Introduction

The November 2019 Governorship election in Bayelsa presented another opportunity for voters in Bayelsa to elect their Governor. The election experienced a slow start with the late commencement of polls across the state. The PVT data showed that as at 7:30 am, only 24% of polling units had polling official present and as at 12:30 only 56% of polling had opened and commenced the voting process. YIAGA AFRICA Watching The Vote (WTV) deployed 500 polling unit observers to a total of 250 sampled polling units in each of the eight Local Government areas with 21 mobile observers roving the LGAs in the State and providing near real-time information on the conduct of the election across the state. The WTV polling unit observers deployed by 7:00 am to the sampled polling units remained at the polling unit till the close of polls and posting of results at the polling units.

Deploying the Parallel Vote Tabulation (PVT) methodology, YIAGA AFRICA released its preliminary situational statement on the commencement of the election which in addition to providing data highlighting the late commencement of polls noted that opening polling units had election materials present with the card reader, for instance, present in 83% of the opened polling unit. However, the situational analysis indicated certain challenges in the electoral process that may impact on the credibility of the process.

This statement on the conduct of the elections is based on WTV observation of the processes of accreditation, voting, and the counting and posting of results. This statement represents a culmination of our findings from the pre-election environment through election day and highlights critical incidents observed that have the potential of undermining the credibility of the election.

YIAGA AFRICA’s WTV is “Driven by Data – For All Nigerians – Beholden to None!”. Employing the PVT methodology – the gold standard for citizen observation – WTV deployed 500 stationary observers in pairs to a representative statistical sample of 250 polling units, and 21 mobile observers located in all 8 local government areas (LGAs) of Bayelsa state. WTV also deployed 8 collation center observers to each of the LGA collation centers.
YIAGA AFRICA implemented its WTV observation to provide citizens, candidates, political parties and INEC with independent, accurate and timely information that reflects the ballots cast at polling units for the Bayelsa gubernatorial election.

YIAGA AFRICA once again commends voters in Bayelsa state who came out to vote despite the challenges with opening of polls and the rain.

**Summary of Pre-Election Observation Trends**

YIAGA AFRICA Watching the Vote in the pre-election statement highlighted major findings that remained consistent in the pre-election environment and shared emerging trends that had the potential to impact on the credibility of the process. Amongst these were:

1) **Security threats, Recruitment of Thugs and Arms stockpiling**: Reports in the pre-election phase indicated active recruitment of thugs and militants and stockpiling of arms with more reports on this received from Southern Ijaw, Sagbama, Brass and Yenagoa. The stockpiling and easy access to arms and recruitment of thugs was also indicated by reports of sporadic shootings in some of these LGA’s.

2) **Threats of Violence**: The pre-election environment revealed a consistent and worrying trend of violence trailing the political campaigns. Observers’ reports indicated verbal and physical attacks during the campaigns and rallies. This continued into the election week resulting in the death of 3 citizens in Nembe LGA indicating possible threat of intimidation and political intolerance.

3) **Money Politics and Abuse of Electoral Laws**: The pre-election findings indicated a trend of voter inducement, purchase of the permanent voter’s card and voters details which was deployed as a campaign strategy by the political parties. The campaigns were a contest between the highest bidder and spender and the trend projected a possible overbearing influence of money in the election to be reflected in the level of vote-buying, community collusion and electoral thugs bargaining.

4) **Logistics Challenge**: While the pre-election report indicated the early commencement of activities by INEC, questions around early and effective deployment of materials and personnel were a concern in the pre-election phase. The pre-election report, for instance, indicated that while non-sensitive materials were deployed in all the 8 LGAs early, the deployment of sensitive materials by INEC from Yenagoa to the LGA was delayed to Friday, 15th November 2019 due to the uncertainty created by conflicting court decisions. As such WTV confirmed
the last set of materials were only deployed by 4:30 pm on the eve of the election to the LGAs.

5) **Last Minute Court Decisions:** YIAGA AFRICA is concerned with the trend of last-minute judgments issued by courts on pre-election matters without recourse to its implication for election management, public safety and citizens participation. More worrisome is the conflicting nature of these judgments delivered by courts of coordinate jurisdiction. Nigeria needs to retool her legal framework to address the duality of jurisdiction of courts and timeline for the determination of pre-election cases.

The Watching the Vote findings on the election process is based on reports received from 202 of our 250 sampled polling units in addition to our preliminary situational analysis of the commencement of polls in Bayelsa state issues on Saturday 16th November 2019.

**Watching the Vote Findings on the Election process**

**Absence of Voting or incomplete process at polling unit:** Reports from Watching The Vote observers revealed that election did not either hold or were not completed in about 24% of the Watching the Vote PVT sampled polling units. This indicates that elections did not hold, or the election process were not concluded in over 300 of the polling units in Bayelsa state. However, YIAGA AFRICA WTV polling unit observers remained in the polling units where elections were conducted from the opening of the polling units to the posting of results. Our findings show:

1) **Accreditation and Voting**
   - At 90% of polling units, the smart card reader was used throughout the day.
   - At 69% of polling units, the smart card reader functioned throughout the day.
   - At 91% of polling units, every potential voter’s fingers were checked for indelible ink before being permitted to vote.
   - At 93% of polling units, every potential voter’s permanent voter card (PVC) was checked by the card reader. At 93% of polling units, every potential voter’s details were checked against the register of voters. At 99% of polling units, no one was accredited to vote who did not have a PVC. At 95% of polling units, no one was denied accreditation because their name had been ticked on the register of voters.
   - At 87% of polling units, every potential voter’s fingerprints were checked by the card reader.
72% of polling units were set up so no one could see how the voters marked their ballot papers. However, at 11% of polling units, it was possible to see how a voter’s ballot paper was marked when it was put in the ballot box.

At 91% of polling units, indelible ink was applied to the cuticle of a finger of every accredited voter.

At 96% of the polling units no one was permitted to vote whose name did not appear in the voters register while in 99% of polling units no one was allowed to vote without a PVC.

At polling units, overall 63% of voters were accredited by the smart card reader verifying both their PVC and fingerprints, 32% of voters were accredited with only their PVC being verified, and 3% of voters were manually accredited.

At polling units, 2% of voters were turned away and not permitted to vote for any reason.

During accreditation and voting, at 27% of polling units voters crowded polling officials, at 18% of polling units there were attempts by people to influence the polling officials, and at 4% of polling units there were incidents of intimidation, harassment or violence.

At 2% of Polling units governorship ballot box or ballot papers were snatched or stolen.

At 15% of Polling units the governorship ballot box was stuffed.

54% of polling units completed accreditation and voting by the designated time of 2:00 pm while by 3:00 pm 24% of polling units had completed accreditation and voting. 18% of polling units finished voting after 4pm and in 4% of polling units voting was suspended to finish tomorrow.

2) Counting

At 92% of polling units polling officials showed how every ballot paper was marked to everyone present.

At 10% of polling units an Accord polling agent signed the official results form (EC.8A).
At 93% of polling units an APC polling agent signed the official results form (EC.8A).

At 86% of polling units a PDP polling agent signed the official results form (EC.8A).

At 16% of polling units polling official recounted the ballot papers.

At 87% of polling units the official results were posted for the public to see.

Critical Incident

YIAGA Africa received and confirmed a total of 21 incident reports from its WTV observers. The incident reports capture instances of infractions that could undermine the integrity of the electoral process. The reports capture late commencement of polls, not opening of polling units, vote buying/bribery, intimidation and harassment of voters and polling officials, manual accreditation and voting, community collusion security interference and observers not allowed to observe in few polling units.

The grievous incident was:

**Not Conducting Election**: Election was not conducted in 24% (61 of 250) of YIAGA AFRICA’s WTV sampled polling units. This incident was more prevalent in 28 polling units in Southern Ijaw LGA, 11 polling units in Ogbia LGA, 9 polling units in Ekeremor LGA, 7 polling units in Nembe LGA, 5 in Sagbama LGA and 1 in Yenagoa LGA. Statewide this data suggests that elections may not have been held in several hundred polling units thereby seriously compromising the rights of people of Bayelsa to freely determine for themselves their elected governor.

<table>
<thead>
<tr>
<th>LGA</th>
<th>PVT Sample</th>
<th>PVT Sample with No Elections</th>
<th>Percent PVT Sample with No Elections</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Polling Units</td>
<td>Registere d Voters</td>
<td>Polling Units</td>
</tr>
<tr>
<td>Brass</td>
<td>22</td>
<td>9,975</td>
<td>0</td>
</tr>
<tr>
<td>Ekeremor</td>
<td>27</td>
<td>14,812</td>
<td>9</td>
</tr>
</tbody>
</table>
Watching the Vote Process Statement
2019 Bayelsa Governorship Election
Sunday, November 17, 2019
Yenagoa, Bayelsa State

<table>
<thead>
<tr>
<th>LGA</th>
<th>Code</th>
<th>Registered Voters</th>
<th>Accredited</th>
<th>Valid</th>
<th>Total</th>
<th>Number of Whistleblowers</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kolokuma/Opukuma</td>
<td>20</td>
<td>7,926</td>
<td>0</td>
<td>0</td>
<td>0%</td>
<td>0%</td>
</tr>
<tr>
<td>Nembe</td>
<td>28</td>
<td>11,744</td>
<td>7</td>
<td>2,716</td>
<td>25%</td>
<td>23%</td>
</tr>
<tr>
<td>Ogbia</td>
<td>36</td>
<td>12,922</td>
<td>11</td>
<td>3,572</td>
<td>18%</td>
<td>28%</td>
</tr>
<tr>
<td>Sagbama</td>
<td>28</td>
<td>16,568</td>
<td>5</td>
<td>2,632</td>
<td>18%</td>
<td>16%</td>
</tr>
<tr>
<td>Southern Ijaw</td>
<td>59</td>
<td>22,347</td>
<td>28</td>
<td>10,342</td>
<td>47%</td>
<td>46%</td>
</tr>
<tr>
<td>Yenagoa</td>
<td>30</td>
<td>30,205</td>
<td>1</td>
<td>550</td>
<td>3%</td>
<td>2%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>250</strong></td>
<td><strong>126,499</strong></td>
<td><strong>61</strong></td>
<td><strong>25,610</strong></td>
<td><strong>24%</strong></td>
<td><strong>20%</strong></td>
</tr>
</tbody>
</table>

Source: YIAGA AFRICA

**PVT Results Estimates**

As noted as part of its overall observation effort for the Bayelsa gubernatorial election, YIAGA AFRICA conducted a PVT in which citizen observers were deployed to a statistical sample of 250 polling units across all eight LGAs in the state. In addition, to closely observing the opening, accreditation, voting and counting process, PVT observers also collected the official results for each sampled polling unit. Because the PVT observers closely observed the entire process and reported the official results from a representative sample of polling units, the PVT is the only methodology that can independently verify official election results.

It is important to remember, though, that it is only INEC that announces official results and declares the winners of elections. PVT is an advance observation methodology to provide all stakeholders with accurate, timely, independent, nonpartisan data on the conduct of elections and the accuracy of official results.

YIAGA AFRICA, however, is not able to independently verify, one way or the other of the official results for the Bayelsa gubernatorial election because elections did not hold in 61 of 250 or approximately 24% of sampled polling units. This reduces the PVT sample and therefore YIAGA AFRICA cannot verify the outcome of the result.

While YIAGA AFRICA’s PVT results data cannot be used to verify gubernatorial election results, the PVT results data based on official results from 165 sampled polling stations suggests that the election is too close to call. As Table 2 shows, it is a statistical draw between the two leading candidates meaning that either candidate could win the gubernatorial election. Either of the leading two candidates could receive 50% or more of the vote. Thus, the PVT results data cannot be used to verify the results or to suggest
which candidate received the most votes. However, the PVT results does clearly show that this is a close election and that every vote count.

While INEC should always make a strive on protecting the rights of citizens to vote, given the closeness of the election, it is even more critical that every registered voter be given an equal opportunity to vote and that elections should be held for every single polling unit that was unable to hold elections on Saturday, November 16, 2019. Any decision short of this would undermine the inclusiveness of the elections and would call into question the credibility of the election.

Table 2: WTV PVT Estimates based on Reports from 171 of 189 (90%) Polling Units were Elections were Held

<table>
<thead>
<tr>
<th>Party</th>
<th>WTV PVT Estimated Range</th>
</tr>
</thead>
<tbody>
<tr>
<td>APC</td>
<td>61.6 % to 46.4%</td>
</tr>
<tr>
<td>PDP</td>
<td>52.1% to 36.9%</td>
</tr>
<tr>
<td>All Other Parties</td>
<td>2.1% to 0.5%</td>
</tr>
</tbody>
</table>

Source: YIAGA AFRICA

Conclusion

Ladies and gentlemen of the press, YIAGA AFRICA’s data, based on reports from our citizen observers located in the eight LGAs of Bayelsa state, exposes serious shortcomings in the pre-election period, the election day environment and in the conduct of the polls themselves.

While YIAGA AFRICA notes the role of INEC as the Election Management Body, It is important to state clearly that beyond INEC, the attitudes, actions and dispositions of stakeholders like the security agencies and political parties could make or mar the credibility of any election.

The Bayelsa gubernatorial election still experienced political parties building their campaign strategy around deploying sufficient money to buy the elections, acquiring arms and paying thugs who are willing to disrupt the process. This practice remains inimical to democratic development in Nigeria and regardless of what party benefits from the
outcome of the election, the question on the development of our electoral democracy and
the quality of participation remains a major challenge. The political class have perfected
their act of undermining the process and is consistently making it difficult for INEC to
conduct the elections across board. Beyond the parties are also the security agencies
who are failing in their critical role of supporting the work of INEC for the safe, effective
and successful deployment of materials and safeguarding the process. This failure
remains a factor enabling the late commencement of polls, breach of the electoral laws
and the willful commission of electoral offences.

The election revealed the need for INEC to put in place sufficient safeguards and
operational practices to ensure the elections could be conducted in such a way that the
right to vote is facilitated. For instance, having polling units were votes were not conducted
becomes a major issue and a question of the breach of fundamental right to vote,
especially in this instance were voting was not conducted or process not completed in
24% of PVT sampled polling units implying that potentially up to 300 polling units with
nearly 200,000 registered voters may have not been given the opportunity to exercise
their franchise. YIAGA AFRICA urges INEC to provide a detailed account of all polling
units for which no election was held and to ensure elections are held for all polling units.
Any decision short of this would undermine the inclusiveness of the process and would
call into question the credibility of the elections.

The Bayelsa gubernatorial election which was held on the same day as the Kogi
Gubernatorial and Kogi West Senatorial elections provided an opportunity for all election
stakeholders to change Nigeria’s electoral trajectory especially after the experience of the
2019 general elections. While this trajectory was not changed, there are still opportunities
for improvement, especially with the next round of off-cycle elections. In all, there is only
so much INEC can do because the outcome of elections is determined by a culmination
of factors which includes the actions of political parties/candidates and their commitment
to electoral integrity and the commitment of the security agencies to a credible and
democratic process.

Despite the challenges observed in the Bayelsa gubernatorial elections, YIAGA AFRICA
wants to thank voters who went to the polls despite the myriad of challenges. We would
also like to thank the many Nigerians across the state who volunteered to serve as WTV
non-partisan election observers on behalf of all the people of Bayelsa. YIAGA AFRICA
commends the dedication and commitment of the National Youth Service Corps (NYSC)
members who served as ad hoc polling officials. YIAGA AFRICA also appreciates the
collaboration of our development partners and their commitment to Nigerian initiatives to
ensure credible elections in our country.
YIAGA AFRICA, through the #WatchingTheVote initiative, is committed to promoting more credible elections by providing independent information on the conduct of elections and independently verifying the accuracy of election results. #WatchingTheVote is For All Nigerians, Beholden to No One, and Driven By Data.

Long live Bayelsa state, long live Nigeria. Thank you.

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Chair, YIAGA AFRICA Watching the Vote – Bayelsa Observation Mission

Ezenwa Nwagwu  
Co-Chair, YIAGA AFRICA Watching the Vote – Bayelsa Observation Mission

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Learn more about #WatchingTheVote at www.watchingthevote.org or on social media on Facebook at facebook.com/yiaga.org or on Twitter @YIAGA.