture was not from Kano but used for illustration in a report on voting in Sokoto in 2012, six years before the Kano Local Government election 2018.

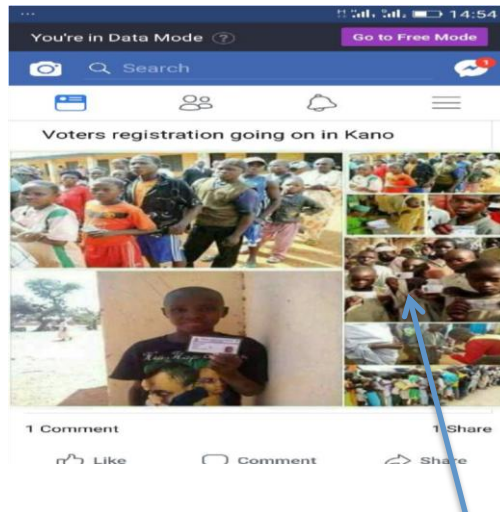
“Collation Begins After Voting in Sokoto State Election” (February 18, 2012)

<https://www.premiumtimesng.com/politics/3847-collation-begins-after-votingin-sokoto-state-election.html> by Tobi Alabi



Above picture was taken at an IDP Camp in Borno State three years before the 2018 Kano Local Government election. Same picture was used to illustrate another story on the Borno IDPs a year before the Local Government election.

1. "Internally Displaced Persons in Nigeria" (17/11/2015)
<https://ask.naija.ng/politics/internally-displaced-persons-in-nigeria-i23523.html>
2. "Borno State Government to Return 78,000 IDPs Back to Nigeria", April 9, 2017. See <http://www.informationng.com/2017/04/fg-to-return.html>



The above picture is not from the current Continuous Voter Registration exercise. It was published three years earlier. See Nairaland, March 07, 2015 <http://www.nairaland.com/2183375/issue-underage-voting-should-blame>

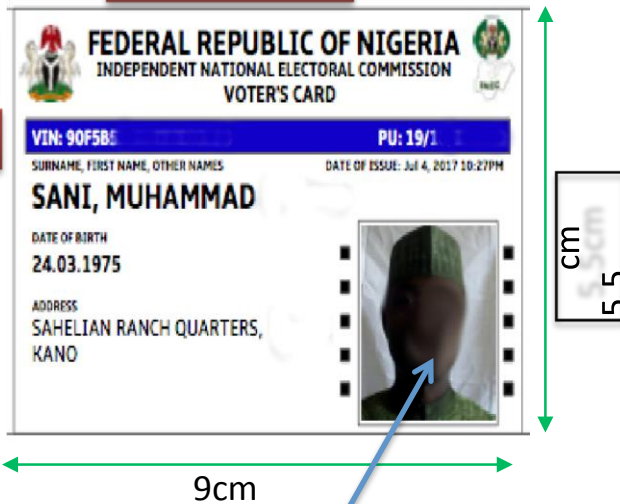
Further analysis of the Card that persons shown in the above picture were carrying when compared to the Temporary Voters Card (TVCs) currently issued by the Commission reveals the following:

**A sample of INEC
Temporary Voters Card (TVC)**

INEC Logo

Coat of Arms

Thick-Blue bar



**Picture at the LEFT-bottom side and
EXACTLY half height of the card**



**Picture at the RIGHT
bottom side and more than
half height of the card and
No THICK BLUE-BAR**



Thumb-printing of the ballot booklet is taking place without the use of Voters' Register or accreditation of voters

No Voters' Register and no

https://youtu.be/_oPHMKR7roE



Thumb printing of ballot booklets inside a living room.

https://youtu.be/_oPHMKR7roE

accreditation of voters.



Indiscriminate thumb-printing of ballot papers. No Voters' Register used.

<https://youtu.be/n4Z7DzSFwBA> Free-for-all thumb-printing of

ballot



papers. No Voters' Register and no accreditation.

<https://youtu.be/TArQOOJqXeE>

be
2018
was
with

However, one picture was found to connected to the 10th February KANSIEC election. The Committee able to trace the location and met the children involved. The children,

who are between ages 9 and 12 years, told the Committee members that they were called by a man who gave them a folded piece of paper to drop into a box and they were asked to pose for a photograph. Clearly, this was a deliberate and premeditated act. In the widely shared picture on the social media, two boys were seen "casting" what seems like a single ballot paper into the ballot box while another boy watched as a spectator.



The Committee identified the Polling Unit as PU19/31/02/036 located at Layin Baba Dara-Dara III in Gama area of Nasarawa Local Government. The Committee checked the Voters' Register but neither the names nor photographs of the children were found in the Polling Unit.

5.2 Recommendations

The Committee makes the following recommendations:

- i. Relevant units under the Department of Voter Education & Publicity (VEP) should be properly equipped to monitor and

- promptly respond to public posts on social media related to the Commission (Social Media Quick Response Team).
- ii. Commission should continue to sustain its engagement with stakeholders, most especially the media and CSOs, on recycled social media images.
 - iii. KANSIEC should sanction its own staff found to have connived with individuals or groups to violate its guidelines and regulations and prosecute others who aided and abetted such infractions.

6.0 TOR 3: Engage with Stakeholders on Issues Related to the Use of Voter Register in the Election

6.1 Civil Society Organisations (CSOs)

The Committee met with some of the CSOs on 1st March 2018 and received reports of six other CSOs from KANSIEC. The representative of Voice and Accountability Platform (VAP) said he saw the registers at polling units but did not witness accreditation while others reported that election processes and procedures were duly observed in areas covered by them. The CSOs that interacted with the Committee or whose reports were obtained through KANSIEC are as follows:

- i. Voice and Accountability Platform
- ii. Ganduje Political Coalition Forum
- iii. Career and Youth Development Initiative
- iv. Centre for Strategy, Ethics and Values
- v. United Women for Peace Initiative
- vi. Patriotic Election Watch Dog
- vii. Diaspora Advocacy for a New Dawn Initiative in Nigeria
- viii. Nigeria Deserves Good Governance



Some of the CSOs that interacted with the Committee

6.2 Media Organisations

The Committee interacted with several media organizations (print and electronic). They informed the Committee that they did not witness any accreditation process using the Voters' Register except the polling unit where the Governor voted. The media organisations are:

- i. Premiumtimes
- ii. Federal Radio Corporation of Nigeria (FRCN)
- iii. News Agency of Nigeria (NAN)
- iv. Africa International Television (AIT)
- v. Nigerian Tribune
- vi. Freedom Radio Kano
- vii. The Guardian
- viii. Leadership
- ix. Abubakar Rimi Television (ARTV)
- x. News Agency of Nigeria (NAN)
- xi. Authority
- xii. Nigeria Television Authority (NTA)
- xiii. Radio Kano
- xiv. The Punch
- xv. The Nation
- xvi. The Sun
- xvii. Rahma Radio
- xviii. Cool WAZOBIA FM



Some representatives of the media organisations that interacted with the Committee

Interaction with Media:- <https://youtu.be/MQggYYIcwNo>

6.3 Political Parties

Twenty-nine (29) political parties responded to the Committee's invitation. Majority of the parties made presentations during an interactive session. The PDP informed the Committee that it had a social media crew that cut across all the 44 LGAs in Kano State that collected the clips contained in its presentation. The party suggested three sources of evidence which could assist the Committee in its investigation as follows:

- i. The extensive media coverage on the election.
- ii. The public statements made by Kano State Government officials.
- iii. The widely circulated social media images (pictures and video clips).

Jointly and severally, all the other political parties claimed that there were irregularities in most of the areas they covered on election day. According to them, some of the irregularities include:

- i. Limited participation of political parties in the election due to exorbitant fees and taxes imposed on candidates.
- ii. Late arrival of materials to the polling units (in some cases as late as 4:00pm).

- iii. No accreditation process was observed.
- iv. Non-use of INEC's Voters' Register.
- v. Low voter turnout.
- vi. Voting by persons below the age 18 years as presented in the video clips submitted by PDP and a faction of the APC.

The parties made various recommendations as follows:

- i. Alterations should be made to Sections of the 1999 Constitution to empower INEC to conduct Local Government Council elections nationwide on the grounds that the people have lost confidence in SIECs.
- ii. SIECs should produce their own voters register (if they are to continue with the powers to conduct LGC elections) in order to avoid misuse of the INEC Voters' Register.
- iii. The State Governors should simply be mandated to appoint Local Government Chairmen and Councilors in their States instead of wasting public funds under the guise of conducting elections by SIECs.

Interaction with Political Parties.

https://youtu.be/V3Y6XKmSW_Q

6.4 Security Agencies

The Committee interacted with the NPF, NSCDC and DSS. All the agencies informed the Committee that their personnel posted to the various polling units on election day observed no cases of under-aged voting on election day.

The Nigeria Police specifically told the Committee that it had scrutinized the video clips of alleged under-aged voting posted on the social media and wondered why their personnel were not seen on any of the clips although they deployed policemen to all the polling units in the State.



The Committee members with the Kano State Commissioner of Police



The Committee members with the Kano State Commandant of the NSCDC

7.0 Recommendations

The Committee makes the following recommendations:

- i. INEC should advise SIECs to engage well established and reputable CSOs like TMG, CLEEN, Operation Swift Count (OSC), PLAC, Election Monitors, Enough is Enough, Equity and Justice Organisation etc. to monitor their pre-election, election and post-election activities.
- ii. SIECs should adopt the benchmarks set by INEC in the areas of procurement, deployment and other logistics guiding their operations to minimize the widespread incidence of unavailability of personnel and materials in good time at polling units on election day.

- iii. INEC to advise SIECs to embark upon early preparations. Where there are instances of late delivery of election materials, election in affected areas should be postponed to another date.
- iv. SIECs, in collaborations with other stakeholders, should continuously undertake voter education campaigns for citizens to understand the electoral procedures and processes.

8.0 TOR 1V: Make any Other Recommendations Which in the Opinion of the Committee will Prevent Under-Aged Registration and Voting

In its presentation, KANSIEC alluded to the fact that it found and marked on the Register apparently under-aged persons and advised the Committee to do a clean-up of the Voters' Register.

The Committee carried out a thorough manual check of the 2015 Register of Voters. A random manual check of six (6) Local Government Areas comprising 1,237 polling units and 693,935 voters reveals some 2,941 apparently under-aged persons from the 2011 and 2015 registration exercises. This translates to 0.42 percent of registered voters in the six (6) LGAs and 0.058 percent of the entire register of 4,993,471 voters in Kano State. This percentage cannot in anyway impeach the integrity of the register. Despite this finding, no evidence that such under-aged persons used the Voters' Register to vote in the 2018 Local Government elections in Kano conducted by KANSIEC.

8.1 Recommendations

The Committee makes the following recommendations:

- i. The Commission should carry out manual check of the Voters' Register in the 44 LGAs in Kano States in order to interrogate and remove any confirmed ineligible persons from the register.
- ii. The Commission should also direct the remaining 35 States and FCT to carry out manual checks on the Voters' Register and prepare reports for submission to the Headquarters.
- iii. The Commission should leverage on its existing relationship with heads of ICCES at the highest level and request that they direct their

personnel in all States of the Federation to enhance their collaboration with INEC to monitor the on-going CVR exercise nationwide in order to guard against the possibility of ineligible registration.

- iv. Stakeholders, being essential partners in the democratic process, should take active interest and participate in the on-going CVR exercise in order to further forestall the possibility of registration of ineligible persons nationwide.
- v. The Commission should continue to take prompt disciplinary measures against staff who commit registration offences.
- vi. INEC to collaborate with the Forum of State Independent Electoral Commissions (FORSIECON) to strengthen adherence by SIECs to best practice in democratic elections through the review of their enabling laws to empower them to conduct elections that meet minimum standards such as compulsory accreditation, secret balloting, collation, transmission and declaration of result as well as proper documentation of processes, procedures and outcomes.
- vii. There should be uniformity and guaranteed of tenure of elected Local Government Councils nationwide as well as periodic elections as is the case in the Federal Capital Territory (FCT).

9.0 CONCLUSION

The Committee, after diligent checks and physical examination of correspondence and samples of printed Voters' Register used by KANSIEC for the 10th February 2018 Local Government Elections in Kano, was able to establish that there was a request for the Voters' Register which INEC granted. However, it was generally not used for accreditation on election day.

The Committee's analysis of the pictures and video clips of under-aged voters on social media, as well as review of interactions with several stakeholders that participated in the elections, shows clearly that most of the clips were in circulation long before the said election.

The Commission should consider the recommendations of this Committee for immediate implementation.

SIGNATURE OF MEMBERS OF THE COMMITTEE

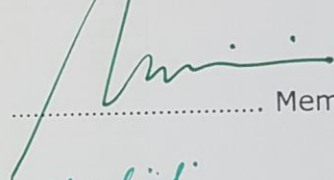
Engr. Abubakar A. Nahuche
National Commissioner


..... Chairman

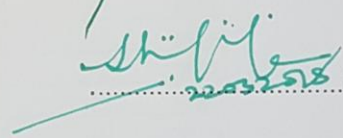
Mrs. May Agbamuche-Mbu
National Commissioner


..... Member

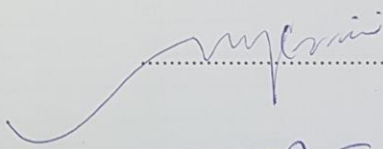
Barr. Mike A. Igin
REC Awka Ibom State


..... Member


Barr. Kassim G. Gaidam
REC Adamawa State


..... Member

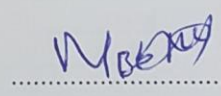
Mr. Yakubu M. Duku
EOPs Department


..... Member

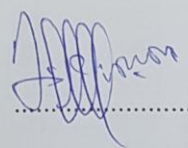
Mr. Paul Omokore
ICT Department


..... Member

Mrs. Rukayat Bunmi Bello
VR Department


..... Member

Mr. Jude C. Okwuonu
P&M Department


..... Secretary