

THE CHARTER OF THE INDEPENDENT NATIONAL ELECTORAL

COMMISSION (INEC)

(I) INTRODUCTION:

The Independent National Electoral Commission (hereinafter referred to as the "Commission") was established by the 1999 Constitution of the Federal Republic of Nigeria and Section 10 of the Independent National Electoral Commission (Establishment etc.) Act No. 17 of 1998 to among other things:-

- organize and supervise all elections to the offices of the President, Vice-President, the Governor and Deputy Governor of a State and to Membership of the Senate, the House of Representatives and the House of Assembly of each State of the Federation;
- register Political Parties and monitor their operations and finances;
- arrange and conduct the registration of persons qualified to vote, maintain and revise the register of voters;
- ensure the administration of oath of office as prescribed by law to all Electoral Commissioners, Electoral and Returning Officers;
- carry out any other functions as may be conferred upon it by an act of the National Assembly.

(II) MISSION

The Mission of the Independent National Electoral Commission (INEC) is to provide credible and efficient electoral services that are consistent with principles of equity, justice and fair play for building of a strong and viable democracy in Nigeria.

(III) VISION

The vision of the Independent National Electoral Commission (INEC) is to facilitate the realization of a dynamic, formidable and independent organization, committed to the

institutionalization of an enduring democracy which allows for an effective and smooth political change.

(IV) DETAILS OF ELECTORAL SERVICE

PROVISIONS/DELIVERY

The Commission and staff are resolutely, committed and dedicated to providing basic electoral service to which all Nigerians are entitled to in a timely, fair, honest, effective and transparent manner. Already, a Strategic Plan of Action has been articulated and produced by the Commission as a road map towards facilitating the conduct of an acceptable, credible and transparent election in 2007. In striving to achieve this laudable objective, the Commission, in realization of the benefits in participatory approach to the electoral process, would mobilize the entire civil society, political stakeholders, the media, relevant government institutions and agencies, as well as other relevant service providers and the entire citizenry.

The Commission shall demonstrate high moral standard, honesty, accountability and integrity in the discharge of the responsibilities bestowed on it by the relevant constitutional provisions and the electoral law and regulations.

PROGRAMME. GOALS AND OBJECTIVES

The major issues in the programme, of action the Commission intends to pursue in preparation for the 2007 General Elections are as follows:-

(i) ELECTORAL AND CONSTITUTIONAL REFORMS

- Review of Electoral Laws
- Autonomy of INEC
- Electoral Violence and Security
- Political Party Financing

(ii) **CAPACITY BUILDING**

- Electoral Management Staff
- Election Personnel Ad Hoc Staff
- Co-ordination mechanisms

(iii) **VOTERS EDUCATION AND EFFECTIVE PUBLICITY**

- Effective publicity
- Public Enlightenment

(iv) **APPLICATION OF MODERN TECHNOLOGIES TO THE ELECTORAL PROCESS**

- Effective Communication Linkages
- Electronic Voters Register
- Mechanized Voting
- Geographical Information Systems (GIS)
- Computerization of Management Functions

(v) **PREPARATION FOR THE 2007 GENERAL ELECTION**

- Constituency Delineation
- Provision of infrastructures, offices, residential quarters, and central storage facilities
- Provision of adequate logistics fleet

The details of the programmes (deliverables) along with the expected standards and concise timelines to achieve successful election in 2007 are in the strategic plan (2004 - 2007) document attached.

(V) DETAILS OF CUSTOMERS

The Commission has a very robust list of customers or partners in the joint endeavour to lay a solid democratic foundation for the nation. They are:-

- (i) The electorate or the voting public;
- (ii) Political Parties and their candidates;
- (iii) The civil society groups/NGOs who are expected to play pivotal role in sensitizing the people to election activities;
- (iv) The Ministry of Information and other mobilization agencies such as National Orientation Agency (NOA), the print and electronic media;
- (v) The Police, S.S.S and other Security agencies who provide security services to enhance success of elections; and
- (vi) The Ministries of Education, Teaching Service Commissions, Tertiary Educational Institutions and the entire Public Services who provide the pool of ad-hoc staff engaged by the Commission for elections.

(VI) DETAILS OF GRIEVANCE REDRESS M.ECHANISM (GRM)

The nature of services delivered by the Commission attracts very high stakes and expectations. Therefore the grievance redress mechanisms are both derived from intra-institutional measures put in place by the Commission and external sources through the Judiciary in faithful compliance with the rule of natural justice.

INTRA - INSTITUTIONAL MEASURES

- (i) Regular meetings of the Commission with all the Political Parties as a confidence boosting measure where issues are explained and answers are provided to complaints from Political Parties.
- (ii) The institutionalization of INEC/Political Parties' consultative Forum which is dedicated to addressing all problems and issues arising from the relationship

between the Commission and Political Parties. A major achievement of this forum was the code of conduct drawn up entirely by the body to guide the conduct and behaviour of political actors during the 2003 general elections.

- (iii) Other avenues are also provided by, the Commission to address grievances from political stakeholders such as letters of complaints received from political actors.

EXTERNAL REDRESS MECHANISM

In order to ensure fairness and faithful compliance with the rule of natural justice, the constitution and the law regulating the activities of the Commission make liberal provisions for settlement of disputes between the Commission and the political stakeholders to be handled by the regular Courts. Election petitions arising from the conduct of elections are handled by Election Petition Tribunals. In all the cases, aggrieved Parties have the opportunity to commence a case from a lower Court and appeal to the highest level as allowed by the constitution and the law. The recourse to the Judiciary ensures that the Commission does not sit over its own case and that both the electorate and the political parties get sufficient compensation in the case of default by the Commission in the performance of its duties.

(VII) OBLIGATIONS/EXPECTATIONS

Since this is a service contract in which the Commission has promised to deliver efficient electoral service, the other parties to the agreement, the electorate and political stakeholders are expected to fulfill reciprocal obligations in order to enhance the quality of delivery.

CUSTOMERS

- (i) Develop the right attitudinal values that are supportive to the electoral process and the practice of democracy. This is especially applicable to the electorate, the Political Parties and their candidates.

- (ii) Compliance with the rules of the game (i.e the constitution, law and other regulations guiding elections).
- (iii) Tolerance of dissenting views by the Party in power and avoidance of destructive criticisms by the opposition Parties.
- (iv) Massive participation by the electorate by voting wisely according to their conscience and shunning violence and all other anti-social behaviours during elections.
- (v) Cultivation of the culture of tolerance and dialogue by the political class.

STAFF

- (i) Display of courtesy, politeness and responsiveness in relating to the electorate and the political class.
- (ii) Display of very high level of integrity, competence, professionalism and impartiality in the conduct of their activities at the work place.
- (iii) Create level playing ground for all political actors.

MANAGEMENT

- (i) Motivate the workforce of the Commission to render efficient service;
- (ii) Create conducive atmosphere for the performance of the very tasking and hazardous work of the Commission;

- (iii) Provide effective infrastructural and physical facilities to enhance service delivery;
- (iv) Ensure judicious and adequate allocation of resources to all arms and units of the Commission;
- (v) Put in place efficient system of reward and punishment to elicit the best performance from Staff.

GOVERNMENT

- (i) To adequately fund and equip the Commission to enhance the performance of its onerous responsibilities;
- (ii) To ensure timely release of fund to the Commission in order to meet its targets in view of the fact that most of the election activities are time bound.
- (iii) To create conducive environment for the conduct of elections in realization of the fact that elections can only thrive in an atmosphere of peace and stability, completely devoid of violence.
- (iv) To provide all necessary support to enhance the successful conduct of election.

(VIII) INDICATION OF STAKEHOLDERS PARTICIPATION

The Commission has often reached out to the various stakeholders in the political process for a meeting of minds on some salient issues. The objective of such gestures has been to evolve ways of delivering better electoral services to the: Nigeria people. Several strategies have been adopted to achieve .this purpose.

(a) **Stakeholders Seminar/Workshop**

In view of some complaints that trailed the 2003 general elections, the Commission sponsored a three-day post-election review workshop in Kaduna in July 2003. The programme attracted participants from the political parties, representatives of the three tiers of government (executive, legislative and the judiciary), security agencies, non-governmental organizations, international organizations/agencies and the media, among others. The workshop reviewed the 2003 elections and deliberated on strategies for improved future electoral exercises.

In November 2003, a follow-up exercise tagged "INEC - Civil Society Workshop" was organized in Abuja. At both fora, while participants expressed disappointment at the administrative lapses and perceived irregularities that accompanied the 2003 elections, it was generally agreed that the outcome of the polls reflected, in the main, the will of the people. Similar stakeholders seminars/workshops are being organized in the .States to encourage general participation in the electoral process.

(b) **INEC/DNCR/NPC Relations**

Immediately after the 1999 General Elections the Federal Government encouraged a collaborative arrangement between the Commission, the Department of National Civic Registration and National Population Commission on the registration of voters and the national I. D cards project. The basic idea was to streamline Government expenditure especially among Government agencies pursuing identical programmes, in this case, population projects.

However, the collaborative arrangement was truncated in 2002, shortly before the commencement of registration of voters in September, 2002 due to some incompatibilities in the timing and modalities of operations and the objection of some people who read meanings of interference with the electoral process. However, some form of collaboration is still maintained through the sharing of information on

population figures and exchange of experience, especially with the National Population Commission.

(c) Domestic/International Observers

About 500 international observers and 10,000 domestic observers participated in the 2003 elections. The Commission's guiding principles included transparency~ integrity, non-partisanship and credibility. This explains why the Commission opens its doors to both domestic and international observers during electoral activities. This gesture forms part of efforts to encourage wider participation in the electoral process, even though there is no provision in law for observers in the electoral process.

(d) Media Briefings

As part of the open door policy, the mass media, as the mirror " of the society, is carried along by the Commission at every stage of the electoral process. This is done through regular briefings, press conferences and press dispatches, among other.

(e) In-House Seminars

As part of efforts to train and better equip its staff for more efficient service delivery, the Commission in September 2003 started a weekly in-house seminar series. The seminars have featured lectures presented, by local and foreign experts in election administration. The programme which continues to date, no doubt has enriched the,' knowledge of the staff in election management.

(IX) ADDITIONAL COMMITMENTS: COMPENSATION, ALTERNATIVE SERVICE OPTIONS. SPECIAL NEEDS

Alternative Service Options

In a bid to improve on its service delivery, INEC has committed itself to some alternative service options that border on the application of modern technology in the electoral process as follows:-

- The computerization of the Electronic Voters Register.
- Introduction of Bio-metric to eliminate double registration.
- Geographic Information System (GIS).

Through the GIS project, the Commission's information on the 120,000 polling units hitherto manually compiled are now in the electronic form. Through the GIS project, information on the polling units are now being interfaced with the voters register. It is expected that the combination of the geographic database with the voters database would facilitate the efficient assignment of voters to polling units. The Commission is Committed to full computerization of its operations subject to the provision of funds.

- **Mechanized Voting System**

With the computerization of the polling units and the Voters register, the next step is for the Commission to introduce the use of the Mechanized Voting System to checkmate electoral malpractices.

- **Voter Education**

The Commission has realized that most of the problems associated with electoral malpractices are due to ignorance and misinformation. Steps are therefore being taken to educate Nigerians on the electoral process. A pilot programme, the Electoral Half Hour on Network television has been launched. The programme will be taken to the grassroots if funds are available.

(X) EXISTING LIMITATIONS

The following limitations and constraints constitute very serious hindrances to the effective delivery of electoral services:-

- (i) Poor funding of the Commission by the Government;

- (ii) Delay in the actual release of appropriated funds to the Commission hampers the ability of the Commission to realize targets envisaged in the plan of action which is very inimical to effective delivery of services.

A combination of consistent low funding with delay in release of funds had turned previous strategic plans of action into lame duck.

- (iii) Negative attitudinal values by the political class such as "win at all cost" and "winner takes all" syndromes weaken the electoral system and constitute a big hindrance to effective performance.
- (vi) Poor work ethics and widespread societal corruption create difficult operating environment. For instance, this trait makes it extremely difficult to source sincere, dedicated, honest, impartial, and uncompromising ad-hoc poll workers for elections.