

active registration of voters. EC-SL and NCRA will need to collaborate closely during the voter registration exercise in order to properly capture eligible citizens in both the national civil register and the voter registry.

- **Results management:** In the past, transmission of election results has been criticised for not being sufficiently timely nor fully transparent. EC-SL has a long-stated goal to strengthening results management by decentralising its process further to the district level, where the district election manager is the returning officer for respective elections. In 2012, results were “partially” tabulated at the district level through a Results Management System (RMS) developed in cooperation with the Election Commission of Nigeria. In 2018, EC-SL intended to expand the regional RMS to the district level; however, time, funding and infrastructure constraints led to the pragmatic decision of only using the region-based tally. For 2023, EC-SL has committed again to extending the system to the district level. With sufficient resources, time and commitment, this is feasible. However, EC-SL has lost a number of senior staff critical to its IT and Database capacity, which leaves it in a potentially weaker position than 2018. The EU Governance Program is currently supporting training of E staff on database management and networking and an assessment of the hardware and networking requirements to generate secure results at the district level to be transmitted via the regional tally level and to headquarters. As it is unclear whether the commission will have the financial and human resources to carry out the decentralisation, additional support might be required in the procurement of the material/networking for each of the centre and training to district and regional level tally centre staff.
- **Absence of a specialised election offences court and outdated/insufficient Court’s procedural rules:** Numerous observer missions have noted that there is great need to support Court’s procedural rules to ensure that elections petitions are adjudicated within a reasonable period compatible with electoral timeframes. This is particularly true for the Supreme Court’s dealing with presidential election disputes. The Court has declared an intent to develop these rules well in advance of the 2023 election period but progress is limited. The establishment of an effective specialised **election offence court system** would need support in the areas of training of judges and court personnel on the court procedures and election legal framework. This may involve the production of judicial bench books or other guides on election case law and statutory instruments.

New challenges have also emerged since 2018 which require consideration:

- **A new electoral commission with limited experience:** While the EC-SL can count on many experienced technical staff, the 2022-23 cycle of elections will be conducted by a commission under a completely new leadership with all commissioners, including the chair, having changed from the 2018 elections. In addition, there have been many unfilled vacancies within the commission; this will likely affect performance in upcoming elections. Recent reorganisation into new departments combined to staff mobility and turn-over will also have an impact on critical capacities like strategic communications and database management.
- **The potential changes in electoral law, including possible gender quota requirements** may require the running of additional (women-only) elections, the creation of new candidate nomination and seat allocation requirements, depending on the system agreed to. Such changes are not only technical (and may require potentially additional funds) but will complicate the electoral process also from a citizen’s perspective and necessitate significant voter education efforts, notably to target first time and less educated voters.
Uncertainties remain that could impact the electoral calendar: the EC-SL in its strategic plan towards 2023 elections noted a number of decisions on the part of the government that have a bearing on the smooth implementation of the already congested electoral calendar. These relate mainly to: (i) the unprecedented and highly contested decision to conduct a mid-term census which could lead to the creation of new districts and a re-draw of electoral boundaries; (ii) ongoing reforms to the Local Government Act of 2004 that could modify the tenure of local councils elections; (iii) possible delays in establishment of a fully operational civil registration system which will necessitate a proactive solution by EC-SL and NCRA to capture citizens as voters; (iv) possible constitution amendments that may affect the electoral legal and regulatory landscape, including changes to the electoral system resulting from gender quotas.
- **Eroded trust in the Electoral Management Bodies and Judiciary:** criticism about political context developments and challenges to fundamental democratic principles is on the rise as well as concerns about the independence and impartiality of the electoral management bodies (EC-SL, PPRC) the Judiciary and the police.

Stakeholders analysis: