

ETHICS IN ELECTION OBSERVATION : AN ANALYSIS OF THE TRANSITION MONITORING GROUP (TMG) 2015 PRESIDENTIAL ELECTION QUICK COUNT PROJECT IN NIGERIA.

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ABSTRACT

This article is an attempt to document the contribution of Transition Monitoring Group (TMG) to the credibility of elections in Nigeria. TMG is the foremost independent civil society election observation organization in Nigeria established in 1998. Election is the most civilized and democratic means of selecting leaders in formal political settings and social clubs of the world. As important as this political process, its democratic value has been eroded in Nigeria resulting from competitive rigging between the party in power and the opposing parties. This has marred the electoral process in Nigeria. It is in this regard that TMG seek to secure the highest standards in the administration of elections in Nigeria by ensuring that electoral management body and the electorates carry out their responsibilities in accordance with the law and internationally recognized standards for free and fair elections. It is against this backdrop that this paper analyzed the strict adherence to ethical values by TMG in recruiting election observers and ensure sincere reportage of what they observed in each polling unit on the election day. To achieve this in the 2015 Presidential and National Assembly Elections in Nigeria, TMG recruited three thousand and fourteen (3,014). Quick count election observers, trained and deployed in teams of two to one thousand five hundred and two (1,502) polling units randomly selected in seven hundred and seventy four (774) local governments in Nigeria. This article is mainly exploratory, using coded materials of the library such as textbooks, magazines, newspapers, internet materials and documents of TMG. The paper concludes that credible election is capable of producing leaders in Africa that can develop the continent on sustainable basis. The paper recommended that TMG should cover all elections in Nigeria, from Federal to local council elections.

Keywords: Election Observation, Credibility, Sincere Reportage, Good governance, Sustainable Development

INTRODUCTION

It is indeed significant to note that political leaders of the world govern their people using different political systems which are either democratic or autocratic. Against this backdrop, Europe and America for a long time have established a democratic culture while Latin America and Africa have had a history of dictatorship basically orchestrated by military incursion into politics and civilian sit tight syndrome. In spite of this noticeable differences between political systems of the world, citizens still consider free and fair elections as very central in selecting leaders that can provide public goods **on sustainable basis. Sustainability has to do with the provision of social amenities to satisfy the prevailing needs of the people while taking into cognizance the needs of future generations. This is a function of prudent management of resources. Obviously, in the context of Nigeria, these basic amenities that accrues from democratic governance eluded a significant number of Nigerians owing to the dominance of military in government and politics.**

It is against this background, that democracy began to gain relevance in Nigerian politics after several decades of military dictatorship. Since the restoration of democracy in Nigeria from 1999 – 2015, there has been transition from one civil rule to another even though with legitimacy questions surrounding each transition.

However, in spite of the legitimacy crisis, election still remain central to any democratic dispensation . Citizens must be free to make an alternative choice among credible candidates that present themselves for election. This basic tenet of democracy has eluded Nigerians partly because of military incursion in politics and partly because of competitive rigging by the ruling and the opposing parties resulting from selfish political ambition. Taking into cognizance the above, participants in the 2004 electoral reform conference concluded that:

Elections are among the important pillars of democracy and that free and fair elections are essential requirements of sustainability and consolidation of democracy. However, Nigeria has had a long history of electoral fraud and competitive rigging which have contributed significantly to the obstruction of our aspiration for democracy.

Given this background, it suffice to say that the magnitude of the electoral fraud in Nigeria has negative consequences on the provision of collective consumption goods such as roads, health facilities, schools, water supply and equitable distribution of common wealth of the nation. This fundamental needs of the society has been negatively affected because of faulty formation of political parties devoid of coherent ideology and subsequent imposition of mediocre in strategic positions of power thereby amassing public wealth primitively. Consequently , winning elections at all cost or seeing election as a do or die affairs as stated by Obasanjo in 2007 became the order of the day in Nigerian political scene.

This scenario has underscore the importance and strict adherence to the ethical values of honesty and integrity in election observation. Observing election with the view to produce credible outcome can therefore be seen as operating on the same ethical value of honesty with medical pathologists. For example Lawoyin (2006) stated that:

It is a known fact that in medicine and/or surgery a conclusive diagnosis is never, and can never be established until a tissue is put under pathological examination be it chemical or microscopic. In the legal world, no case can be won until the jury is convinced beyond reasonable doubt. The differences between medicine and law arises from the fact that while lawyers particularly defense, attorneys always seek for windows of opportunity no matter how small to overturn a case and call a red object blue, the pathologist is looking for that same small window in a tissue or specimen under examination to establish a fact and not to turn it around.

It is on the basis of establishing facts and not turning it around that the election observers under the auspices of Transition Monitoring Group (TMG) Quick Count (QC) project went to the field and observed the 2015 presidential election and reported facts from designated polling units.

CONCEPTUAL FRAMEWORK

Four concepts are central in this article namely, election, ethical values, election observation and sustainable development. Election is an holistic process that starts with political party registration, production of ballot papers, appointment of electoral officers and independent observers. The completion of this process leads to the selection of leaders periodically through voting. This process of selecting leaders is widely used in both formal political organizations and social clubs. Apart from electing the president, governors, state and national assembly members, local government chairmen and councilors, people now elect leaders of football clubs, social clubs, town unions etc.

With the movement of democracy out of Greece to other parts of the world, elections have become the modern and democratic way of choosing leaders. This democratic process of selecting leaders is based on the believe that the elected leaders are holding power in trust for the electorates. Therefore, their selection process must be transparent and credible.

In consonance with the above, Iyayi (2004) is of the view that election is a formal act of collective antecedent and subsequent behaviour. It involve the participation of the people in the act of electing their leaders and their own participation in governance. He stressed further that elections are not only about the election day activities although it form an important component. It encompasses activities before, during, and after election and includes among other things the legal and constitutional frame work of election, the registration of political parties, party campaigns and financing, activities of the electoral agencies, media, security agencies and the government in power, voters registration and independence of the adjudicating bodies.

Closely related to the above, Ondotimi (2005) conceived elections as a:

Routine event and so common around the world that it is easy to lose sight of its importance for democratic development. Election shape the fate of any nation and determine the way changes in the social order may be brought about. It is an affirmation of the rule of the people which is the foundation of democratization. When elections are flawed, it becomes a threat to the survival of democracy.

Election is a formal decision making process by which a population chooses an individual to hold public office. Election have been the usual mechanism by which modern representative democracy has operated since 17th century. Elections may fill offices in the legislature, sometimes in the executive and judiciary and for regional or local government. This process is also used in many other private and business organizations from clubs to voluntary associations and corporations. To elect, means to choose or make a decision and so sometimes other forms of ballot such as referendums are referred to as elections especially in the United States.

In the words of Adam (2004) elections are device whereby popular preferences are aggregated to choose an office holder. In a similar vein, Lipset (1960) and Schumpeter (1942) cited in Adam (2004) are of the opinion that choice by election is

almost inseparable from representative democracy. Election system provide guidelines on such matters as who vote and how, frequency of election, how votes are counted, who stand for office and so on. They also outlined functions of elections as follows:

- Elections enable the government to provide feedback directly or indirectly between voters and government.
- Election demonstrate public support or repudiate a regime.
- Election provide a means for the recruitment of political leaders and make the government answerable to the electorates.

These functions may differ in states that have elections without alternative choice where a party's hegemonic and monopolistic position makes the outcome of an election a foregone conclusion. Hermet, Rose and Rouquire cited in Adam (2004) said in Belgium, Italy, Denmark and Netherland for example, it is not the election but the interparty bargaining following the election that determines the composition of the government.

Above all, in an attempt to improve the credibility of elections in Nigeria, Obasanjo in 2005 convoked a conference on electoral reforms in which a round table discussion on electoral participation and competitive rigging came out with the following key points:-

- Given the extent and magnitude of competitive rigging, Nigeria is faced with a systematic and structural problem in which the culture and values of fair electoral competition has totally collapsed leaving citizens with no choice in electoral competition.
- Although rigging has been prevalent in successive elections in Nigeria, what happen in 2003 and especially 2004 local elections in some states surpassed them all and defies characterization.
- The pervasive culture of impunity and executive lawlessness in national governance has nourished and intensified the phenomenon of competitive rigging with due consequences in the Nigerian polity.
- There are many stakeholders involved in the organization of elections and unless they work together in concert to fight rigging of elections, nothing much can be achieved.
- Elections under incumbent rulers are usually less free and fair and unless they leave office for six month to elections, not much progress can be made.

ELECTORAL COMMISSION

Electoral commissions in different countries a special category of election management bodies that emerged after World War II (1939 – 1945). They also appear in the form of a department of election, an electoral council, an electoral unit, or an electoral board. The name differ from nation to nation. Adam (2004) said some of this electoral bodies are administered by the government like that of Zimbabwe before 2008. There is board of judges managing elections in Turkey, an Independent Electoral Commission (IEC) of civil society members as in India and South Africa. A commission mainly concern with managing campaign financing as in United States and Independent National Electoral Commission (INEC) as in Nigeria.

Successive governments in Nigeria have changed the name of the electoral body. For example it was known as Federal Electoral Commission (FEDECO) in 1979 under the chairmanship of Emi Iwa. In 1985 General Babangida changed it to National Electoral Commission (NEC) under the chairmanship of Humphrey Nwosu. In 1994 under General Abacha's Regime it was changed to National Electoral Commission of Nigeria (NECON) under the chairmanship of Dagogo Jack. After the death of General Sani Abacha in 1998, General Abubakar Abdulsalam took over as head of state and changed the name of the electoral body to Independent National Electoral Commission (INEC) headed by Ewu.

ETHICAL VALUES

In ethics, value denotes something's degree of importance, with the aim of determining what action of life is best to do or live (deontology) or to describe the significance of different actions (axiology). It may be described as treating actions themselves as abstract objects, putting value to them. It deals with right conduct and good life in the sense that a highly or at least relatively highly valuable action may be regarded as ethically good (adjective sense) and an action of low or at least relatively low value may be regarded as bad.

Alonge, Onwuka, Niworu and Oyetunde (2012) opined that there are two main levels of manifesting values. These two levels are at the level of individual and at the level of society. At individual level, different people exhibit different values. Some individuals have such values as humility, honesty, hard work, sincerity, discipline, justice and respect for elders which are considered as good values. Other individuals have such values as dishonesty, lying, laziness, pride, injustice and intolerance which are bad values.

At the societal level, good values are manifested by good understanding and cooperation among members of the society. While on the other hand, bad values is manifested in the society by lack of understanding and cooperation, telling lies, stealing, cheating..

Good ethical values are promoted in the society by the following factors:-

- **Fairness:** This is the quality of being just and impartial. A good value system demand fairness on the part of individuals, groups, public and private organizations of the society especially in the areas of justice, elections and allocation of resources.
- **Integrity:** This is the quality of having and steadfastly adhering to high moral principles or professional standards. A person of integrity avoids dishonest acts and is in love with the truth at all times.
- **Commitment:** This is the quality of being devoted to an obligation by putting in all your time and effort to that obligation in order to succeed.

ELECTION OBSERVATION

An election observer is a major stakeholder in the electoral process not only in Nigeria, but the world at large. An observer from a neutral posture watch carefully the proceedings starting from use of words in campaign speeches, the nature of campaign whether peaceful or violent to the election day proper. On the election day, the observer monitor closely the

arrival of electoral officials and materials, voter turnout, accreditation process, queuing for voting, the behaviour of the party and security agents, voting proper, sorting of ballot papers, counting and final collation of poll result at the designated centers.

TRANSITION MONITORING GROUP (TMG)

The Transition Monitoring Group (TMG) is the foremost independent civil society election observation organisation in Nigeria. It was established in 1998 as a nonprofit organization. The TMG has over three hundred and fifty (350) member organisations committed to the entrenchment of democracy in Nigeria after more than thirty (30) years of repressive military rule.

The TMG seek to secure the highest standards in the administration of elections in Nigeria by ensuring that the election management body and the electorates carry out their responsibilities during elections in accordance with the law and internationally recognized standards for free and fair elections. It also seek to ensure that good governance is entrenched in Nigeria through responsible leadership.

In order to achieve the above, TMG conducts civic and voter education to enlighten Nigerians about their civic/voting right and responsibilities. By this, they implement a well coordinated election monitoring programme to ensure that elections are conducted under a free and fair atmosphere.

TMG is a highly ethical organisation that does not accept anything short of hundred percent precision. In this regard, their activities were predicated on the following:

TMG Quick Count(QC) Observer Recruitment Guidelines

Recruitment of QC observer is done by QC Local Government Area (LGA) Supervisors in consultation with their QC State Coordinating Committee Members.

QC LGA Supervisors will be responsible for the recruitment and deployment of QC Observers. An observer must meet the following conditions.

All QC Observers MUST reside in the LGA for which they are being recruited. If they do not reside in the assigned LGA they will not be able to fulfill their duties. QC Observers information will be reviewed and those found not residing in their assigned LGA will be replaced.

All QC Observers MUST normally reside within the proximity of the polling unit they are being recruited. Movement will be restricted on election day and Observers may not be allowed to observe in polling unit other than where they ordinarily reside, if they do not reside within the proximity of the assigned polling unit they will not be able to fulfill their duties. QC Observers information will be reviewed and those found not normally residing within proximity of their assigned polling unit will be replaced.

All QC Observers MUST be registered to vote. One cannot serve as an election observer if one has not registered to vote. QC Observers must provide the VIN and PU from their voter's card when being recruited as well as a photocopy of their voter's card.

All QC Observers MUST be committed to the project. The Quick Count will only succeed if every single QC Observers fulfills all of his/her responsibilities. If even one QC Observer fails to fulfill his/her responsibilities then the Quick Count will fail for everyone.

All QC Observers MUST be available for the project. Attendance at trainings and deployment on Election Day must be 100%. No QC Observer can fail to attend trainings or fail to observe on Election Day, or can they send someone else in their place.

TMG Quick Count Observer Attributes

QC Observer must :

- Be actively employed or self-employed;
- Have completed secondary education;
- Have advance facilitation and communication skills;
- Have basic computer and internet operation skills;
- Be a duly registered voter;
- Have a functional bank account;
- Be firmly non-partisan and neutral during the period of the project;
- Be strictly accountable for project materials and funds;
- Be extremely .responsible and attend all project events; read all project documents; and Carry out all project activities;
- Be very reliable and follow all communications and reporting requirements as instructed y their QC LGA Supervisors;
- Possess and demonstrate leadership and problem solving skills;
- Be open to working in partnership with others and compromising for the good of the project;
- Put Nigeria first and work together in a spirit of cooperation and compromise;
- Be transparent in all project related activities;
- Be loyal to the project and project management.

TMG Quick Count Observer Pledge of Neutrality and Objectivity

In order to ensure that elections are credible, observers must sign an oath of neutrality and objectivity. Below is the sample of pledge of neutrality form

I [write in your name here] having been appointed by the Quick Count Working Group as an observer for TMG 2015 Quick Count for the 2015 General Elections do hereby pledge to be impartial, non-partisan, apolitical and objective in carrying out my responsibilities as Transition

Monitoring Group (TMG) QC Observer at all times. I further solemnly pledge to uphold the good name of TMG by obeying all the electoral laws of Nigeria and the rules and procedures of domestic observation as put in place by the Independent National Election Commission (INEC) as well as the rules and Code of Conduct of Transition Monitoring Group (TMG) throughout the period that I serve as an observer.

I fully understand that my appointment will be revoked and that I will not be entitled to any Transition Monitoring Group (TMG's) compensation in the case of breaching the TMG Count Code of Conduct or this pledge.

I promise to do this to the best of my ability. So help me God.

Signature

Date

SUSTAINABLE DEVELOPMENT

Development is a multi faceted concept that means different thing to different scholars, authors and policy makers. Each author defines development within the context of prevailing situation. In this regard, the perception of development might be positive or negative depending on the author. For example, Swanepoel (2000) is of the view that, the concept of development has suffered much abuse over the last fifty years. It was used to placate unsatisfied people, get certain infrastructural development done in a cheap way to soften up the people before the government planners. He said sometimes unfortunately, government bulldozers moved in to indoctrinate the people in order to get their blessing for programmes that had very few benefits for them. According to Swanepoel (2000) in the hand of powerful people, development became a tool of marginalization and disempowerment.

However, in the context of this paper, development is conceived in positive light with permeating effect on the society. It is the political, economic, social and cultural transformation of the society.

Goulet (1971) conceived development as change. He outlined three components of development as follows : Life sustenance, self esteem and freedom. Life sustenance is about the provision of basic public consumption goods such as good roads, efficient health facilities and services, qualitative educational institutions, affordable housing, clothing, sanitation and portable water supply system. The satisfaction of these basics needs is an indication of development. Self esteem is concern with the feeling of self respect and independence. For one to be free according to Goulet (1971) is to be emancipated from the three evils of want, ignorance and squalor so that people are able to determine their destiny. No man is free, if he cannot make a choice, if he is imprisoned by living the margin of subsistence with no education and no skills.

Development outlook magazine (1986) configured development as the process by which a continuous increase in system's efficiency produce the condition which result to general upliftment. Ii that process which is concern with general improvement of man's living conditions. It is instructive to need that both the physical and psychological elements of development mutually reinforces each other in the process of general upliftment. This mutual reinforcement is tantamount to indispensable development.

The definitions of development above raised some fundamental questions as regard how would Africa sustain her political, economic, social and cultural subsectors of their countries. Those who champion the course of

development in Africa , did they emerged from popular elections. Did they utilized public fund for public goods or for their own private estates. A knowledge of sustainable development would provide answers to these questions

Sustainable Development : The concept of sustainable development emerged from the 1980 report of the International Union for the Conservation of Nature (IUCN). The concept became popular the environmental crisis of late 1980s and the publication of the 1987 report of the World Commission on Environment and Development known as the Brundtland Report. This report defined sustainable development as, “ Development that meets the needs of the present without compromising the ability of future generation to meet their own needs. ” (Swanepoel and Beer, 2000)

Lele (1991) in Swanepoel and Beer (2000) outlined two main components of sustainable development. First component is concern with the care for the environment and reversing the current destructive patterns in the society that threaten all forms of life on our extremely fragile planet.

The second key component relates to sustaining our cultures. The proponents of sustainable development are of the view that, there is linear relationship between sustaining the ecology and culture. It is important to know that in many cases, social and ecological systems evolves together and in some case, they are interdependent. In the fight for sustainable development, the preservation of cultural diversity is very crucial.

In cognizance of the above, for Africa to develop on sustainable basis, there is the need to preserve culture and ecology. This can be achieved through credible elections that can produce credible leaders with vision of sustaining development.

ANALYSIS OF 2015 PRE-ELECTION OBSERVATION REPORT IN NIGERIA

In an attempt to have a credible presidential and national assembly elections in 2015 with the results nationally accepted, the TMG designed a pre-election reporting mechanism that captured all political happenings in the six geopolitical zones of the country. The report is analyzed under the following sub-headings:

Incitement to Violence and Destruction of Candidate Property

According to TMG key findings published between 6th – 19th February 2015, a higher percentage of TMG observers in all six geopolitical zones directly and indirectly observed candidates encouraging their supporters to commit acts of violence. The observers equally observed the destruction of candidates property .

Attacks and Intimidation of Candidates and Supporters

In period six, the observers reported attacks on and or intimidation of candidates and their supporters in about 28% of local government areas. This intimidation against candidates and their supporters was glaring in the North West geopolitical zone where 9% of observers directly observed and 26% of observers indirectly observed attacks or intimidation on candidates and observers. In south west TMG observed 17% attacks and intimidation in period six with 2% directly observed and 15% through indirect. In this period of reporting, in all states, North Central recorded high levels of attack and intimidation with over 35% of local governments reporting.

Campaigning in Government Vehicles

In the period between January 9th – 22nd 2015 TMG observers reported an increase in the misuse of government property to organize political party or candidate rallies nationwide. In the sixth reporting period, campaign in government vehicles continued to increase in all geopolitical zones except South East where TMG observers witnessed a modest decline from 40% to 38% from local government reporting. While South-South remains constant in the use of government vehicles at 53% from local governments reporting.

Nationwide, 47% of observers reported that they either directly or indirectly observed individuals campaigning in official government vehicles in their local governments when compared to 40% in period five.

Report of Buying of Voters Cards

In the sixth reporting period, 2% observers nationwide directly witnessed the selling or buying of voters cards. In addition, 26% of TMG observers nationwide reported indirect observations of voters cards being sold and bought in their local governments. This phenomenon was commonly observed in southern Nigeria.

Critical Incident Report

During the sixth reporting period, TMG observers texted 33 verified critical incident reports. These reports were confirmed through a call back process. Nearly two thirds of the reports (61%) came from five states in the North West Zone (Sokoto – 9, Kano – 4, Jigawa – 3, Katsina – 2, Zamfara – 2). The nine reports from Sokoto came from six different local governments where properties such as candidates posters and bill boards were toned or and defaced as well as throwing stones at party officials. The report from Sokoto also explained violent clashes between party supporters particularly on their way to and from rallies.

CONCLUSION

This paper is in consonance with the resolve of African leaders in their 2002 Durban declaration as reported by Ibrahim (2015) that democratic elections are the basis of the authority of any representative government. Regular elections constitute a key element of the democratization process and therefore, are essential ingredients for good governance, the rule of law, the maintenance and promotion of peace, security, stability and development. This has been the focus of TMG as such their election observers are men of impeccable character and non partisan. **These attributes of TMG election observer is aimed at producing credible leaders through credible elections. The social acceptance of elected leaders by the electorates can translate into the provision of goods and services that impact positively on the society. Therefore, the implication of credible election is prudent management of public resources for the sustainable development of Africa while also preserving for future generation.**

RECOMMENDATIONS

- Instead of randomly sampling some polling units in the country for observation, TMG should be adequately funded by donor agencies to observe elections in all polling units of the federation.
- TMG should not just limit their observation only to presidential and National Assembly Elections. They should also observe elections of State Governorship, State Houses of Assembly and Local Councils.
- Observers on the field should always be upright and resist all forms of intimidation and influence of money, marital or peer group pressure.
- TMG should increase the allowances of the observers.
- INEC should improve their logistics so that polling officials and election materials can arrive the polling unit at the scheduled time.
- INEC should make sure that ad hoc officials assigned to polling units report to their duty post from start of election to the end.

The card reader technology should be improved and sustained by INEC in all elections ranging from Federal, State to Local councils

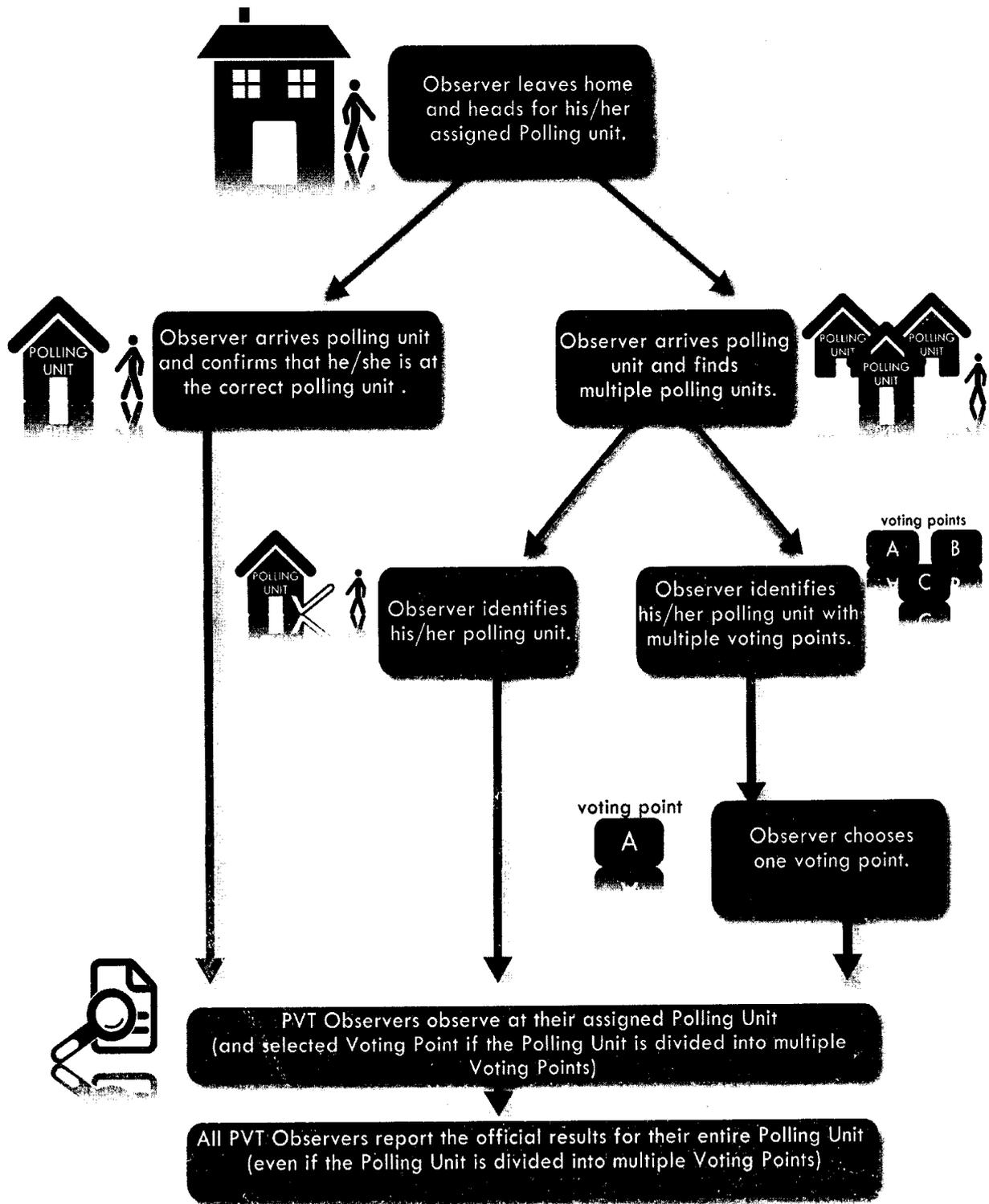
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APPENDIX A: OBSERVER MOVEMENT CHART





2015^{AS} GENERAL ELECTIONS

ELECTION OFFENCES AND PENALTIES

OFFENCE

APPLICABLE PROVISIONS OF THE ELECTORAL ACT 2010 (AS AMENDED)

PENALTY

SECTION 23 1	S. 23 (a) & (b) UNLAWFUL POSSESSION OR SELLING OR BUYING OF VOTERS CARD	S. 23 (c) FINE OF N500,000.00 OR AN IMPRISONMENT FOR TWO YEARS.
SECTION 59 2	S. 59 (1) IMPERSONATION	S. 59 (4) SHALL BE ARRESTED AND PROSECUTED FOR AN OFFENCE OF IMPERSONATION UNDER THE LAW APPLICABLE IN THE STATE.
SECTION 124 3	S. 124 (1) BRIBERY OF INEC OFFICIALS OR SECURITY OFFICERS TO RIG ELECTION	S. 124 (4) FINE OF N500,000.00 OR IMPRISONMENT FOR 12 MONTHS OR BOTH.
SECTION 125 4	S. 125 SPYING TO KNOW WHO VOTER VOTED FOR	S. 125 (4) FINE OF N100,000.00 OR IMPRISONMENT FOR 6 MONTHS.
SECTION 127 5	S. 127 (1) VOTE OR TRYING TO VOTE WHERE NOT REGISTERED	S. 127 (2) FINE OF N100,000.00 OR IMPRISONMENT FOR 6 MONTHS.
SECTION 128 6	S. 128 ACTING OR INCITING OTHERS TO ACT IN A DISORDERLY MANNER	S. 128 FINE OF N500,000.00 OR IMPRISONMENT FOR 12 MONTHS.
SECTION 129 7	S. 129 (1) CAMPAIGNING AND BLARING SIREN WITHIN 300M OF THE POLLING UNIT ON ELECTION DAY	S. 129 (3) FINE OF N100,000.00 OR IMPRISONMENT FOR 6 MONTHS.
SECTION 128 8	S. 129 (1) DESTROYING OR SNATCHING ANY ELECTION MATERIAL.	S. 129 (4) SHALL BE IMPRISONED FOR A PERIOD OF 12 MONTHS.
SECTION 122 9	S. 1 (e) UNDER AGE OR MULTIPLE VOTING	S. 122 (f) FINE OF N500,000.00 OR 12 MONTHS IMPRISONMENT OR BOTH.

AVOID ELECTION OFFENCES!
INEC: making your votes count... consolidating our democracy