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POLICY ON CONDUCTING ELECTIONS IN THE CONTEXT OF THE COVID-19 PANDEMIC



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Purpose

The purpose of this policy is to enable officials and staff of the Commission to understand and respond adequately to the challenges of conducting elections in the context of the COVID-19 pandemic and its health and financial implications, and to provide a guide for engagement with stakeholders during elections.

Authority

Section 160 (1) of the 1999 Constitution (as amended) empowers the Independent National Electoral Commission (INEC) to by rules or otherwise, regulate its own procedure or confer powers and impose duties on any officer or authority for the purpose of discharging its functions. The Commission is also empowered by Section 153 of the Electoral Act 2010 (as amended) to issue regulations, guidelines and manuals for the purpose of giving effect to the provisions of the Act.

Scope

This policy shall apply to all elections and electoral activities of the Commission during the COVID-19 pandemic.

Responsible Party

All officials and staff of the Commission.



1. POLICY STATEMENT

The COVID-19 pandemic has had an extensive impact on the electoral process in Nigeria. Not only has it led to far-reaching disruptions in the electoral system, it has also specifically led to the postponement of elections and created uncertainties about scheduled ones. The Commission, cognizant of the profound impact of the pandemic on the electoral process, extensively deliberated on how best to respond to the impact of the pandemic on election administration. The situation is made worse by the global economic impact of the pandemic and its knock-on effect on the Nigerian economy, which has seen a decline in funding for government activities. Expectedly, this trend will also affect the work of the Commission. Conducting elections in a pandemic such as COVID-19 is yet uncharted waters. Only very few jurisdictions have any experience with this. That notwithstanding, the Commission is committed to conducting all elections that are due within the

extant legal framework. However, in so doing it will put a premium on public safety and mitigation of health risks from COVID-19. Citizens must be assured that they will be safe while participating as voters, candidates and officials. The Commission remains committed to raising public confidence in the electoral process in spite of the challenges posed by the pandemic and to regularly communicate its actions and challenges to the public. This would from time to time occasion alterations in its procedures, rules and regulations, as is the case with the present policy. The broad objective of this policy framework is, therefore, to prepare the Commission to respond to the effects on the electoral process of the twin challenges of COVID-19 pandemic and looming cuts in government spending and to communicate these to its stakeholders.



2. HEALTH ISSUES

The most immediate challenge that COVID-19 poses to the electoral process is health related. In order to protect voters, election officials and other stakeholders in the electoral process, the Commission shall implement the following:

A. General Protective Measures

- i. Infrared thermometers will be supplied and used at the Registration Area Collation Centres, the Local Government Area Collation Centres and the State Collation Centres.
- ii. The use of face masks is mandatory for all involved in the election process and must be worn at all election locations.
- iii. The Commission shall provide face masks for all election officials.
- iv. Alcohol based hand sanitizers will be provided for election officials at the polling units.
- v. Methylated Spirit and cotton wool will be provided for the disinfection of the Smart Card Readers (SCRs) after the fingerprint of each voter is read.
- vi. The rules of physical distancing shall be enforced at all election activities including stakeholder

engagements, training, queuing at Polling Units, etc.

- vii. All protocols issued by the NCDC, Presidential Task Force on COVID-19, State Committees on COVID-19 and other relevant health authorities shall be observed by election officials and all stakeholders.
- viii. The Commission shall work with the PTF and health authorities to have in place a system of voluntary COVID-19 testing for INEC staff before and after deploying for elections.

B. Voters and Election Officials Showing Symptoms of COVID - 19

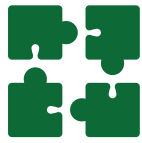
- i. The Commission shall work with the Presidential Task Force on COVID-19 and health authorities in the States having elections to develop a protocol for dealing with persons who show symptoms of COVID-19 at election venues.
- ii. Where an election official, a voter or any other person present at an election venue shows symptoms of COVID-19:
 - the prevailing protocol shall be observed;
 - the person must be isolated

- from other persons at the venue;
- the attention of the security personnel should be drawn;
- the dedicated number for COVID – 19 emergencies shall be called; and
- if the affected person is an election official, the Commission must be notified through the Resident Electoral Commissioner (REC)..



3. LEGAL ISSUES

- i. As already announced by the Commission, the dates for the Governorship elections in Edo and Ondo States remain 19th September 2020 and 10th October 2020 respectively. Dates for the four postponed bye-elections in Bayelsa, Imo and Plateau States, as well as other bye-elections that become due during the COVID-19 pandemic will be announced by the Commission following its established procedures.
- ii. The Commission will engage with the legislature and other stakeholders to explore ways of responding to the rising cost of conducting frequent bye-elections, especially in consideration of the Supreme Court position that votes belong primarily to political parties, as well as the Commission's records, which show that only in 10% of all bye-elections since 2015 did the party that won originally lose the election.
- iii. The Commission will engage relevant authorities, including the legislature, to designate election as an essential service to enable the Commission function effectively in times of national emergency.



4. PLANNING ELECTIONS

The Commission shall revamp its election planning and implementation monitoring processes in the light of the COVID-19 pandemic. Consequently, the Commission in planning elections shall:

- i. Reflect and take full cognizance of the impact of the COVID-19 pandemic on election service delivery. All election activities shall be evaluated on the extent to which they recognize the likely effects of the pandemic on their timely and successful execution.
- ii. Update and strictly implement an Electoral checklist of indicators that mainstreams COVID-19 for use in monitoring and tracking performance over time and space.
- iii. Undertake strategic consultation and consensus building with stakeholders on key changes in its procedures due to the COVID-19 crisis.
- iv. Respond to the growing demand for deepening the use of technology in the electoral processes, including the introduction of electronic voting.
- v. Develop a new election budget template to reflect the likely impact of the COVID-19 pandemic on the funding profile of electoral activities.
- vi. Constantly re-evaluate planned electoral activities in the light of COVID-19 and the health risks it poses for voters, stakeholders and staff during elections, and implement mitigating measures in consultation with health authorities.
- vii. Integrate its various planning and monitoring tools – Election Risk Management (ERM), Election Management System (EMS) and Electoral Operations Support Centre (EOSC) into a robust system for delivering electoral services during the COVID-19 pandemic and beyond.
- viii. Undertake risk mitigation strategies, including innovative ways of conducting election activities that will mitigate risk to health and safety of voters and election officials.
- ix. Continuously update election readiness assessments and regularly share information from them with stakeholders.



5. ELECTORAL OPERATIONS

A. Pre-election activities

- i. The Commission shall:
 - a. Immediately embark on a review of regulations, guidelines and manuals for elections in the light of changes to the electoral process that are imminent due to the COVID-19 pandemic.
 - b. Develop a Voter Code of Conduct (VCC) document detailing how voters are expected to act and conduct themselves at the polling units in the light of the COVID-19 pandemic.
 - c. Review all Election Information Kits to include COVID-19 information.
 - d. Expand the Inter-Agency Consultative Committee on Election Security (ICCES) at all levels to include NCDC (or other requisite health bodies) and NOA on a temporary basis.
 - e. Mandate its State offices to work with local health authorities to do a health assessment of upcoming elections immediately.
 - f. Mainstream COVID-19 in its election risk mapping tools like the Election Risk Management (ERM) and Election Violence Mitigation and Advocacy Tool (EVMAT).
 - g. Conduct immediate discussion with state governments where elections are to hold concerning lockdowns, curfews, etc. and how they might affect elections.
 - h. Ensure that Pre-Election Preparation (PEP) activities shall be conducted online preferably. Where face-to-face activities become necessary, the protocols for COVID-19 prevention should be followed.
 - i. Pilot changes to the electoral process in the light of the COVID-19 pandemic in a bye-election prior to the Edo and Ondo Governorship elections in order to learn lessons where necessary.
- ii. The Commission shall conduct an immediate evaluation of its key election facilities to ensure that they are fit-for-purpose, including Polling Units (PUs), Registration Area Centres (RACs) and Collation Centres. These facilities will

- be reorganized to make them more optimal to health and cost considerations.
- iii. In order to support improved planning and deployment during the COVID-19 pandemic, two key spatial and mapping activities shall be implemented namely, geo-referencing of RAC locations and mapping of COVID-19 prevalence.
 - iv. In handling and delivery of election materials:
 - a. To reduce the number of contacts during distribution, when Non-sensitive Materials are procured, they will be delivered directly by vendors to States or purchased by States requiring the materials and packaged according to quantity required by Registration Area. This will reduce the level and number of contacts during distribution.
 - b. Ballot Papers and result sheets (Sensitive Materials) shall be packaged to Registration Areas (RAs). Production of Sensitive Materials shall commence early to give adequate time for proper packaging and delivery.
 - v. The COVID-19 pandemic is likely to adversely affect staffing for elections. Consequently:
 - a. The Commission will engage immediately with NYSC and INEC State Offices to evolve modalities for corps members to serve as ad hoc staff in elections during the pandemic. The Commission's State offices will commence identification of alternative sources of ad hoc staff in line with Commission policy, in case there are shortfalls.
 - b. The Commission will:
 - Ensure the use of electronic and non-contact means to recruit ad hoc staff by deploying its INECPres portal, as well as in notifying ad hoc staff of invitations and postings (for example, use of SMS) to prevent large gatherings at INEC offices during staff deployment.
 - The Electoral Operations and Logistics Department (EOPs) will harvest all past ad hoc staff from its databases and send to each State preparing for elections.
 - All ad hoc staff databases in the Commission will be harmonized for better management.
 - c. To reduce the risk of transmission of COVID-19, the Commission shall reduce to a minimum interstate

movement of staff, including ad hoc staff, for off-season and bye elections. The rule shall be that only shortfalls requested by the States are filled from outside the state. As much as possible, all election staff will be sourced in-state.

- d. Transportation of election staff shall comply with COVID-19 containment protocols. Consequently, there shall be a reduction in the number of passengers per vehicle on election day from 14 to 7 for buses, and from 12 to 6 for boats. Motorcycles and tricycles must be used sparingly with one passenger per motorcycle and two per tricycle. All passengers and drivers must wear face masks and it shall be mandatory and the responsibility of vehicle owners to provide hand sanitizers for occupants of their vehicles.
- vi. For RAC activities:
 - a. State Offices of the Commission shall conduct a thorough assessment of RACs to determine their suitability for elections. The designation of RACs and Super RACs shall be on a case by case basis, having due regards for the expanse of territory that they serve, terrain and adequate space.
 - b. Where there is insufficient space in a RAC and no suitable alternative facility is available for a Super RAC option, canopies may be deployed outdoors to increase the available area for use.
 - c. COVID-19 awareness shall be included in RAC briefing. Handouts, flyers and information kit on the pandemic will be distributed to election staff at the RACs.
 - d. At the RACs, election staff may be checked by RAC Managers or Supervisory Presiding Officers (SPOs) for COVID-19 symptoms such as high temperature and coughing. Staff showing symptoms will receive medical attention and be replaced immediately from the reserve of staff, on the approval of the Electoral Officer and REC.
- vii. In the establishment of Voting Points, in order to reduce the number of points in a Polling Unit to be monitored and controlled for COVID-19 compliance, the threshold for Voting Points shall be increased from 500/750 to 1,000/1,250.

B. Election Day activities

- i. At the Polling Units during elections:
 - a. In the light of the COVID-19

pandemic, the Polling Unit layout shall be redesigned by the Commission to ensure substantial compliance with the protocols established by health authorities. Among other things, social distancing, general hygienic conduct and enforcement of COVID-19 prevention protocols shall be emphasized in the redesign.

- b. There shall be a two-tier queuing system at the Polling Unit – one outside and the other in the voting area. Voters will be brought into the voting area periodically to prevent overcrowding. Tags and twines may be used to ensure crowd control and maintenance of social distance.
 - c. In order to accommodate additional activities in setting up the PU due to COVID-19, polls shall now commence at 8.30 am and close at 2.30 pm. Anybody on the outer queue by 2.30 pm shall be allowed to vote, in line with the Commission's regulations.
 - d. Prior to the commencement of polls, the Presiding Officer or Assistant Presiding Officer (VP) shall ensure that the contents of the Voter Code of Conduct (VCC) are read out loudly to voters and that the VCC Poster is pasted at the Polling Unit.
 - e. Face masks shall be mandatory at Polling Units and all election locations. Any voter without a face mask shall be turned away from the Polling Unit. However, the Assistant Presiding Officer (APO) II in checking the Register of Voters may request removal of mask to prevent voter impersonation.
 - f. There shall be periodic disinfection of chairs, tables and work areas, as well as adequate ventilation at the Polling Units. The SCR shall be cleaned with the prescribed disinfectant after each voter's fingerprint is read.
 - g. Personal Protective Equipment (PPE) and other safety materials shall be provided for polling staff.
 - h. At the close of polls, polling unit staff shall ensure that materials are properly disinfected, carefully packaged and that used PPE are hygienically packaged or disposed of.
- ii. For purposes of collation of results after election:
 - a. The Commission will cluster RA collation centres where feasible, in order to reduce exposure of people to the risk of COVID-19, speed up

- collation and reduce costs.
- b. There shall be a designated area at each Collation Centre (outdoors) for the implementation of the safety and health measures such as compulsory wearing of face masks, hand sanitizing, body temperature check, etc.
 - c. There shall be 6ft queuing distancing for all seeking to enter the collation hall.
 - d. There shall also be 6 ft sitting spacing arrangement within the collation hall.
 - e. In order to prevent overcrowding during collation, only one polling agent of a party on the ballot (or the candidate in person) for the election(s) shall be allowed into the collation hall.
- b. Used PPE that are not reusable must be disposed in the prescribed manner.
 - ii. It is now mandatory for designated election staff to collect and deposit all Electoral Operations copies of results with their Supervisors within the prescribed time. Non-compliance shall be treated as dereliction of duty.
 - iii. All post-election debriefings shall preferably be done electronically. Where face-to-face debriefings take place, the protocols for COVID-19 prevention shall be followed.

C. Post-election Activities

- i. For Reverse logistics:
 - a. Election staff must ensure that used but reusable PPEs are carefully packaged and sent to designated collection points.



6. ICT AND VOTER REGISTRATION

The Commission recognizes the critical role that ICT will play in an electoral process that is being vastly reshaped by the COVID-19 pandemic, as well as the growing demands by Nigerians for the deepening of the use of technology in our elections. Consequently, the Commission shall:

- i. Continue to apply relevant, value-for-money technology in all aspects of the electoral process and election management.
- ii. Regularly validate and clean up the biometric Register of Voters by removing multiple registrants and deceased persons.
- iii. Suspend the Continuous Registration of Voters (CVR) for the time being to prevent the health risks associated with it in the context of COVID-19.
- iv. Continue to make available its electronic channels for voters to check their registration status.
- v. Pilot the use of Electronic Voting Machines at the earliest possible time (not Edo and Ondo), but work towards the full introduction of electronic voting in major elections starting from 2021.



7. TRAINING

- i. The methodology for election training will combine face-to-face and electronic approaches. Where the former is used, the requisite COVID-19 prevention protocols shall strictly apply. It shall be the responsibility of trainees to provide their own face masks during training.
- ii. All training resources such as the Manual for Election Officials, Synopsis and training DVD will be reviewed to include COVID-19 content and consequent changes to election procedures approved by the Commission. Soft copies of these materials will be shared with trainees prior to training to reduce face-to-face contacts and also enhance learning.
- iii. Trainers will receive refresher courses on COVID-19 to improve their ability to deliver new content and handle COVID-19

emergencies during training.

- iv. COVID-19 prevention protocols shall inform the choice of training venues. Considerations such as

sufficient size to comply with the physical distancing rule and adequate ventilation will be paramount.



8. VOTER EDUCATION AND STAKEHOLDER ENGAGEMENT

The Commission shall:

- a. Engage with the National Centre for Disease Control (NCDC) and other health authorities to develop relevant messaging on COVID-19 and the electoral process.
- b. Combine face-to-face engagements with stakeholders with online meetings. Where the former is used, the necessary COVID-19 prevention protocols shall strictly apply.
- c. Design effective messaging with requisite COVID-19 content for its activities and changes to the electoral process.
- d. Make extensive use of radio and television broadcasts
- e. in several languages on COVID-19 and the electoral process in a manner that balances the health risks of the pandemic and the civic responsibilities of Nigerians.
- e. Expand the channels available to citizens to reach the Commission with their concerns and suggestions, such as the Citizens' Contact Centre, MyINEC App, etc.
- f. Conduct extensive grassroots enlightenment, using strategies that fully incorporate the COVID-19 prevention protocols.
- g. In its voter education and publicity activities, focus particular attention on new and young voters, women, and persons with disability

in order to ensure a more inclusive electoral process.

- h. Include accessibility features and closed captioning during its online engagements in order to carry along persons with disability.

- i. Create an online platform for accrediting media organizations and journalists who wish to take part in electoral activities.



9. POLITICAL PARTIES AND ELECTION OBSERVATION

A. E-Platforms for Election and Party Monitoring Activities

The Commission will create E-platforms for the following activities:

- a. Accreditation of Observer Groups and Deployment of their field Observers.
- b. Submission of nomination forms by Political Parties for Candidates.
- c. Tracking and reporting of campaigns and campaign finance by/for Candidates and Political Parties.
- d. Submission of Party Agents lists by Political Parties.
- e. Engagement with stakeholders

(consultative meeting with Political Party leaders and briefing of Observers).

B. Accreditation and Deployment of Observers

The Commission shall:

- i. Request and receive applications for election observation exclusively online.
- ii. Reduce the number of accredited Observer Groups based on past performance and compliance with Commission's guidelines for election observation. This is to reduce crowding and therefore health risks at election venues.
- iii. Reduce the number of Field Observers. Approved number of field observers may be

proportionally allotted to accredited Observer Groups.

C. Party Primaries and Campaigns

- i. In view of the COVID-19 pandemic, the Commission shall encourage political parties to develop appropriate Guidelines and Regulations for conduct of Party Primaries that take into account the COVID-19 prevention protocols.
- ii. Where the Guidelines and Regulations are in conflict with the Constitutions of Political Parties and the Commissions' Regulations and Guidelines for the Conduct of Political Party Primaries, 2018, the Commission shall draw the attention of the political party to the discrepancy.

D. Submission of Nomination Forms and List of Polling Agents

- i. The Commission shall provide Access Codes to be issued to National Chairmen and National Secretaries of political parties for the submission of names and particulars of their candidates for various elections.
- ii. The particulars of candidates will be pasted in hard copies at the Commission's State offices and also published online.

- iii. The Commission, through Electoral Officers, shall use appropriate technology to receive the particulars of Polling Agents from political parties.

E. Briefing and Debriefing of Election Observers

The Commission shall, as appropriate, combine physical and online briefings for observers. However, whenever the former is adopted, all the protocols for COVID-19 prevention shall be strictly followed.

F. Engagements with Political Parties

- i. The Commission shall, as appropriate, combine physical and online engagements with political parties and their officials. However, whenever the former is adopted all the protocols for COVID-19 prevention shall be strictly followed.
- ii. The Commission shall develop a framework for these engagements in the context of COVID-19. Engagement with political parties shall be regular and commence immediately.



10. SECURING THE ELECTORAL PROCESS

- i. The Commission shall regularly communicate any policy changes and any modifications to its procedure and process (pre-election, election and post-election) resulting from the COVID-19 pandemic to all Inter-Agency Consultative Committee on Election Security (ICCES) members.
- ii. In line with its mandate, the Inter-Agency Consultative Committee on Election Security (ICCES) will mandate the State-level ICCES to:
 - a. Reassess existing security threats across the States and the implications of COVID-19 for such threats, training and deployment for election security.
 - b. Develop locally focused plans for election security deployments, taking cognizance of COVID-19 and covering the periods before, during and after elections, and forward same to the National-level ICCES for approval.
- iii. The Commission in collaboration with security agencies and health authorities, shall review the content of the modules for training security officials on election duty to include COVID-19 specific content.
- iv. ICCES shall review its draft common Code of Conduct for Security Officials on Election Duties in the light of the COVID-19 pandemic.
- v. ICCES shall develop guidelines for identifying legitimate security officials on election duties to prevent impersonation by wearing masks.



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