

# MANUAL ON FREEDOM OF INFORMATION AND ELECTIONS

Supported by the Democratic Governance for Development (DGD) II Project



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# MANUAL ON FREEDOM OF INFORMATION AND ELECTIONS

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**Media Rights Agenda**



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Media Rights Agenda  
No. 14A, Fagba Crescent  
Off Acme Road  
Behind Textile Labour House  
Ikeja.  
P. O. Box 52113, Ikoyi  
Lagos State.  
Tel: +234-1-7616803  
E-mail: [mra@mediarightsagenda.net](mailto:mra@mediarightsagenda.net)  
Website: <http://www.mediarightsagenda.net>  
Twitter: [https://twitter.com/MRA\\_Nigeria](https://twitter.com/MRA_Nigeria)  
Facebook: <https://www.facebook.com/pages/Media-Rights-Agenda/>

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PREFACE

The Freedom of Information Act, 2011 is a very important tool for civil society organizations of all descriptions, regardless of the sectors in which they work or the nature of the organization. It can significantly improve any organization's effectiveness within its mandate area.

For this reason, Media Rights Agenda (MRA) continues to urge all civil society organizations to mainstream the Act into all aspects of their work and make it part of their standard operating tools.

Whether a service delivery organization operating at the community level or an advocacy organization engaging with policy-makers at the Federal Capital Territory in Abuja or in State capitals, the FOI Act is a tool that civil society organizations can readily call in aid.

For service delivery organizations, they can use the Law to obtain information about stocks that are available either to governments or other actors, their distribution plans, and other data, all of which will be useful information for the organization in carrying out its work.

Similarly, policy advocacy organizations can also use the Law to get information about figures, statistics, costs, budgetary allocations and the basis of such allocations, as well as other data, which will also provide the organization with invaluable information that will make its advocacy more credible and much more effective.

No less important is the applicability of the Act to the electoral process, especially by civil society organizations involved in election monitoring or observation.

Indeed, the African Charter on Democracy, Elections and Governance, to which Nigeria is a State party, recognizes that access to information is an essential ingredient for the meaningful observation of elections. The Charter therefore sets as one of its objectives to “Promote the establishment of the necessary conditions to foster citizen participation, transparency, access to information, freedom of the press and accountability in the management of public affairs.”



The Nigerian General Elections scheduled for 2015 therefore represents the first opportunity for the Act, since its enactment in 2011, to be tested in the context of elections in the country.

Media Rights Agenda is convinced that if deliberate steps are not taken to bring the law sharply into the focus of civil society organizations involved in election observations and monitoring, this opportunity may be lost and civil society may remain considerably weakened in their ability to hold the election management body and other actors in the electoral process accountable, not only in the conduct of the elections but more particularly in their preparations.

Central to this goal is an increased awareness by such organizations of the FOI Act and how to use it.

This Manual is therefore designed to meet this need. It is aimed at encouraging and empowering civil society organizations to apply the principles of the FOI Act towards the preparations of the 2015 Elections and mobilizing election monitoring groups across the country to deploy the Act to obtain as many types of information as may be required to hold the key actors in the electoral process accountable.

It will guide and assist individuals and civil society organizations to conduct more effective monitoring of preparations towards the forthcoming elections as well as subsequent elections, and assess the adequacy or otherwise of such preparations, including financial accountability, procurement process, value for money of the elections, disbursement of approved funds, suitability of technology, and accountability mechanisms in place, among others.

This will ensure much more effective engagement of the electoral process.

**Edetaen Ojo**  
*Executive Director, Media Rights Agenda*  
October 2014

## CHAPTER ONE

### 1.1 Introduction

Nigeria is a State Party to the African Charter on Democracy, Elections and Governance, a regional instrument which reflects the African continent's desire to entrench “a political culture of change of power based on the holding of regular, free, fair and transparent elections conducted by competent, independent and impartial national election bodies.”

African leaders, affirm through the Charter, their determination to “promote and strengthen good governance through the institutionalization of transparency, accountability and participatory democracy.”

The Charter makes it quite clear that access to information, transparency and accountability in governance are essential ingredients for good governance.

Experience from Nigeria and other countries around the world has been that when the electoral process lacks transparency, it loses credibility and public confidence. The lack of transparency in the electoral process may be the result of lack of transparency in the relevant institutions, including the election management body, political parties and other institutions which play a role in the process. It may also be the result of lack of information about electoral procedures or the conduct of the elections generally.

Clearly, therefore, transparency is essential to building public trust and confidence in the electoral process. When the election management body or other relevant electoral institutions do not provide the public with adequate information about themselves, their systems and procedures, it leads inevitably to a perceptions among members of the public of lack of credibility and integrity of the electoral process.

This can also have a significant effect on the acceptability of the electoral outcomes, as declared by the election management body, if it is perceived to lack credibility and integrity.

Transparency is therefore imperative in ensuring the credibility of electoral processes and outcomes. A well-functioning and rigorously implemented

Freedom of Information Law that is actively engaged by citizens can help to ensure the transparency of the electoral process.

Over the last 15 years, civil society organizations have attempted to engage various electoral processes and cycles in Nigeria aimed at ensuring the integrity of these processes. The dominant approach of these engagements had largely been targeting and monitoring Election Day activities in a sizeable but hardly significant effort considering that mistakes made leading up to Election Day can hardly be corrected at this point but still considerably affect the electoral process.

The standard practice of observing the Election Day activities, voting process and other issues related to the conduct of the elections culminating in a report on issues such as the Political Context, the Legal Framework, preparations for the Elections, Campaigns and the Media, the Conduct of Security Forces, the Poll and the Vote Count while seeking to provide insightful conclusions and wide ranging recommendations, would ultimately condemn the process and outcome as flawed citing numerous examples of irregularities.

The degree of impact in improving elections made by this approach is minimal and limited. By Election Day, the harm in the preparations have already been done and there is no possibility of influencing the process or outcome at this stage. Findings from the reports issued are hardly taken into account in subsequent elections and there is no real opportunity to implement the recommendations which by the next elections have become distant memories.

However, if civil society groups and other election observer groups, adopt a view to save, monitor or influence the entire election process, then these groups do not have to wait till Election Day to find out if INEC and other institutions and agencies of Government which have various roles to play in the process are adequately prepared for the elections.

## CHAPTER TWO

### 2.1 FOI and Elections Project

Election observer groups should no longer risk the elections failing for lack of proper preparation as has been the case often in the past.

It is no longer expedient to wait until Election Day just to monitor elections and declare them flawed.

Civil society groups should start early to scrutinize every stage and every tiny component of the preparatory activities.

They have garnered enough experience over the years to know the things that usually go wrong and where the weaknesses in the logistics are and know (or should know) what to look out for.

It is necessary to draw on the experience gathered over years of assessing and evaluating the elections and preparations for the elections. Wherever they notice lack of preparations, inadequate arrangements, weak plans, or other undesirable situations, they should work very hard to get those problems fixed before the elections.

Nigeria now has a helpful new tool for this approach, a piece of legislation called the Freedom of Information (FOI) Act.

The FOI Act became law on May 28, 2011 and 2015 will be the first major election since the existence of the Law.

Civil society groups involved in election observation are therefore advised to deploy the FOI Act efficiently and effectively and use it to make a difference in the elections.

In the pre-FOI era, civil society groups could ask INEC questions but they were at liberty to ignore them and their questions, and mostly, they did; but no more! Now, they must respond to anyone or group(s), they must give answers!

If civil society groups are going to make a difference in the 2015 or any other elections thereafter, they need to build and deploy a formidable machine for

the elections to help them make the change they want.

The machine should have different components, different departments and multiple capabilities.

Each component and each department should work efficiently to contribute to the common objective.

The machine should have, at least, the following elements and capabilities:

- Ability to ask questions about all aspects of the preparations for the elections, using the FOI Act, from INEC headquarters and state offices all over the country.
- Ability to also ask other Ministries, Departments and Agencies (MDAs), that can or will play any sort of role in the elections, questions about their preparations and arrangements.
- A stock of hundreds, perhaps, thousands of questions, which civil society groups should be submitting continuously from at least three months prior to and until the elections.
- The questions will be about all aspects and stages of the preparations for the elections and the elections themselves, including budget issues, equipment and facilities, election materials, procurement processes, logistics, security, personnel issues, accreditation plans, etc.
- Ability to analyse all information received to assess the adequacy of plans and preparations and make proposals for adjustments where they are not satisfactory. Such analyses will rely on standards in the Constitution, the Electoral Act and relevant international/regional instruments such as the African Charter on Democracy, Elections and Governance as well as from practical experiences of what can work and what will not.
- A Legal Team able and ready to file cases in court and robustly or aggressively challenge any refusal by any public institution, including INEC, to provide the information requested. The existence of the Legal Team and its rapid deployment will send a strong

message to INEC and other MDAs that they will not be allowed to act with impunity in disregarding any request for information.

- A strong and dynamic Communications Team handling or coordinating public communication, including through conventional media as well as social media platforms and tools. This department will create, run and manage various information products, including newsletters, media advisories, bulletins, press statements, etc.
- A skilled Advocacy Team. Based on the analyses of the information received and assessments of the state of preparedness for the elections, the Advocacy Team will continually engage with INEC, relevant policy makers and law-makers. Its role is to advocate for necessary adjustments in plans and appropriate frameworks to ensure credible elections.

As a step in this direction, MRA in collaboration with TMG undertook a pilot Freedom of Information and Elections Project leading up to the 2015 General Elections. This project contained some but not all of these elements listed above. The project aimed to leverage on the TMG's extensive nationwide network of CSOs to determine, through requests for information from all INEC offices in the 36 states and the headquarters in Abuja, the plans and structures that INEC has put in place to ensure a smooth, free and fair election in 2015. The monitoring also extended to other government agencies working on the elections.

Under the project, MRA and the TMG selected over 150 member organizations from TMG members across the country.

MRA built their capacity to understand the FOI Act and use it to demand for records and information which will show the level of preparedness of INEC and other governmental agencies working on election for the forthcoming 2015 elections.

## **2.2 Elements of the FOI and Elections Project**

The process started with a planning meeting between MRA and TMG personnel which was followed by a Drafting Meeting involving TMG's Executive/Coordinating Committee members, zonal coordinators and

programme staff.

The meeting drafted requests for information and records pertaining to the 2015 elections which were later adapted and submitted to INEC and other public institutions by TMG member organizations.

Following the Drafting Meeting, six zonal workshops were held across the six geo-political zones of the country for TMG member organisations within the zones.

Each workshop had approximately 30 participants, made up of at least 20 core participants from different TMG member organizations; a zonal coordinator, state coordinators and MRA personnel.

The workshops took place in the following locations: Bauchi (North East), Kaduna (North West), Abuja (North central), Calabar (SouthSouth), Enugu (South East) and Ibadan (South West).

Each workshop was an intensive three-day training on understanding and using the FOI Act. The first and second days were dedicated to training participants on understanding the law while the third day was on using the FOI Act to make requests and fine-tuning the requests for information that were drafted at the Drafting Meeting to fit their contexts.

All participating organizations were provided with copies of the FOI Act and other resource materials on access to information and how to use the FOI Act.

MRA also provided ongoing advice and technical support when they were required by each of the participating organizations.

TMG Member organizations in each zone provided feedback in the form of reports on their FOI requests to Media Rights Agenda.

It was suggested that the TMG develop a framework for analysing the content of any information received from INEC and other relevant Government institutions or agencies to assess the adequacy or otherwise of the preparations or arrangements for the elections.

The framework may be in the form of a “Committee of Experts”, made up of

some members of the TMG leadership, other TMG members across different states with coordination provided by one or more TMG Secretariat staff.

Such a committee will be tasked with analysing all the substantive responses and information received from the INEC Headquarters and INEC offices across the 36 states. It will also analyse the responses and information received from other relevant Government institutions and agencies covering the 36 states and the FCT.

Using this analysis, an election observation group could produce and issue a monthly electronic publication on government's actions towards the elections. This may be called “*Election Watch*”

The report can be disseminated monthly via an electronic newsletter.

The electronic report will be produced and disseminated monthly for the duration of the project.

Through the report, the election observation group can highlight the inadequacy or otherwise of preparations for an elections, covering issues such as:

- Printing of election materials (ballot papers, etc.)
- Procurement of other election materials
- Logistics plans for movement of election materials
- Plans for the deployment of election personnel
- Plans for the deployment of security personnel
- Collation of election results, etc.

Civil society groups may also decide to undertake other advocacy activities as they deem appropriate. These could include, for example, meetings with key INEC officials, legislators, security agencies and other policy-makers to get them to take measures to correct identified inadequacies in arrangements for the elections.

If these activities are successfully carried out, they could fundamentally alter civil society's engagement with electoral processes.



## CHAPTER THREE

### 3.1 What is Freedom of Information?

Freedom of Information refers to the right, which the public in any society has to access information held by government officials and institutions. It is a fundamental human right established under international law and all citizens of any country and indeed all members of the public are entitled to enjoy this right

The underlying philosophy of Freedom of Information is aptly captured by the Declaration of Principles on Freedom of Expression in Africa which states that:

*“Public bodies hold information not for themselves but as custodians of the public good and everyone has a right to access this information, subject only to clearly defined rules established by law.”*

(Article IV(I) of the Declaration of Principles on Freedom of Expression in Africa)

The right to information recognizes the fact that some information still need to be kept secret and therefore imposes some limitations. Examples of these types of information are national security information, information about the private lives of people, sensitive commercial information, etc.

However, there is a duty on governments and public institutions to justify any refusal to disclose any information to the public.

In Nigeria, the Freedom of Information Act, 2011 was signed into law by President Goodluck Jonathan on May 28, 2011 and came into force that same day.

The purpose and objectives of the Act, as stated in its preamble, are:

- To make public records and information more freely available;
- To provide for public access to public records and information;
- To protect public records and information to the extent consistent with the public interest and the protection of personal privacy;

- To protect serving public officers from adverse consequences for disclosing certain kinds of official information without authorization; and
- To establish procedures for the achievement of these purposes and for other related matters.

The Freedom of Information Act fills a huge gap which hitherto existed in the legal framework for citizen's access to information held by public officers, authorities and institutions in Nigeria.

### 3.2 Right of Access to Information under the Freedom of Information Act

The Freedom of Information Act, 2011 establishes in very clear terms the right of access to information for every person. It states that:

*“Notwithstanding anything contained in any other Act, law or regulation, the right of any person to access or request information, whether or not contained in any written form, which is in the custody or possession of any public official, agency or institution howsoever described, is established.”*(Section 1(1))

In effect, therefore, **every person** has a legally enforceable right of access to records, documents and information held by public institutions, subject to certain exemptions stated in the Act.

This right applies to legal and natural persons, Nigerian citizens and non-citizens as well as Nigerian residents and non-residents alike.

Applicants for information under the Act are expected to apply for information or records in writing, but are not required to give any reason or explanation for seeking information. Indeed, the Act provides that:

*“An applicant under this Act needs not demonstrate any specific interest in the information being applied for.”*(Section 1(2))

### 3.3 Obligation of Public Institutions to Maintain Records

According to the Attorney-General of the Federation and Minister of Justice, Mr. Mohammed Bello Adoke (SAN), in the Guidelines on the Implementation of the Freedom of Information Act 2011, Revised Edition 2013, issued on February 27, 2013, “The right of access to information creates corresponding obligations on the part of Public Institutions. Apart from the obligation to release a record or information in its custody, there are obligations that are not contingent on any request for information. These relate to the organization and maintenance of records and the obligation to publish certain categories of information proactively.”

The Act makes it mandatory for public institutions to record and keep information about all their activities, personnel, operations, businesses and other relevant or related information or records. (Section 2(1) & Section 9(1))

Public institutions are also required to ensure proper organization and maintenance of all information and records in their custody in a manner that facilitates public access to the information or record under the Act. (Section 2(2) & Section 9(2))

### 3.4 Definition of Public Institutions

Public institutions are defined in the Act, which also defines “Government” in the context in which it is used in the Act. The first definition of “public institution” states that:

*“Public institutions are all authorities whether executive, legislative or judicial agencies, ministries, and extra-ministerial departments of the government, together with all corporations established by law and all companies in which government has a controlling interest, and private companies utilizing public funds, providing public services or performing public functions.”* (Section 2(7))

The second definition of “public institution” states that:

*“Public Institution' means any legislative, executive, judicial,*

*administrative or advisory body of the Government, including boards, bureau, committees or commissions of the State, and any subsidiary body of those bodies, including but not limited to committees and sub-committees which are supported in whole or in part by public funds or which expend public funds and private bodies providing public services, performing public functions or utilizing public funds.”(See definition of “Public Institutions” under the definition section, Section 31 of the Act.)*

Section 29(9)(a) of the Act states that “**government**” includes “**any executive department, military department, government corporation, government controlled corporation, or other establishment in the executive branch of the government (including the Executive Office of the President), or any other arm of government, independent or regulatory government agency or public institution.**”

### **3.5 Information and Materials Excluded from Scope of Application of the Act**

The Act does not apply to:

- Published material or material available for purchase by the public;
- Library or museum material made or acquired and preserved solely for public reference or exhibition purposes; or
- Material placed in the National Library, the National Museum or the non-public section of the National Archives on behalf of any person or organization other than a government or public institution. (Section 26)

### **3.6 Modes of Accessing Information under the Act**

There are two ways by which the public can access information held by public bodies. The right of members of the public to submit requests and receive the information is the most well-known feature of freedom of information laws.

This is because the primary function of such laws is to provide and regulate the procedures and processes by which members of the public can request information from public institutions.

However, there is a second major way by which the public can access public information, which is when the information is made available to the public on the initiative of the public institutions themselves, without anyone submitting a request for the information. This practice is known as proactive disclosure.

### **3.7 Proactive Publication of Information**

All public institutions are required by the Act to proactively publish certain types of information. These categories of information are to be published and widely disseminated and made available to the public through print, electronic and online means as well as at the offices of the public institutions. The proactive publications are also to be reviewed and updated periodically or whenever there are changes in the information. (Section 2(3), (4), & (5))

Every member of the public is empowered by the Act to institute proceedings before a court to compel any public institution to comply with these requirements, if it is in default. (Section 2(6))

The types of information which every public institution is required to publish proactively are the following:

- A description of the organization and its responsibilities, including details of the programmes and functions of each division, branch and department;
- A list of all classes of records under the control of the institution in sufficient detail to facilitate the exercise of the right to information.
- A list of all manuals used by the institution's employees in administering or carrying out any of its programmes or activities;
- A description of documents containing final opinions including concurring and dissenting opinions as well as orders made in the adjudication of cases;

- Documents containing its substantive rules;
- Documents containing statements and interpretations of policy which the institution has adopted.
- Documents containing final planning policies, recommendations and decisions;
- Documents containing factual reports, inspection reports and studies, whether prepared by or for the institution;
- Documents containing information relating to the receipt or expenditure of public or other funds by the institution;
- Documents containing the names, salaries and titles and dates of employment of all employees and officers of the institution;
- Documents containing the rights of the state, public institutions, or of any private person(s);
- Documents containing the name of every official and the final records of voting in all proceedings of the institution;
- A list of files containing applications for any contract, permit, grants, licenses or agreement;
- A list of reports, documents, studies, or publications prepared by independent contractors for the institution;
- A list of materials containing information relating to any grant or contract made by or between the institution and another public institution or private organization; and
- The title and address of the appropriate officer of the institution to whom an application for information under the Act should be sent.

## CHAPTER FOUR

### 4.1 Ensuring Compliance by Public Institutions with Proactive Publication Obligations

The Freedom of Information Act has no specific mechanism for monitoring compliance with the proactive disclosure requirements of the Act. The Act also contains no sanctions for non-compliance with the proactive disclosure requirements.

However, Section 2(6) of the Act gives every person entitled to the right of access to information under the Act the right to institute proceedings in the court to compel any public institution to comply with its proactive publication obligations.

The Act is therefore relying on the public to monitor compliance with the proactive publication obligations of public institutions and to use the courts to enforce compliance.

Your organization and its staff or members therefore need to take up this challenge of ensuring effective implementation of the Act by monitoring compliance with the proactive disclosure obligations of public institutions, alongside their other obligations and where necessary, enforce compliance, using the courts.

You can monitor whether:

- The proactive publication requirements are being complied with by public institutions and in particular, whether the categories of information stipulated in the Act are being proactively published.  
The proactive publications are being widely disseminated and made available to the public through various means, including print, electronic and online channels as well as at the offices of the public institutions.
- The public institutions which have carried out their proactive publications are also reviewing and updating the information periodically and whenever changes occur; and
- All the types of information that each public institution is required to publish proactively are actually being published.

You can carry out these monitoring activities through:

- Systematic surveys of some public institutions across the country;
- Interviews with relevant officials of some public institutions across the country;
- Periodic reviews of the websites of the public institutions; and
- Various other ways such as partnerships with other stakeholders.

#### **4.2 Monitoring and Ensuring Compliance with Other Aspects of the FOI Act**

As indicated earlier, public institutions have many duties and obligations under the FOI Act. The Act outlines these duties and obligations with the intention of ensuring that public institutions meet up with them, which will help to ensure that the Act is effective and achieves its objectives.

It is therefore imperative that the level of compliance with these requirements is monitored as compliance is critical to the effectiveness of the Act.

It will be very difficult for one organization to try monitoring public institutions all over the country. However, an organization, depending on its capacity and resources, may decide to limit the scope of the monitoring exercise it wants to conduct in order to ensure that its efforts are realistic.

The public institutions to be monitored by an organization may therefore be limited to:

- Public institutions in the geo-political zone or the State where the organization is based.
- Public institutions in the local government area where the organization is based.

- Public institutions within a specific sector of interest, e.g. Health, education, etc.
- In the case of public institutions within a sector, this may also be done at different levels Federal, State or Local Government.
- Public institutions selected based on other criteria of the organization's choosing.

So long as the organization is clear and transparent about the scope of its monitoring exercise, this is a perfectly acceptable approach to conducting monitoring of compliance by public institutions.

However, organizations working in partnership or within a coalition or network may also organise themselves to broaden the scope of their joint monitoring efforts to cover more public institutions in general or within a specific sector or within a specific area.

Things to monitor may include the following:

1. The obligation of public institutions to record and keep information about all their activities, personnel, operations, businesses and other relevant or related information or record as required by Sections 2(1) and 9(1) of the Act.
  - *Are the public institutions you are interested in complying with this requirement?*
2. Ensuring the proper organization and maintenance of all information in their custody in a manner that facilitates public access to such information as required by Sections 2(2) and 9(2) of the Act;
  - *How are the public institutions you are interested in maintaining their records and information?*
  - *Can their information storage and management systems and practices enhance public access to their information?*
3. Designation of an officer to be in charge of public requests for information.



- *Which of the public institutions you are interested in have designated such officers and how available and accessible are such officials in practice to members of the public seeking information?*
  - *How easy is it for members of the public to submit requests for information to public institutions through these officers?*
  - *Are there challenges which requesters face such as not being able to get past security men at the gate or the receptionist in the public institutions?*
  - *What is the seniority level of such officers designated to be in charge of the FOI Act?*
  - *Are some categories of requesters finding it more difficult to submit requests for information than others?*
  - *Have the public institutions you are interested in published the titles and addresses of the appropriate officer as required by the Act?*
  - *Are the public institutions providing appropriate training for their officials on the public's right of access to information or records held by government or public institutions?*
  - *Are they also training their officials to ensure the effective implementation of the Act?*
  - *Are the training programmes appropriate or suitable?*
  - *Do the officials know what to do when they receive requests for information under the FOI Act?*
4. One measure that can ensure efficiency is if public institutions establish some basic rules and procedures to guide the submission of requests for information and system for responses to facilitate the smooth operation of the Act. Such rules may include, as indicated by the Attorney-General of the Federation and Minister of Justice in his Implementation Guidelines, a requirement that the responsible officer registers every application for information and issues acknowledgment receipts and tracking numbers to every applicant.
- *Are public institutions maintaining proper registers and issuing appropriate receipts or acknowledgments to applicants who request information as stated in the Attorney-*

### *General's Implementation Guidelines?*

5. The Act provides in Section 1(2) that an applicant should not be required to state any reason for requesting any information.
- *Do public institutions ask applicants why they need the information or what their interests are?*
6. The Act provides in Section 3(4) as well as in Section 1.8 of the Attorney-General's Implementation Guidelines that an official to whom an oral application is made should reduce the application into writing and give a copy to the applicant.
- *Are officials assisting those who cannot write either by reason of illiteracy or of physical disability, to reduce their applications into writing?*
7. The Act stipulates that public institutions must respond to applications for information within seven days. Is this timeframe being respected?
- *Which public institutions are complying with this time frame and which are not?*
8. The Act provides in Section 4(b) that where a public institution decides to deny an application for information, a written notice must be given to the applicant with reasons for the denial stating the section of the Act that the public institution relied upon to deny access.
- *Is this being done?*
9. The Act recognizes that some information held by public institutions may be sensitive and therefore exempts some types of information from the general right of access which the law grants to members of the public. These exemptions are contained in Sections 11, 12, 14, 15, 16, 17 and 19. However, the Act permits that where there is an overriding public interest involved or under certain other circumstances, even exempted information should be disclosed.
- *Are public institutions respecting these principles and requirements?*
  - *How are the exemptions specified in the Act being interpreted and applied by public institutions?*

- *Is the public interest test being applied before information that may be said to be exempted is denied an applicant?*

10. The Act outlines two circumstances under which the timeframe for response provided in the Law may be extended by a further period of no more than seven more days. These are in Section 6(a) and (b).

- *Are the timeframes being extended by the public institutions in accordance with these provisions?*
- *How often and what reasons, if any, are given for the extensions?*

11. The Act provides in Section 7(5) that where a case of wrongful denial of access is established, the defaulting officer or institution shall on conviction be liable to a fine of N500,000.

- *Is this provision being enforced?*
- *Are denials of access challenged in court?*
- *What has been the attitude of the courts where wrongful denial has been established?*

12. The Act provides that any applicant who is denied access to information can apply to the Court for a review of the matter. Such matters are to be heard and determined summarily by the Court.

- *Are summary procedures being adopted by the courts in these sort of cases such that will speed up the proceedings?*
- *How long does it take the courts to decide cases of denial of access to information?*

13. Section 8 of the Act provides that the fees that can be charged for access to records and documents are limited to standard charges for the duplication of documents and for transcription, where necessary

- *How are public institutions charging requesters for the information they provide?*
- *Are the charges consistent with the principles outlined in the Act?*
- *Are applicants being systematically denied access to information through exorbitant fees which they cannot*

*pay?*

14. Section 27 of the Act provides that regardless of any provision in the Criminal Code, Penal Code, the Official Secrets Act, or any other enactment, no civil or criminal proceedings should be instituted against an officer of any public institution, or against any person acting on behalf of a public institution for disclosing in good faith any information under the Act.

- *Are public officials are being sued for disclosing information, or being charged under the Criminal Code, Penal Code or Official Secrets Act for unauthorized disclosure of information?*
- *Are citizens, including journalists, being sued or charged for receiving or further disclosing information whose disclosure to them was not authorized?*

15. Under Section 29, each public institution is required to submit to the Attorney-General of the Federation on or before February 1 of each year, a report for the previous year with specific information about how it is implementing the Act. Each public institution is also required to make the report available to the public by different means, including by computer and telecommunications, or if computer and telecommunications means have not been established by the institution, by other electronic means. In addition, the Attorney-General is required to make each report, which has been submitted to him, available to the public in hard copies, online and also at a single electronic access point.

- *Are public institutions submitting the reports with the required information to the Attorney-General of the Federation?*
- *If so, are the submissions being made within the timeframe specified in the Act?*
- *Are the reports being made available to the public by the public institutions and the Attorney-General of the Federation in the various ways prescribed in the Act?*

16. Section 29(7) stipulates that the Attorney-General of the Federation must submit to the National Assembly an annual report on or before April 1 of each year.

- *Is the Attorney-General of the Federation submitting the required annual reports to the National Assembly?*
- *If so, do the reports contain the specific information required under the Act?*
- *Do the reports also contain detailed descriptions of the efforts made by the Ministry of Justice to encourage all government or public institutions to comply with the Act?*
- *Are the reports being submitted within the timeframe stipulated in the Act?*

#### 4.3 Information Provided on Application or Request

Most of the other sections of the Act deal with the provision of information on request. The Act sets out procedures for making requests for information, including how public institutions should deal with requests for information. It also sets out grounds upon which requests for information may be refused and the timeframes for responses.

An application for access to a record or information should be made in writing. Where an applicant makes an oral application for information or record, an authorized official of the government or public institution to whom the oral application for information or record is made, must reduce the application into writing in the manner prescribed under Section 3(1) of the Act and provide a copy of the written application to the applicant. (Section 3(4))

Illiterate applicants or applicants with disabilities who by virtue of their illiteracy or disability are unable to make an application for access to information or record in accordance with the provisions of the Act may make that application through a third party.(Section 3(3))

Any information or record applied for under the Act that does not exist in print but can by regulation be produced from a machine normally used by the government or public institution should be deemed to be a record under the control of the government or public institution.(Section 3(2))

Where information is applied for under the Act, the public institution to which the application is made, subject to the institution's right to extend the time for responding, must within seven days after the application is received:

- Make the information available to the applicant; or
- Where the public institution considers that the application should be denied, the institution must give a written notice to the applicant that access to all or part of the information will not be granted, stating reasons for the denial, and the section of the Act under which the denial is made.(Section 4(a) & (b))

Where a public institution receives an application for access to information, and the institution believes that another public institution has greater interest in the information, the institution to which the application is made may within three days but not later than seven days after the application is received, transfer the application, and if necessary, the information, to the other public institution. In such a case, the institution transferring the application must give a written notice of the transfer to the applicant. The notice should contain a statement informing the applicant that its decision to transfer the application can be reviewed by the Court.

Where an application is transferred as indicated above, the application will be deemed to have been made to the public institution to which it was transferred on the day that the institution to which it was transferred received it.

A public institution is deemed to have “a greater interest” in the information if:

- The information was originally produced in or for the institution; or
- In the case of information not originally produced in or for the institution, the institution was the first public institution to receive the information.

#### 4.4 Types of Information Covered by the Act

The types of information covered by the Act and which can be accessed under the Act include all records, documents and information stored in whatever

form, including written, electronic, visual images, sound, audio recording, etc. They are all potentially accessible to the public, unless the information is specifically exempted by the Act.

An applicant seeking to use the Act to obtain information may therefore apply for the following types of information:

- Paper records in the form of any written material such as books, files, letters, papers, diaries, forms, post-it notes, labels, cards, markings, personal notes scribbled in a note book or sheet of paper or other substance, computer print-outs, or any other writing that identifies or describes anything of which it is a part of or to which it is attached by any means.
- Electronic records, including information contained in or recorded or stored in any computer, disk, external drive, server, database, or any other device. These include emails, text messages, etc.
- Audio recordings contained in, recorded or stored in any tape, CD, DVD, computer, external drive, disk, voicemail, or any other device.
- Audio-visual records, including films, documentaries and similar materials contained in, recorded or stored in any tape, video, DVD, CD, computer, disk, external drive, server, or any other device.
- Photographs and graphics, including maps, plans, drawings, x-rays, microfiche, microfilm, negatives, charts, graphs, images, pictures, artworks, sketches, or other visual images that can with or without the aid of some other equipment be produced or reproduced.

#### **4.5 Information Exempted from General Access under the Act**

The Act is founded on the principle of maximum disclosure, which establishes a presumption that all information held by public institutions should be subject to disclosure and that this presumption may only be set aside in very limited circumstances.

These limited circumstances are the exemptions from the general right of

access to information under the Act. The exemptions are based on the recognition that some types of information held by public institutions may be sensitive in nature for a variety of reasons. The Act therefore exempts some categories of information from the general right of access which the law grants to the public.

However, in most of the cases, the exemptions are not absolute. Where an overriding public interest is involved or can be established, even exempted information may be disclosed. Even in cases where it is recognized that the disclosure of the information would cause some harm, such information may nonetheless be disclosed where the public interest in disclosing the information outweighs whatever harm the disclosure would cause.

There are two broad categories of information that are exempted from the general right of access to information under the Act. The first category consists of exemptions which are somewhat absolute in that there is no public interest override applicable and as such, there are no circumstances under which such information may be disclosed. The second category consists of exemptions to which the public interest test may be applied and such information may be disclosed where there is a public interest in disclosing such information and/or where the public interest in disclosing the information outweighs whatever harm may be caused by the disclosure.

##### **4.5.1 Exemptions without Public Interest Override**

- **Information subject to professional privilege is exempted:**  
Information that is subject to the following privileges:
  - Legal Practitioner-client privilege;
  - Health Workers-client privilege;
  - Journalism confidentiality privileges; and
  - Any other professional privileges conferred by an Act. (Section 16)

These exemptions are not malleable to any public interest override.

- **Information containing research materials by an academic institution:** Information containing course or research materials prepared by faculty members. (Section 17)

This exemption is not subject to any public interest override.

#### 4.5.2. Exemptions with Public Interest Override

- **Information which may be injurious to the conduct of international affairs or the defence of Nigeria is exempted:** Information whose disclosure may be injurious to the conduct of international affairs and the defence of Nigeria is exempted. (Section 11(1)). But such information must be disclosed where the public interest in disclosing the information outweighs whatever injury disclosure would cause. (Section 11(2))
- **Information which may jeopardize law enforcement activities or investigations or the right to a fair trial is exempted:** Information compiled by any law enforcement or correctional agency for law enforcement purposes or for internal matters of a public institution, whose disclosure would or could:
  - Interfere with pending, actual or reasonably contemplated law enforcement proceedings conducted by any law enforcement or correctional agency. However, this exemption only applies in the context of an investigation that pertains to the administration or enforcement of any Act, Law or Regulation or that is authorized by or carried out in accordance with any Act, Law or Regulation;
  - Interfere with pending administrative enforcement proceedings conducted by any public institution;
  - Deprive a person of a fair trial;
  - Disclose the identity of a confidential source;

- Constitute an invasion of personal privacy under the Act. However, this exemption to disclosure will not apply where the interest of the public would be better served by having such record being made available;
- Obstruct an ongoing criminal investigation;
- Reasonably be expected to be injurious to the security of penal institutions;
- Reasonably be expected to facilitate the commission of an offence.  
(Section 12(1))

However, any information applied for which falls within any of these exemptions must nonetheless not be denied where the public interest in disclosing the information outweighs whatever injury the disclosure would cause. (Section 12(2))

- **Personal Information is exempted:** Materials that contain personal information, including:
  - Files and personal information about clients, patients, residents, students, or other individuals receiving social, medical, educational, vocational, financial, supervisory or custodial care or services directly or indirectly from the public institutions;
  - Personnel files and information about employees, appointees or elected officials of any public institution or applicants for such positions;
  - Files and personal information maintained about any applicant, registrant or licensee by any public institution cooperating with or engaged in professional or occupational registration, or discipline;
  - Information required of any tax payer for the assessment or collection of any tax unless disclosure is otherwise required by



law; and

- Information revealing the identity of persons who file complaints with or provide information to administrative, investigative, law enforcement or penal agencies on the commission of any crime. (Section 14(1))

However, a public institution must disclose any material containing personal information if:

- The individual to whom the information relates consents to the disclosure; or
  - The information is already publicly available. (Section 14(2))
  - Where the disclosure of personal information would be of public interest and if the public interest in the disclosure clearly outweighs the protection of the privacy of the individual, the public institution to which a request for disclosure is made must disclose the information. (Section 14(3))
- **Information containing trade secrets, commercial or financial information that are proprietary, privileged or confidential is exempted:** Information that contains trade secrets and commercial or financial information obtained from a person or business where such trade secrets or information are proprietary, privileged or confidential, or where disclosure of the information may cause harm to the interests of the third party. However, the third party may consent to the disclosure, in which case the information must be disclosed.

Also exempted is information whose disclosure could reasonably be expected to interfere with the contractual or other negotiations of a third party; or proposal and bids for any contract, grants, or agreement, including information which if it were disclosed would frustrate a procurement or give an advantage to any person. (Section 15(1))

However, a public institution must, regardless of subsection (1) stated above, refuse to disclose any part of a record if that part contains the

result or product of environmental testing carried out by or on behalf of a public institution. (Section 15(2))

Where a public institution discloses information, or a part of it that contains the results of a product or environmental testing, the institution must at the same time when the information or a part of it is disclosed, provide the applicant with a written explanation of the methods used in conducting the test. (Section 15(3))

A public institution must also disclose any information described in Section 15(1) if that disclosure is in the public interest relating to public health, public safety or the protection of the environment and, if the public interest in disclosing the information clearly outweighs in importance any prejudice, financial loss or gain to the competitive position of or any interference with the contractual or other negotiation of a third party. (Section 15(4))

- **Information containing examination data, architectural plans and library circulation:** Materials that contain information on test questions, scoring keys and other examination data used to administer an academic examination or determine the qualifications of an application for a license or employment;

Also exempted are architects' and engineers' plans for buildings not constructed in whole or in part with public funds and for buildings constructed with public funds where the disclosure would compromise security; and library circulation and other records identifying library users with specific materials. (Section 19(1))

However, even where the information requested falls within any of these categories, the application must not be denied if the public interest in disclosing the information outweighs whatever injury that disclosure would cause. (Section 19(2))

#### 4.6. Institutions that can be Approached for Information

Any information, record or document, in any form, can be accessed

from any particular public institution covered by the Act or any private entity to which the Act applies, if:

- The information, record or document was prepared or created by the institution or entity.
- The information, record or document has been used by the institution or entity.
- The information, record or document is being used by the institution or entity
- The information, record or document has been received by the institution or entity.
- The information, record or document is in the possession or custody of the institution or entity.
- The information, record or document is under the control of the institution or entity.

#### **4.7 Timeframe for Responses to Requests for Information**

A public institution must respond to an applicant for information, including possibly providing the information or record requested within seven days. (Section 4)

There are only two circumstances under which this period may be extended. Even so, the extension can only be for not more than an additional seven days. The circumstances under which the period may be extended are:

- If the application is for a large number of records and meeting the original time limit would unreasonably interfere with the operations of the institution;(Section 6(a))
- If consultations necessary to comply with the application cannot be reasonably completed within the original time limit.(Section 6(b))

Under such circumstances, the institution must notify the applicant of the extension and state whether the reason for the extension falls under one of these circumstances and must also state in the notice that the applicant has a right to have the decision to extend the time reviewed by the court.(Section6(a)).

#### **4.8 Training of Public Officials**

The Act requires every government or public institution to ensure the provision of appropriate training for its officials in two areas, namely:

- On the public's right to access information or records held by government or public institutions, as provided for in the Act, which is an obligation of the public institution to sensitize its officials; and
- For the effective implementation of the Act, which is a requirement for the public institution to train its officials on how to implement the Act.

#### **4.9 Judicial Review**

An applicant who is refused access to information may apply to a court to review the refusal within 30 days after he or she is refused access to the information or is deemed to have been refused. The court has the power to extend the period of 30 days before or after its expiration and there is no limit on the period by which the court may extend it.

The court has the power to examine any record under the control of a public institution to which an applicant has been denied access to determine if it falls within one or more of the exemptions in the Act. If the court decides that the information is not exempted, it can order the public institution to disclose the information to the applicant.

Even if the information falls within one or more of the exemptions, in certain cases, the court may nonetheless order that the information be disclosed where it considers that the public interest in disclosing the information outweighs whatever injury the disclosure would cause.

Courts are required to deal with cases arising under the Act using summary

procedures to avoid delays.

In any court proceedings, the burden of proving that an application for information was rightly denied rests on the institution concerned.

The Courts have a wide discretion to impose any conditions they deem appropriate when making an order for the disclosure of information that was denied.

#### **4.10 Offences and Sanctions**

The Act creates two offences, each of which attracts a different sanction.

- The first offence is wrongful denial of access to information. It carries a N500,000 fine, on conviction.
- The second offence is the wilful destruction or falsification by any officer of a public institution of any record before releasing it to any person applying for it. This offence carries minimum term of one year imprisonment without any option of a fine.

#### **4.11 The Role of the Attorney-General of the Federation**

The Attorney-General of the Federation has broad oversight responsibility over all public institutions under the Act. He or she must also ensure that all institutions to which the Act applies comply with the provisions of the Act.

The Attorney-General is required to submit annual reports to the National Assembly on how the law is being implemented and complied with. The Attorney-General is required to submit his or her annual report to the National Assembly on or before April 1 of each calendar year.

The Attorney-General's report must include for the previous calendar year a listing of the number of cases arising under the Act, the exemption involved in each case, the disposition of such cases, and the cost, fees, and penalties assessed.

The Attorney-General's report must also include a detailed description of the efforts taken by the Ministry of Justice to encourage all government or public institutions to comply with the Act.

The Attorney-General is required to develop reporting and performance guidelines for all public institutions for their own reports on the implementation of the law as required by the Act.

#### **4.12 Reporting by Public Institutions**

All public institutions are required to submit annual reports to the Attorney-General of the Federation. The annual reports must be submitted on or before February 1 of each year.

Each public institution is also required to make its report publicly available by different means, including by telecommunications, computer and other electronic means.

Each public institution's report must include:

- The number of decisions made by the institution not to accede to applications for information made to such institution and the reasons for such decisions;
- The number of appeals made by persons under the Act and the reason for the action on each appeal that resulted in a denial of information;
- Whether a court has upheld the decision of the institution to withhold information and a concise description of the scope of any information withheld;
- The number of applications for information pending before the institution as at October 31 of the previous year and the average number of days that such application had been pending before the institution as at that date;
- The number of applications for information received by the institution and the number of applications which the institution processed;

- The average number of days taken by the institution to process different types of applications for information;
- The total amount of fees collected by the institution to process such applications; and
- The number of full-time staff of the institution devoted to processing applications for information, and the total amount expended by the institution for processing such applications.

#### 4.13 Supremacy of the Act

The Freedom of Information Act supersedes the provisions of all other Acts, Laws or Regulations, except the Constitution and those Laws with constitutional flavour. In particular, it supersedes the Official Secrets Act, the Evidence Act, the Criminal Code, the Penal Code and the Federal Public Service Rules. These instruments cannot be used to limit its scope or application.

Indeed, the Act specifically provides that no provision of the Criminal Code or the Official Secrets Act should be used against any public officer who, without authorization, discloses to any person, any information which he reasonably believes to show:

- A violation of any law, rule or regulation;
- Mismanagement, gross waste of funds, fraud, and abuse of authority; or
- A substantial and specific danger to public health or safety,

notwithstanding that such information was not disclosed pursuant to the provisions of the Act.

The Act also prohibits any civil or criminal proceedings against any person for receiving such information or for further disclosing it.

The Act does not limit in any way access to official information that have normally been available to the general public.

Indeed, the Act makes it clear that it “*is intended to complement and not replace existing procedures for access to public records and information and is not intended to limit in any way access to those types of official information that have been normally available to the general public.*” (Section 30(1))

However, the Act provides that where the question whether any public record or information should be made available arises under the Act, the question must be decided on the basis of the Act, unless that information or record is otherwise exempted by the Act. (Section 30(2)).

## CHAPTER FIVE

### 5.1 Making a Request for Information

#### 5.1.1 Who Can Apply for Information?

Under the FOI Act, “*every person*” has a right of access to records, documents and information held by public institutions. This right applies to legal (corporate bodies) and natural persons. In other words, both organizations and individuals can also apply for information.

#### 5.1.2 What Type of Information Can be Applied for?

The types of information which can be accessed under the Act include all records, documents or information stored in whatever form, including written, electronic, visual images, sound, audio recording, etc. They can all be accessed, unless the information is specifically exempted by the Act. An applicant may therefore apply for the following types of information:

- Paper records in the form of any written material such as books, files, letters, papers, diaries, forms, labels, cards, a notebook, computer print-outs, or any other writing.
- Electronic records, including information contained in or recorded or stored in any computer, disk, external drive, server, database, or any other device. These include emails, text messages, etc.
- Audio recordings contained in, recorded or stored in any tape, CD, DVD, computer, external drive, disk, voicemail, or any other device.
- Audio-visual records, including films, documentaries and similar materials contained in, recorded or stored in any tape, video, DVD, CD, computer, disk, external drive, server, or any other device.
- Photographs and graphics, including maps, plans, drawings, x-rays, negatives, charts, graphs, images, pictures, artworks, sketches, or other visual images.



## 5.2 Which Public Institution can be Approached for Information?

Any information, record or document, in any form, can be accessed from any particular public institution covered by the Act or any private entity to which the Act applies, if:

- The information, record or document was prepared or created by the institution.
- The record has been used by the institution.
- The record is being used by the institution.
- The record has been received by the institution.
- The record is in the possession or custody of the institution.
- The record is under the control of the institution.

The important consideration is that the institution has *custody* of the information.

## 5.3 How to Make a Request for Information

The FOI Act does not specify the details that an applicant should supply in an application for information. No Guidelines or Templates or application forms have been issued by the AGF or by public institutions for members of the public to guide applicants requesting information.

In general, the application for information should be addressed and sent to the FOI Officer of the public institution, who is the person designated by the public institution under the Act to receive such requests from the public.

Indeed, the Attorney-General of the Federation and Minister of Justice has directed in his Implementation Guidelines that the “effective implementation of the Act requires each Public Institution to designate a senior official (of at least Assistant Director level or its equivalent) as the head of a FOIA Unit.” The Unit should be responsible for making decisions on freedom of

information requests and generally ensuring compliance through the adoption of institutional best practices.

However, even if the institution has not designated an FOI Officer, this does not affect the applicant's right of access to information.

When requesting any information, record or document, it is important for the applicant to state clearly in the application that he or she is applying under the FOI Act. An application is still valid request even if this is not stated in the application.

But by stating clearly that he or she is applying under the FOI Act, the applicant removes any room for doubt in the event of any dispute later on. This is important for a number of reasons, including the following:

- Section 30(2) of the FOI Act provides that: “*Where the question whether any public record or information is to be made available, where that question arises under this Act, the question shall be determined in accordance with the provision stated herein, unless otherwise exempted by this Act.*” By making it clear that the information is being applied for under the FOI Act, any dispute over the applicant's right of access to information will have to be resolved in accordance with the provisions of the FOI Act.
- There are other laws such as the Public Procurement Act, 2007; the Nigerian Extractive Industries Transparency Initiative (NEITI) Act, 2007, etc. also have clauses on the disclosure of information but their procedures and enforcement mechanism are not as clear and as strong as those provided in the FOI Act. The FOI Act gives an applicant a stronger right of access to information than these other laws that an applicant may also use to apply for some types of information. By stating that the information is being applied for under the FOI Act, the applicant can take advantage of the strong enforcement mechanism and sanctions for wrongful denial of access under the FOI Act.
- The FOI Act is explicitly made superior to secrecy laws such as the Official Secrets Act, the Criminal Code, the Penal Code, the Federal Public Service Rules, etc. These other laws can therefore not be used

to withhold information from an applicant when it is made under the FOI Act. By mentioning that the information is being applied for under the FOI Act, the public officials dealing with the applicant's requests are reminded that they have to take this fact into account and deal with the application much more seriously.

An application for information, records or documents should include the name, address and other contact details of the applicant as would be included in any normal official correspondence.

It is advisable that when making a request, the application should contain sufficient detail to enable the public institution identify the record, document or information being applied for.

This will increase the likelihood of the applicant being able to get the information, record or document requested.

The request for information should be simple and straightforward. The applicant should describe the information, record or document that he or she is applying for as clearly and as precisely as possible.

The more specific the applicant is in your description, the easier it will be for the public institution to find it and the more difficult it will be for the public institution to evade the request.

The applicant should include in the application any information he or she has that may make the document, record or information that he or she is requesting easier to locate.

The applicant should include any, some or all of the following, if he or she has the information and where applicable:

- The title of the document or record.
- The date on which the document or record was issued or made.
- The reference number of the document, if any.

- The name of the author of the document, if any.
- The file number of the record, if any.

The applicant should ensure that the information being requested is as specific as possible. He or she should avoid making requests that are too broad or general such as “***I request all the information, records and documents you have on waste disposal in the State.***”

The applicant should indicate in the application the form in which he or she would like to be given access to the information, record or document requested. The applicant can indicate whether he or she wants to be given photocopies or printouts or electronic copies by email or in a disk.

It is advisable that the applicant also indicates in the application that he or she expects to receive the information, record or document promptly, but in any case no later than the 7 days provided by the law.

#### **5.4 Reasons for the Request**

The applicant should always remember that he or she does not have to give any reason or explanation for requesting any information, record or document. The applicant does not have to show that the document, record or information affects him or her or concerns him or her or is in any way connected to him or her.

The applicant has a right to apply for any information at all that is not exempted under the FOI Act without having to demonstrate an interest in the information.

#### **5.5 Timeframe for Responses**

A public institution is required to respond to an applicant for information, including possibly providing the information or record requested within seven days.

Where this is not possible, the applicant ought to be notified and given the reason for the delay. The reason should be consistent with the circumstances outlined in the FOI Act.

## 5.6 Tracking and Following-Up

The applicant should follow-up on his or her request for information by tracking the status of the request. The Attorney-General of the Federation and Minister of Justice has directed each public institution to assign a tracking number to each request and give the tracking number to the person making the request. The applicant should therefore ensure that he or she asks for and obtains a tracking number for the application to enable follow-up.

The Attorney-General of the Federation has also directed that each public institution should establish a telephone line or Internet service that persons requesting information under the Act may use to inquire about the status of their requests.

The applicant should therefore make sure that he or she asks for and obtains the telephone number or internet or email address through which he or she can enquire about the status of the request.

## 5.7 Fees for Access to Information

Access to records and documents under the Act is not free and fees may be charged. However, the Act provides that the fees that can be charged are limited to standard charges for the duplication of documents and for transcription, where necessary. No other form of fees can be charged under the FOI Act.

According to the Implementation Guidelines issued by the Attorney-General of the Federation, the FOI Act “does not authorize the imposition of an administrative fee to cover the manpower costs of researching and collating requested information.”

An applicant who is charged fees should ensure that they are consistent with the fee schedule stipulated by the Attorney-General of the Federation.

Indeed, in order to standardize fees across all public institutions, the Attorney-General of the Federation has established a fee schedule for accessing information under the FOI Act. The fees are contained in the revised Guidelines on the Implementation of the FOI Act issued by the Attorney-

General.

The fee schedule is titled: “*Range of Fees Chargeable for Duplication of Records under the FOIA 2011*”. Under the schedule, the Attorney-General of the Federation indicates the following charges:

The cost of photocopying records or documents is a maximum of N10 per page.

The cost of scanning and printing documents is a maximum of N10 per page.

There is no charge for simply scanning a record and saving it to a file in a storage device, if the applicant is not asking for hard copies.

The cost of copying information to a compact Disc, where the CD is provided by the public institution is a maximum of N100 per CD.

The cost of copying information to USB drives, where the USB drive is provided by the public institution, is N1,500 for a USB of 1GB or less.

The cost of copying information to USB drives of between 1GB and 2.5 GB is N2,500, where the drive is provided by the public institution.

The charge for copying information to USB drives of more than 2.5GB capacity is N5,000 per USB drive provided by the public institution.

The Guidelines state that where the cost of copying or transcription is negligible, the information may be provided to the applicant free.

It also stipulates that where it will cost the same or more to collect the fees than the amount being collected, the information may be given to the applicant free.

## 5.8 Types of Responses

An applicant should expect to receive one of several different types of responses from a public institution to which he or she has applied for information. The institution may decide to give the applicant the information requested, in which case it should ordinarily do so within seven days.

However, the institution may decide to deny the application. In such a case, the institution should give the applicant a written notice that access to the information or part of it will not be granted.

The notice should contain the reasons for the denial and the section or sections of the Act which the institution is relying on to deny the applicant the information.

Where the application is refused, the notice should state that the applicant has a right to challenge the refusal in Court.

The notice should contain the names, designation and signature of every person responsible for the refusal. The institution must also indicate in the notice whether the information or record applied for actually exists.

Where the institution fails to give the applicant the information applied for within the time limit set in the Act or simply ignores the applicant, the institution is deemed to have refused to give the applicant access.

**5.9 List of Relevant Public Institutions**

- 1. Independent National Electoral Commission (INEC)
- 2. The Nigerian Police
- 3. The Nigerian Army
- 4. Directorate of State Security/State Security Service (DSS/SSS)
- 5. Nigerian Security and Civil Defence Corps (NSCDC)
- 6. National Orientation Agency (NOA)
- 7. National Broadcasting Commission (NBC)
- 8. Broadcasting Organization of Nigeria (BON)
- 9. Electoral Offences Commission (EOC)
- 10. Political Parties
- 11. The Media
- 12. The Judiciary
- 13. Nigerian Prisons Service
- 14. National Drug Law Enforcement Agency
- 15. Economic and Financial Crimes Commission

- 16. IndependentCorrupt Practices Commission
- 17. Federal Road SafetyCorps
- 18. Nigeria Customs Service
- 19. Nigeria Immigration Service
- 20. NationalAgency for Food and Drug Administration and Control (NAFDAC)
- 21. National Emergency Management Agency (NEMA)
- 22. State Emergency Management Agency (SEMA)
- 23. Nigerian Inland Waterways Authority (NIWA)
- 24. Nigerian Prisons
- 25. Nigeria Security Printing And Minting Company
- 26. Hospitals/Medical Associations/Unions
- 27. Eateries/Food Vendors/Restaurants Associations
- 28. Police Community Relations Committee
- 29. Transporters/Transport Associations
- 30. Motorbike (Okada) Riders Associations
- 31. Independent National Electoral Commission (State Offices)
- 32. Vigilante Corps/Group

## APPENDIX 1

### List of Domestic, Regional and International Instruments Governing the Conduct of Elections

1. African Union Declaration on the Principles Governing Democratic Elections in Africa, AHG/Decl.1 (XXXVIII), 2002

<http://www.au-elections.org/documents/auob.pdf> - Annex 1 in the pdf, pages 90-98

2. Lomé Declaration of July 2000 on the framework for an OAU response to unconstitutional changes of government (AHG/Decl.5 (XXXVI)

[http://www2.ohchr.org/english/law/compilation\\_democracy/lomedec.htm](http://www2.ohchr.org/english/law/compilation_democracy/lomedec.htm)

<http://www.au.int/en/content/lome6-%E2%80%93-july-2000-council-ministers-organization-african-unity-meeting-its-seventy-second->

3. Algiers Decision of July 1999

<http://www.au.int/en/content/algiers-12-14-july-1999-assembly-heads-state-and-government-thirty-fifth-ordinary-session-oa>

<http://www.au.int/en/decisions/assembly>

4. African Charter For Popular Participation In Development And Transformations

<http://www.afrimap.org/english/images/treaty/file4239ac8e921ed.pdf>

<http://www.ircwash.org/resources/african-charter-popular-participation-development-and-transformation-arusha-1990#>

<http://www.ircwash.org/resources/african-charter-popular-participation-development-and-transformation-arusha-1990>

5. The Cairo Agenda for Action

<http://www.au.int/en/content/addis-ababa-26-28-june-1995-assembly-heads-state-and-government-thirty-first-ordinary-session>

[http://www.au.int/en/sites/default/files/tmp/ASSEMBLY\\_EN\\_26\\_28\\_JUNE\\_1995\\_ASSEMBLY\\_HEADS\\_STATE\\_GOVERNMENT\\_THIRTY\\_FIRST\\_ORDINARY\\_SESSION.pdf](http://www.au.int/en/sites/default/files/tmp/ASSEMBLY_EN_26_28_JUNE_1995_ASSEMBLY_HEADS_STATE_GOVERNMENT_THIRTY_FIRST_ORDINARY_SESSION.pdf)

[http://books.google.com.ng/books?id=G5VxiTK-wC&pg=PA407&lpg=PA407&dq=Cairo+Agenda+for+Action+\(1995\)&source=bl&ots=KbtsUM7eq1&sig=xuQiIUogTUaSluGbl4wBcqBumOM](http://books.google.com.ng/books?id=G5VxiTK-wC&pg=PA407&lpg=PA407&dq=Cairo+Agenda+for+Action+(1995)&source=bl&ots=KbtsUM7eq1&sig=xuQiIUogTUaSluGbl4wBcqBumOM)



<http://www.peaceau.org/uploads/ahg-decl-3-xxix-e.pdf>  
<http://www.peaceau.org/uploads/ahg-decl-4-xxxvi-e.pdf>

6. Declaration Of The Assembly Of Heads Of State And Government On The Establishment Within The OAU Of A Mechanism For Conflict Prevention, Management And Resolution

<http://www.peaceau.org/uploads/ahg-decl-3-xxix-e.pdf>

<http://www.peaceau.org/uploads/ahg-decl-4-xxxvi-e.pdf>  
<http://www.paxafrica.org/areas-of-work/outreach-advocacy-and-capacity-building/outreach-advocacy-and-capacity-building-documents/conference-on-security-stability-development-and-cooperation-in-africa-cssdca-solemn-declaration/view>

7. **Conference on Security, Stability, Development and Cooperation in Africa (CSSDCA) Solemn Declaration** (AHG/Decl.4 (XXXVI), 2000 (Excerpts)

<http://www.paxafrica.org/areas-of-work/outreach-advocacy-and-capacity-building/outreach-advocacy-and-capacity-building-documents/conference-on-security-stability-development-and-cooperation-in-africa-cssdca-solemn-declaration/view>

[http://www2.ohchr.org/english/law/compilation\\_democracy/cssdca.htm](http://www2.ohchr.org/english/law/compilation_democracy/cssdca.htm)  
8. The New Partnership for Africa 's Development (NEPAD) Abuja , Nigeria , October 2001 (Excerpts)

[http://www2.ohchr.org/english/law/compilation\\_democracy/nepad.htm](http://www2.ohchr.org/english/law/compilation_democracy/nepad.htm)  
[http://www.nepad.org/system/files/NEPAD%20Framework%20\(English\).pdf](http://www.nepad.org/system/files/NEPAD%20Framework%20(English).pdf)

<http://www.nepad.org/nepad/knowledge/doc/1767/nepad-framework-document>  
<http://www.dfa.gov.za/au.nepad/nepad.pdf>

9. **African Charter on Human and Peoples' Rights**  
<http://www.achpr.org/instruments/achpr/>  
[http://www.achpr.org/files/instruments/achpr/banjul\\_charter.pdf](http://www.achpr.org/files/instruments/achpr/banjul_charter.pdf)  
<http://www.humanrights.se/wp-content/uploads/2012/01/African-Charter-on-Human-and-Peoples-Rights.pdf>  
<http://www.hrcr.org/docs/Banjul/afrhr.html>  
<http://www.refworld.org/docid/3ae6b3630.html>  
[http://www2.ohchr.org/english/law/compilation\\_democracy/au.htm](http://www2.ohchr.org/english/law/compilation_democracy/au.htm)

10. Constitutive Act of the African Union  
[http://www2.ohchr.org/english/law/compilation\\_democracy/africanunion.htm](http://www2.ohchr.org/english/law/compilation_democracy/africanunion.htm)  
[http://www.au.int/en/sites/default/files/ConstitutiveAct\\_EN.pdf](http://www.au.int/en/sites/default/files/ConstitutiveAct_EN.pdf)

[http://www.au.int/en/about/constitutive\\_act](http://www.au.int/en/about/constitutive_act)

<http://www1.uneca.org/Portals/ngm/Documents/Conventions%20and%20Resolutions/constitution.pdf>

[http://www.au2002.gov.za/docs/key\\_oau/au\\_act.htm](http://www.au2002.gov.za/docs/key_oau/au_act.htm)

<http://www.refworld.org/docid/4937e0142.html>

[http://www.wipo.int/wipolex/en/regeco\\_treaties/details.jsp?group\\_id=24&treaty\\_id=221](http://www.wipo.int/wipolex/en/regeco_treaties/details.jsp?group_id=24&treaty_id=221)

<https://treaties.un.org/pages/showDetails.aspx?objid=0800000280089269>  
<https://treaties.un.org/doc/Publication/UNTS/Volume%202158/Part/volume-2158-I-37733.pdf>

11. African Charter On Democracy, Elections And Governance

[http://www.ipu.org/idd-E/afr\\_charter.pdf](http://www.ipu.org/idd-E/afr_charter.pdf)

<http://www.au.int/en/content/african-charter-democracy-elections-and-governance>

[http://www2.ohchr.org/english/law/compilation\\_democracy/](http://www2.ohchr.org/english/law/compilation_democracy/)

<http://www.au.int/en/treaties>

## APPENDIX 2

### Draft FOI Requests Fine-tuned for the 2015 General Elections

#### Requests for Federal Institutions/Agencies and Other Relevant Entities in Abuja.

##### A. Independent National Electoral Commission

Please provide us with details of the voter education and citizen engagement activities that the Independent National Electoral Commission (INEC) is undertaking and has planned ahead of the 2015 elections, including the following specific information:

1. The nature of the activities being undertaken.
2. The scope of such activities, i.e. the states or local governments of the Federation where they are being or are to be carried out.
3. The names and addresses of the agencies or entities carrying out these activities on behalf of INEC.
4. Details of the activities being carried out by each entity or agency.
5. The period during which each activity will be undertaken.
6. The detailed budget for each activity.
7. The total cost for all the training activities.
8. Copies of the curriculum being used for each of the different training activities.

Has INEC established the Independent National Electoral Commission Fund? If so, provide us with the following details:

1. When was the Fund established?
2. How much has accrued to the Fund to date?
3. What are the sources of contributions to the Fund?
4. What are the details of the contributions so far made to the Fund?
5. In which bank or banks are the Funds being held?
6. Details of disbursements so far made from the Fund. Please indicate the purpose for each disbursement made.
7. Has INEC established rules to govern disbursements from the Fund? If so, please provide us with a copy of the rules so established.
8. Who are the signatories to the bank accounts in which the funds are

held?

9. Please provide us with detailed information of donor support or contributions to INEC's preparation for the 2015 elections, including the names and addresses of each donor or development partner that has made a contribution, the volume of financial contribution made by each of them, and the value of other in-kind support provided.

Please make available to us copies of the following documents:

1. Budget proposals submitted by INEC to the Federal Ministry of Finance annually from 2010 to 2014 with details of INEC's estimate of its income and expenditure.
2. Financial statements and accounts of INEC submitted to the Auditor-General of the Federation for the financial years 2010 to 2013.

Please provide us with the following information regarding INEC's budget for the 2015 elections:

1. The total cost estimate for the conduct of the 2015 elections and the detailed budget estimate by INEC.
2. How much of this has been approved by the Federal Government?
3. How much of the approved funds have been disbursed to INEC by the Federal Government?
4. Details of the schedule of disbursements of the outstanding portions of the approved funds.
5. How much has the Commission spent so far in preparation for the upcoming elections? What were the funds used for?
6. How much more is needed to ensure adequate preparation for the 2015 elections? What would this amount cover?

Please provide us with the following documents and information:

1. The current updated national Register of Voters, broken down according to States and Local Governments.
2. When will the final Register of Voters to be used for the 2015 elections be ready and publicly available?
3. The total number of Permanent Voters Cards (PVCs) so far distributed across the country, broken down by States.

4. What strategies is INEC putting in place to deal with lapses that may arise in the production and distribution of PVCs to enable those who do not have theirs, but are registered, to still vote.
5. What is the total cost or estimated total cost of producing the final Register of Voters?
6. How many Permanent Voters Cards does INEC plan to produce ahead of the 2015 elections? Please indicate the number per State.
7. What is the total cost or estimated total cost of producing the Permanent Voters Cards for all registered voters in the country?
8. What entity has been given the task or contract of producing the Permanent Voters Cards?
9. Please provide us with detailed information on the process for the award of the contract to the entity that has been tasked with producing the Permanent Voters Cards.
10. How many offenders have been identified by INEC in the process of cleaning and updating the Register of Voters?
11. What measures or actions have been taken against persons identified to have committed offences relating the registration of voters?
12. How many such individuals suspected of having committed offences relating to the registration of voters have been apprehended and/or prosecuted?
13. What mechanisms is INEC putting in place to apprehend and prosecute electoral offenders in the run up to, during and after the 2015 elections?
14. What are the risk-management strategies or measures put in place to deal with technology glitches or other technical challenges in the voter registration process.
15. In our previous experience from observing elections, there have been a number of electoral malpractices, including inducements and campaigns outside of specified campaign periods which were not addressed by INEC. What are the plans put in place by INEC to address such situations during the 2015 elections?

Concerning security deployments during elections, please provide us with the following information:

1. What roles will uniformed services and agencies, such as the Customs, the Air Force, the Army, Navy, Civil Defence, etc play in the different States where they have a presence?

2. Who is in charge of coordination of the activities of law enforcement and security agencies prior to, during and post elections.
3. Who determines the number of security personnel to be deployed to different locations and the duration of their deployment?
4. Who commands the security personnel that are deployed for pre, during and post-election duty?
5. Who determines the training requirements of security personnel to be deployed for election duty and who provides the training?
6. Who is responsible for the welfare and logistic support for security personnel while on election duty?
7. In view of the current security challenges in some parts of the country, particularly in some States in the North East and the North West, what plans is INEC making to ensure that elections hold in those areas?
8. What indicators will INEC use in assessing whether the situation in these parts of the country is conducive to the conduct of elections in such states?
9. Who will be responsible for ultimately taking the decision whether or not to hold elections in the affected parts of the country?
10. What measures are being taken to checkmate the impersonation of security officers during elections?
11. What measures are being taken to ensure that unarmed security personnel can effectively tackled armed hoodlums and thugs during elections?

Please provide us with detailed information about the handling of election results, particularly the officials responsible for transmitting election results from:

1. The Polling Unit to the Ward Collation Centre;
2. The Ward Collation Centre to the Local Government/Area Council Collation Centre;
3. The Local Government/Area Council Collation Centre to the State Collation Centre;
4. The State Collation Centre to the National Collation Centre.
5. How many candidates nominated by the political parties did not meet the qualifications stipulated in Section 31 of the Electoral Act?
6. How many of such candidates have been prosecuted or are proposed to be prosecuted in accordance with Section 31(8)?
7. Please provide us with detailed information about the voting

procedures to be adopted for the 2015 elections and, in particular, how the secrecy of the vote can truly be guaranteed for voters.

8. Please provide us with detailed information about the number of full time staff that INEC has all over the country. Indicate how these numbers are distributed in all States and Local Governments of the Federation.
9. Does INEC have a procurement policy to guide its procurement of goods, works and services? If so, kindly provide us with a copy of the procurement policy.
10. Does INEC operate under the Public Procurement Act, 2007? If so, what procurement activities does INEC require or request waivers from the application of the Public Procurement Act?
11. Does INEC have a schedule for the procurements of various materials and services that will be required ahead of the 2015 elections? If so, please provide us with a copy of the schedule for procurements.
12. Where, when and how does INEC intend to print various election materials for the 2015 elections, including ballot papers, result sheets, and other sensitive documents?
13. What measures have been put in place to address the issue of change of polling units without public notice?
14. What plans have INEC put in place to tackle the omission of names in the Voters Register?

Please provide us with copies of all solicitation for bids (advertisements), the number of bids submitted for each, the reports for the technical and financial evaluation of the bids, the contract award documents and procedure of award with respect to the following contracts:

1. The printing of ballot papers;
2. Hiring or leasing of vehicles for distribution of election materials;
3. Supply of ballot boxes;
4. Supply of voting cubicles;
5. Direct Data Capture Machines;
6. PV Card Reader;
7. Kits for Election Officials.

Does INEC plan to engage the services of a logistics firm to assist it in managing logistics for the 2015 elections? If so, please provide us with the following details:

1. Terms of Reference for the logistics firm;
2. The procedure adopted or to be adopted in the selection of the firm;
3. Required competencies that such a firm must have;
4. The professional fees paid or to be paid to the firm;
5. If a firm has been engaged, the name and address of the firm;
6. When the firm is expected to start work and duration of the contract between INEC and the firm;
7. The conditions of the contract between INEC and the firm;
8. The performance indicators set for the firm.

Please provide us with information regarding INEC's engagement with political parties, including the following:

1. The powers, functions and role of the Inter-Party Advisory Council.
2. How regularly the Council meets?
3. How is the Council funded?
4. Does INEC fund political parties? What is the funding arrangement and how are funding levels determined or calculated? Please provide us with details of the amounts that have been disbursed to each political party from 2010 to date.
5. Provide us with the list of current political parties, including the date of registration for each of the political parties.
6. What are the criteria set out by your office to approve and disapprove party agents?
7. What actions or activities has INEC put in place to check political parties' misconduct during elections?

Please provide us with the following information:

1. How many DDC machines does INEC have presently?
2. How many of these DDC machines are functional and in use?
3. How many DDC machines will be required for the continuous voter registration exercise?
4. What has happened to the DDC machines purchased by INEC ahead of the 2007 and 2011 elections? Please give us detailed information about the process followed by INEC for the disposal of its equipment, including the DDC machines.
5. Please provide us with detailed information about the different means

of transportation that will be used for the distribution of materials and personnel for the 2015 elections, including the number of each of these that will be required.

6. Please provide us with a list of all the polling units established by INEC around the country, broken down by States and Local Governments, with the number of voters allotted to each polling unit.
7. Please provide us with detailed information on the process for accrediting party agents to observe voting and the distribution of election materials from INEC offices to polling booths. This information should include measures taken by INEC to prevent impostors from standing as polling or party agents.
8. What plans does INEC have in case there is a medical emergency on Election Day?
9. Similarly, what is the deadline for election materials to get to polling units before accreditation and voting start?
10. What plan does INEC have in place to ensure that personnel do not leave their duty post in search of conveniences (e.g. food) during Election?
11. Do you have a deadline by which election materials must arrive in all the state capitals, ahead of Election Day? If so, what is the deadline?
12. What measures are you putting in place to prevent pre-Election violence crimes such as kidnapping, assassinations, mob attacks

We understand that INEC has created an Inter-Agency Consultative Committee on Election Security (ICCES) to ensure coordinated engagement of all the security agencies during election periods. Please provide us with information about this Committee, particularly the following:

1. What security, law enforcement and other agencies sit on this Committee?
2. Who heads or chairs the Committee?
3. How often does the Committee meet?
4. What are the precise functions of the Committee?
5. Does the Committee have any document guiding its operations and activities? If so, kindly make available to us a copy of all such documents.

Please provide us with details of the ballot boxes procured or planned to be procured for the 2015 elections, including the following:

1. The entity contracted to supply the ballot boxes.
2. A description of the type of ballot boxes to be used in the elections.
3. The cost of each ballot box and the total amount for the procurement of all the ballot boxes.
4. How the ballot boxes used in the 2011 elections were disposed of?

Please provide us with details of the ballot papers procured or planned to be procured for the 2015 elections, including the following:

1. The entity contracted to print or supply the ballot papers.
2. The number of ballot papers being printed for the 2015 elections, broken down by the number to be allotted to each State of the Federation and Abuja.
3. The total amount for the procurement or printing of all the ballot papers.
4. Where the ballot papers are to be printed or were printed.
5. When the printing or supply of the ballot papers is scheduled to be completed.

Please provide us with detailed information regarding arrangements being made by INEC for the participation of persons with disabilities in the 2015 elections, including the following:

1. Please provide us with detailed statistical information on the number of persons with disabilities in the Register of Voters, indicating the types of disabilities, numbers, percentages and locations (polling units) for each of the categories of disabilities
2. What mechanisms is INEC putting in place to ensure the accessibility and suitability of polling units to persons with disabilities?
3. What percentage of registered voters are visually impaired?

We understand that INEC is in the process of producing Braille facilities to aid voting by persons who are visually impaired. Kindly provide us with details about this, including the following information:

1. Whether the facilities will be available for use or deployment in the 2015 elections.
2. The number of such facilities that are being developed, produced or

- procured.
3. How these numbers will be distributed around the country.
4. The cost of developing, producing or procuring these facilities.
5. The entity tasked with or contracted to develop, produce or supply the facilities.
6. The expected date of supply or delivery of the facility.
7. The process followed in the award of the contract for the development, production or supply of the facilities.

Please provide us with details of training and capacity-building activities undertaken or planned by the Independent National Electoral Commission (INEC) for its personnel and ad hoc staff, including the following:

1. How many ad hoc staff does INEC intend to engage for the 2015 elections?
2. Does INEC have a database of ad hoc staff that the Commission has engaged in the past?
3. Does INEC plan to engage ad hoc staff for the 2015 elections that have been previously engaged or used by the Commission for election activities?
4. The categories of personnel that have been trained.
5. The nature of training that was given to each category of personnel.
6. The number of people that benefited from the training for each category.
7. Other training activities that have been planned by INEC ahead of the 2015 elections.
8. The categories and numbers of personnel that will benefit from the planned training activities.
9. A detailed budget for the training activities, including the total cost.
10. Detailed information on the sources of funding for each of the training activities.
11. What are the plans being put in place regarding the welfare of ad hoc staff, such as feeding, transportation, accommodation, etc. during election periods?
12. Does INEC have a code of conduct to regulate the behaviour and operations of ad hoc staff? If so, please provide us with a copy of the Code of Conduct. How is this enforced?
13. Is INEC making arrangements for the provision of necessary support

- services for election personnel such as medical attention, where required, transportation, feeding, etc.?
14. What measures or plans does INEC have in place to ensure ad hoc staff are not influenced by politicians or other interest groups?

Please make the following information available to us:

1. What plans is INEC putting in place to comply with and enforce the provisions of Section 81 of the Electoral Act, 2010 as amended, which prohibits the recruitment, training or equipping of thugs under the Constitution.
2. Copies of the most recent political party monitoring reports issued by INEC or on behalf of INEC in accordance with Section 86(1) of the Electoral Act, 2010 as amended.
3. How does INEC plan to enforce the provisions of Section 87 of the Electoral Act 2010 regarding the nomination of candidates for elections by political parties?
4. What plans and mechanisms has INEC adopted to monitor the sources of finance of political parties in accordance with Section 88 of the Electoral Act, 2010 and to enforce the provisions of the Law.
5. The year 2013 most recent copies of the Statements of assets and Liabilities as well as analysis of sources of funds and other Assets and statement of expenditure submitted by political parties to INEC in accordance with Section 89(1) of the Electoral Act, 2010 as amended.
6. Has INEC exercised its power under Section 90(1) of the Electoral Act to place limitation on the amount of money or other assets which an individual or group of persons can contribute to a political party? If yes, please provide us with the details of the limitations stipulated by the Commission.
7. How does INEC monitor compliance with the limitations stipulated?
8. Please provide us with copies of reports that have been issued by INEC or on behalf of INEC as part of its monitoring or audit activities in this regard.
9. In how many cases has INEC determined that the limitations have been exceeded by any individual or group of persons? In such cases, what actions has INEC taken against breaches?
10. How does INEC monitor compliance with the limitation on election expenses incurred by political parties during election periods?
11. Please provide us with copies of reports that have been issued by INEC

or on behalf of INEC as part of its monitoring or audit activities in this regard.

12. In how many cases has INEC determined that the limitations have been exceeded by any political party? In such cases, what actions has INEC taken against such political parties that are in breach?

The Chairman of INEC, Prof. AttahiruJega, informed the House of Representatives Committee on the Reform of Government Institutions (Committee on FOI) on June 9, 2014 that a programme for the review of electoral constituencies and creation of additional polling units has been commenced by INEC. Please provide us with the following information in this regard:

1. What agency or entity is involved in the review of the constituencies?
2. Has this programme been concluded? If not, when is it expected to be concluded?
3. What is the outcome or expected outcome of the review of the electoral constituencies? Have new constituencies been created or are new constituencies expected to be created as a result of this exercise? If so, how many?
4. Please provide us with a list of the constituencies all over the country where elections will be held in 2015 for the various categories of elections.
5. Prior to the current exercise, when was the last time constituencies were delineated for purposes of elections?
6. How many additional polling units have been created or are expected to be created as a result of this exercise?
7. What is the total number of polling units that INEC expects to have for the 2015 elections?
8. What is the maximum number of voters that are expected to vote in any polling unit?

Please provide us with information on INEC's Legal Framework for the 2015 elections thus;

1. What aspects of the legal framework does the Commission require to be amended to give it the necessary legal empowerment to facilitate the elections?
2. What is the deadline envisaged by INEC for the amendment of the

legal framework by the National Assembly?

3. What steps has the Commission taken to encourage and facilitate the required legislative backing?
4. What plans does INEC have to ensure that any late amendment of the Electoral Act does not affect its ability to organize the 2015 elections?
5. What is the fall back plan if the legal framework is not amended by the National Assembly within the given time?

Provide us with the following information as regards reporting of activities during and after the 2015 Elections:

- a. Has INEC established reporting mechanisms for each activity undertaken in preparation for the 2015 elections in keeping with the principles of transparency, openness and accountability?
- b. Does INEC have any plans to publish a comprehensive report on the pre-to post-election processes?
- c. Would these reports be proactively made available to the public?

Provide us with the following information on INEC's Compliance and/or readiness to comply FOI requests;

1. How many requests for information under the FOI Act 2011 has your institution received annually since the law was passed in 2011?
2. How many of these requests did your organization respond to?
3. How many of the responses resulted in your giving out the information requested?
4. Were responses given within 7 days after the applications were received?
5. How many information requests has your organization ignored or otherwise failed to respond to?
6. How many information requests has your organization denied? Were reasons stated for the denial?
7. Does your institution have an officer designated to handle applications for information in compliance with the provisions of the FOI Act?
8. Has your institution organized or participated in any training on the FOI Act? If yes, which? If no, are there any plans to train staff of the institution?
9. Has your institution used the FOI Act to access information from other institutions?

10. In keeping with Section 2(1) and 9(1) of the FOI Act 2011, does your institution keep information and records about ALL its activities, operations, personnel, businesses? If yes, what policies, measures, strategies or system are enforced to ensure that such information are recorded and kept?
11. In compliance with Section 2(2) does your institution ensure the proper organization and maintenance of ALL information or record in its custody in a manner that facilitates public access to information? If so, what manner/strategy does your organization employ to ensure proper organization and maintenance of all information?
12. Has your organization proactively disclosed all the information it is required to publish under Section 2 (3) and (4) of the Act?

#### **B. Nigerian Navy**

In light of the 2015 Elections, please provide us with the following information:

1. What arrangements or preparations does the Nigerian Navy have on ground towards the 2015 elections?
2. In how many states does Navy have a presence? What is the strength of its presence in each of these states?
3. Will the Nigerian Navy be providing life-saving and other water-related equipment, e.g. life-jackets, boats, canoes, for election personnel operating in each of the states where it has a presence during the elections? If so, please give us a list of the life-saving and other water-related equipment that NN will be providing?
  - a. How many of each of such equipment will NN be providing in each State where it has a presence?
  - b. How many of each such equipment are actually required?
  - c. What is the cost of providing each of such equipment?
  - d. Who is paying for the cost of NN providing each of these equipment?
4. Will NN be providing rescue support in riverine areas during the elections? If so, what arrangements have been put in place to ensure adequate support in this regard?
5. Will NN be providing training support for election officials and personnel? If so, what type of training and what categories of election personnel are being trained or to be trained?
6. Is NN working in partnership with other agencies such as INEC? If so, is there any formal agreement or memorandum of understanding guiding the partnership? Please provide us with a copy of the

- partnership agreement or memorandum of understanding?
7. What other form of support will NN be providing for the elections?

#### **C. Nigerian Inland Waterways Authority (NIWA)**

1. In light of the 2015 Elections, please provide us with the following information:
  - a. What arrangements or preparations does NIWA have on ground towards the 2015 elections?
  - b. In how many states does NIWA have a presence? What is the strength of its presence in each of these states?
2. Will NIWA be providing life-saving and other water-related equipment, e.g. life-jackets, boats, canoes, for election personnel operating in each of the states where it has a presence during the elections? If so, please give us a list of the life-saving and other water-related equipment that NIWA will be providing?
  - a. How many of each of such equipment will NIWA be providing in each State where it has a presence?
  - b. How many of each such equipment are actually required?
  - c. What is the cost of providing each of such equipment?
  - d. Who is paying for the cost of NIWA providing each of these equipment?
3. Will NIWA be providing rescue support in riverine areas during the elections? If so, what arrangements have been put in place to ensure adequate support in this regard?
4. Will NIWA be providing training support for election officials and personnel? If so, what type of training and what categories of election personnel are being trained or to be trained?
5. Is NIWA working in partnership with other agencies such as INEC? If so, is there any formal agreement or memorandum of understanding guiding the partnership? Please provide us with a copy of the partnership agreement or memorandum of understanding?
6. What other form of support will NIWA be providing for the elections?



**D. National Youth Service Corps (NYSC)**

1. Are there any plans to engage Corp Members as ad hoc staff during the 2015 Elections? If so, please provide us with the following details of their engagement:
  - a. What numbers of Corp members are to be deployed?
  - b. Where and how will they be deployed?
  - c. Are there any plans in place for them to be trained?
  - d. What are the training requirements of the Corp Members to be deployed?
  - e. Who is in charge of their training?
  - f. How would the safety and welfare of Corp Members be ensured?
  - g. Who would take charge of the supervision and coordination of Corp Members in each Polling Unit?
  - h. What measures will be taken to ensure that Corp Members do not compromise the integrity of the Election?
  - i. What is the total cost of engaging corps members as ad hoc staff?
  - j. How much will each corp member be paid for election duty?
  - k. Will the NYSC management or NYSC secretariat be paid any administrative fee or commission or any other charge of the use of corps members?
  - l. A detailed budget and information on the sources of funding covering the engagement of Corp Members.
2. Is there a memorandum of understanding (MoU) guiding the arrangement between INEC and the NYSC? If so, please provide us with a copy of the MoU.

**E. Nigerian Prisons**

1. Are there plans to include prisoners and staff from the Nigerian Prisons in the Election Day processes? If so, please provide us with the following details:
  - a. Are there arrangements for prisoners to vote during the 2015 elections? If so, please provide us with details of the arrangements, including where the voting will take place.
  - b. How many prison inmates have been registered to vote?

- c. What are your plans to ensure that those who are not currently registered are able to register during the continuous voter registration exercise?
  - d. Will prison officials be engaged in election-related activities? If so, how many prison officials will be involved in the various activities and in what activities will they be deployed.
2. What plans are being put in place to ensure that the involvement of prison officials and prisoners in the elections does not affect the integrity of the elections?
  - a. Who would be in charge of their supervision and coordination?
  - b. How would effective running of the prisons during this time be ensured?
  - c. Would included personnel from the prisons be trained?
  - d. How would the welfare of Prisoners and prison personnel be ensured?
3. Detailed information on cost implications of including persons from the Nigerian Prisons
4. A detailed budget and information on the sources of funding covering the inclusion of personnel from the Nigerian Prisons.

**F. Nigeria Security Printing And Minting Company**

Will the Nigeria Security Printing and Minting Company be undertaking production of election materials? If so, provide us with the following information:

- a. What types of election materials will the MINT be producing?
- b. What is the quantity of each type of election material that MINT will be producing?
- c. What is the capacity of the MINT with regards to the production of each of these election materials?
- d. How much would it cost to produce the quantities of the election materials that the MINT will be producing?
- e. Does the MINT have a timeline for the production of stated materials?
- f. What measures will the MINT put in place to ensure the security and integrity of the election materials it will be producing?
- g. What arrangements are in place by the MINT to ensure high

quality of the election materials as well as effective service delivery?

**G. The Nigeria Security And Civil Defence Corps (NSCDC)**

1. Please provide us with the following information:
  - a. Who determines the level of personnel deployment in specific locations during elections?
  - b. Who commands the personnel that are deployed for election duty?
  - c. What plans is NSCDC making to ensure that elections hold in crisis zones of the country especially in the North East and North West come 2015?
  - d. What indicators will NSCDC use in assessing whether the situation in these parts of the country is conducive to the conduct of elections?
  - e. Who will be responsible for ultimately taking the decision whether or not to hold elections in the affected parts of the country?
2. Please make available to us copies of the following documents:
  - a. Budget proposals submitted by NSCDC via Federal Ministry of Interior to the Federal Ministry of Finance annually from 2010 to 2014 with details of its income and expenditure.
  - b. Financial statements and accounts of NSCDC submitted to the Auditor-General of the Federation for the financial years 2010 to 2013.
3. Please provide us with detailed information about security measures put in place by NSCDC concerning the handling of election results, particularly transmitting election results from:
  - a. The Polling Unit to the Ward Collation Centre;
  - b. The Ward Collation Centre to the Local Government/Area Council Collation Centre;
  - c. The Local Government/Area Council Collation Centre to the State Collation Centre; and
  - d. The State Collation Centre to the National Collation Centre
4. Please provide us with details of training and capacity-building activities undertaken or planned by NSCDC for its personnel towards

combating security challenges during the oncoming 2015 elections.

- a. The categories of personnel that have been trained
  - b. The nature of training that was given to each category of personnel
  - c. A detailed budget for the training activities, including the total cost
  - d. Detailed information on the sources of funding for each of the training activities.
5. Please provide us with detailed information about the total number of Officers and Men of NSCDC all over the Country. Indicate how many and how these Officers and Men are to be deployed in all States of the federation for the 2015 elections.
6. Concerning Personnel deployments during elections, please provide us with the following information:
  - a. Who is in charge of coordination of the activities of NSCDC personnel prior to, during and post elections.
  - b. Who determines the number of NSCDC personnel to be deployed to different locations and the duration of their deployment?
  - c. Who determines the training requirements of NSCDC personnel to be deployed for election duty and who provides the training?
  - d. Who is responsible for the welfare and logistic support for NSCDC personnel while on election duty?
  - e. What is NSCDC's budget for the provision of security around the 2015 elections?
7. Does NSCDC have a procurement policy to guide its procurement of goods, works and services? If so, kindly provide us with a copy of the procurement policy.
8. Does NSCDC operate under the Public Procurement Act, 2007? If so, what procurement activities does NSCDC require or request waivers from the application of the Public Procurement Act?
9. Please provide us with the following information regarding NSCDC's budget and funding for the 2015 elections:
  - a. The total cost estimate for NSCDC's engagement in the 2015 election and the detailed budget estimate by NSCDC.
  - b. How much of this has been approved by the Federal Government?
  - c. How much of the approved funds have been disbursed to NSCDC by the Federal Government?

- d. Details of the schedule of disbursements of the outstanding portions of the approved funds.
10. Please provide us with detailed information of donor support or contributions to NSCDC's preparation for the 2015 elections, including the names and addresses of each donor or development partner that has made a contribution, the volume of financial contribution made by each of them, and the value of other in-kind support provided.
11. Please provide us with information regarding NSCDC's engagement with political parties
12. Please provide us with detailed information about the different means of transportation that will be used for the deployment of personnel for the 2015 elections, including the number of each of these that will be required.

#### **H. The Nigeria Police**

1. Please provide us with the following information:
  - a. Who determines the level of personnel deployment in specific locations during elections?
  - b. Who commands the personnel that are deployed for election duty?
  - c. What plans is the Police making to ensure that elections hold in crisis zones of the country especially in the North East and North West come 2015?
  - d. What indicators will the Police use in assessing whether the situation in these parts of the country is conducive to the conduct of elections?
  - e. Who will be responsible for ultimately taking the decision whether or not to hold elections in the affected parts of the country?
2. Please provide us with detailed information about security measures put in place by the Police concerning the handling of election results, particularly transmitting election results from:
  - a. The Polling Unit to the Ward Collation Centre;
  - b. The Ward Collation Centre to the Local Government/Area Council Collation Centre;
  - c. The Local Government/Area Council Collation Centre to the State Collation Centre; and
  - d. The State Collation Centre to the National Collation Centre
3. Please provide us with details of training and capacity-building activities

undertaken or planned by the Police for its personnel towards combating security challenges during the oncoming 2015 elections.

- a. The categories of personnel that have been trained
  - b. The nature of training that was given to each category of personnel
  - c. A detailed budget for the training activities, including the total cost
  - d. Detailed information on the sources of funding for each of the training activities.
4. Please provide us with detailed information about the total number of Officers and Men of the Police all over the Country. Indicate how many and how these Officers and Men are to be deployed in all States of the federation for the 2015 elections.
  5. Concerning Personnel deployments during elections, please provide us with the following information:
    - a. Who is in charge of coordination of the activities of the Police personnel prior to, during and post elections.
    - b. Who determines the number of the Police personnel to be deployed to different locations and the duration of their deployment?
    - c. Who determines the training requirements of the Police personnel to be deployed for election duty and who provides the training?
    - d. Who is responsible for the welfare and logistic support for the Police personnel while on election duty?
    - e. What is the Police's budget for the provision of security around the 2015 elections?
  6. Does the Police have a procurement policy to guide its procurement of goods, works and services? If so, kindly provide us with a copy of the procurement policy.
  7. Does the Police operate under the Public Procurement Act, 2007? If so, what procurement activities does the Police require or request waivers from the application of the Public Procurement Act?
  8. Please provide us with the following information regarding the Police's budget and funding for the 2015 elections:
    - a. The total cost estimate for the Police's engagement in the 2015 election and the detailed budget estimate by the Police.
    - b. How much of this has been approved by the Federal Government?

- c. How much of the approved funds have been disbursed to the Police by the Federal Government?
  - d. Details of the schedule of disbursements of the outstanding portions of the approved funds.
9. Please provide us with detailed information of donor support or contributions to the Police's preparation for the 2015 elections, including the names and addresses of each donor or development partner that has made a contribution, the volume of financial contribution made by each of them, and the value of other in-kind support provided.
  10. Please provide us with information regarding the Police's engagement with political parties
  11. Please provide us with detailed information about the different means of transportation that will be used for the deployment of personnel for the 2015 elections, including the number of each of these that will be required.

**I. National Broadcasting Commission**

1. In light of the upcoming 2015 elections, what are the plans and strategies of the NBC in regulating and controlling the content of election-related broadcasts?
2. How does the NBC intend to enforce the principles of equity and fairness in election-related broadcasting?
3. What plans has the NBC put in place to establish and disseminate codes or standards with regards to the contents and quality of materials for 2015 election related broadcasts?
4. What sanctions has the NBC set out for offending broadcasters?

**J. Media (NTA, FRCN, and others)**

1. In light of the upcoming 2015 elections, please provide us with the following information:
  - a. Does this broadcast house adhere to the National Broadcasting Commission Code and the Electoral Act 2010 as amended on election

broadcasting?

- b. What is the level of preparedness of print and electronic media to ensure that all political parties and candidates are given equitable access to the media to air their programmes and manifestoes
2. Are there special programmes and programme schedules for election related issues and activities? If so, please provide the following information: if not why?
    - a. What programmes are being planned to enlighten the general populace about the importance of voting, voting procedures and other issues related to the 2015 general elections?
    - b. What policies and arrangements are being put in place to ensure that political parties and contestants in the elections have equal or equitable access to your media organization to talk about their programmes and policies?
    - c. Does your organization have plans to provide free access to all political parties and contestants ahead of the elections, especially during campaign periods in the 2015 elections?
    - d. Does your organization plan to build the capacity of your journalists on conflict sensitive reporting before, during and after the 2015 elections? If so, please provide us with details of such plans.
    - e. What measures are being taken to ensure objectivity, impartiality and neutrality in coverage of election related issues and activities?
    - f. What funds have been allocated to ensure the coverage of election processes? What are the sources of these funds?

**K. Political Parties**

1. I want you to provide me the following information:
  - a. The nomination forms of all candidates seeking electoral offices in your party
  - b. The result of primary elections into the following position:
    - i. Gubernatorial position
    - ii. Senatorial position
    - iii. House of representative
    - iv. House of assembly
  - c. The names of candidates that were disqualified and reasons for their disqualification
  - d. The list of approved party agents to be deployed for elections
  - e. The list of individuals who have made donations or contributions

- your party in cash and kind in the last one year.
- f. The amount of money, including subventions and others funds, from Federal Government in the last one year and for what purpose
- g. In which bank or banks are the Funds being held?

**L. Hospitals/Medical Associations/Unions**

In light of the upcoming 2015 elections, please provide us with the following information:

- a. Do you have any plan to provide emergency medical services during the 2015 elections? If so, what plans are you putting in place? What sorts of services do you plan to provide?
- b. How many medical personnel or care givers do you plan to have on ground on election days during the 2015 elections?
- c. How many other medical/emergency agencies do you plan to work with?
- d. What equipment do you plan to deploy and how many of these in the state and local governments?

**M. Eateries/Food Vendors/Restaurants Associations**

In light of the upcoming 2015 elections, please provide us with the following information:

- a. Do you have any plans to ensure the availability of food and refreshments on election days during the 2015 elections?
- b. Do you have specific plans to ensure the availability of food and refreshments throughout the state, including rural communities, on election days?
- c. Do you plan to obtain permission from INEC or other relevant authorities in order to be able to provide these provide services?

**N. Department Of The State Services (DSS)/FRSC, Others**

1. In light of the upcoming 2015 elections, please provide us with the following information:
  - a. Will the DSS be involved in the provision of security before, during and after the 2015 general elections?
  - b. If yes, what role does the DSS plan to play in this respect?
  - c. Who will decide the number of personnel that the DSS will deploy for security-related duties and the duration of their services in 2015

- elections?
- d. Who will command the personnel that are deployed for election duty?
- e. What plans is the DSS making to ensure that elections hold in volatile states and regions in 2015?
- f. What indicators will the DSS use in assessing whether the situation in such states and regions is conducive to the conduct of free and fair elections?
- g. Who will be responsible for ultimately taking the decision whether or not to hold elections in the affected parts of the country?

2. Has the Federal Government established the DSS Fund? If so, provide us with the following details:

- a. When was the Fund established?
- b. How much has accrued to the Fund to date?
- c. What are the sources of contributions to the Fund?
- d. What are the details of the contributions so far made to the Fund?
- e. In which bank or banks are the Funds being held?
- f. Details of disbursements so far made from the Fund. Please indicate the purpose for each disbursement made.
- g. Has DSS established rules to govern disbursements from the Fund? If so, please provide us with a copy of the rules so established.

3. In light of the upcoming 2015 elections, please provide us with the following information:

- a. What measures are you putting in place to prevent pre-election violence – crimes such as kidnapping, assassinations, mob attacks e.tc.
- b. What measures are you putting in place to secure materials, venues, personnel and voters during and after elections
- c. What measures are being taken to checkmate the impersonation of police officers during elections?
- d. What measures are being taken to ensure that unarmed policemen can effectively tackle armed hoodlums and thugs during elections?

4. Please provide us with detailed information about security measures put in place by DSS concerning the handling of election results, particularly transmitting election results from:

- a. The Polling Unit to the Ward Collation Centre;
- b. The Ward Collation Centre to the Local Government/Area Council Collation Centre;
- c. The Local Government/Area Council Collation Centre to the State

- Collation Centre; and  
d. The State Collation Centre to the National Collation Centre

5. In our previous experience from observing elections, there have been a number of electoral malpractices, including inducements and campaigns outside of specified campaign periods which were not addressed. What are the plans put in place by police to address such situations during the 2015 elections?
6. Concerning Personnel during elections, please provide us with the following information:
- Who is in charge of coordination of the activities of DSS personnel prior to, during and post elections.
  - Who determines the training requirements of DSS personnel to be deployed for election duty and who provides the training?
  - Who is responsible for the welfare and logistic support for DSS personnel while on election duty?
  - What is DSS's budget for the provision of security around the 2015 elections?

**O. National Orientation Agency (NOA)**

- What strategies have been mapped out by NOA to sensitize citizens on the 2015 elections?
- What form of media have been employed by NOA in sensitizing the entire citizens about the oncoming 2015 general elections? Please provide us with the following information:
  - Total number of Television stations contacted for adverts (Government and Private)
  - Total number of radio stations contacted for adverts (Government and Private)
  - Total number of Daily Newspapers contacted for adverts
  - Total number of other media agencies contacted for news release.
- How many personnel has NOA employed throughout the country to engage in Voters Education throughout the country in preparation for the 2015 general election?
- How many personnel has NOA employed throughout the federation to

monitor the oncoming 2015 general elections?

- How many permanent staff does NOA have throughout the country?
- Please provide us with details of the voter education and citizen engagement activities that NOA is undertaking and has planned ahead of the 2015 elections, including the following specific information:
  - The nature of the activities being undertaken
  - The scope of such activities, i.e. local governments and Wards where they are being or are to be carried out.
  - The period during which each activity will be undertaken.
  - The detailed budget for each activity.
  - The total cost for all the training activities.
  - Copies of the curriculum being used for each of the different training activities.
- Please make available to us copies of the following documents:
  - Budget proposals submitted by NOA to the Federal Ministry of Finance annually from 2010 to 2014 with details of its income and expenditure.
  - Financial statements and accounts of NOA submitted to the Auditor-General of the Federation for the financial years 2010 to 2013.
- Please provide us with detailed information regarding arrangements being made by NOA in sensitizing physically impaired citizens to participate in the 2015 elections?
- Please provide us with details of training and capacity-building activities undertaken or planned by NOA for its personnel and ad hoc staff, including the following:
  - How many ad hoc staff does NOA intend to engage for the 2015 elections?
  - Does NOA have a database of ad hoc staff that the Agency has engaged in the past?
  - Does NOA plan to engage ad hoc staff for the 2015 elections that have been previously engaged or used by the Commission for election activities?
  - The categories of personnel that have been trained
  - The nature of training that was given to each category of personnel
  - The number of people that benefited from the training for each category
  - Other training activities that have been planned by NOA ahead of the 2015 elections
  - The categories and numbers of personnel that will benefit from the planned training activities

- i. A detailed budget for the training activities, including the total cost
  - j. Detailed information on the sources of funding for each of the training activities.
10. Please provide us with detailed information about the number of full time staff that NOA has all over the State. Indicate how these numbers are distributed in all Local Governments of the State.
  11. Does NOA have a procurement policy to guide its procurement of goods, works and services? If so, kindly provide us with a copy of the procurement policy.
  12. Does NOA operate under the Public Procurement Act, 2007? If so, what procurement activities does NOA require or request waivers from the application of the Public Procurement Act?
  13. Please provide us with the following information regarding NOA's budget and funding for its engagement in the 2015 elections:
    - a. The total cost estimate for its engagement in the 2015 election and the detailed budget estimate by NOA.
    - b. How much of this has been approved by the Federal Government?
    - c. How much of the approved funds have been disbursed to NOA by the Federal Government?
    - d. Details of the schedule of disbursements of the outstanding portions of the approved funds.
  14. Please provide us with detailed information of donor support or contributions to NOA in preparation for the 2015 elections, including the names and addresses of each donor or development partner that has made a contribution, the volume of financial contribution made by each of them, and the value of other in-kind support provided.
  15. Please provide us with detailed information about the different means of transportation that will be used for the distribution of personnel for the 2015 elections, including the number of each of these that will be required.

**P. Police Community Relations Committee**

1. Does the PCRC plan to play any role in the 2015 elections? If so, what role will it be playing?
2. What arrangements has the PCRC put in place to play this role effectively?

3. How many members or volunteers do you have and how many of them will be engaged in election-related duty?
4. Do you have any formal agreement or arrangement with INEC or security agencies to provide security/services during the elections?
5. Please provide us with detailed information on the range of services that the PCRC provides and plans to provide during the elections?
6. What equipment and facilities does the PCRC employ in the provision of its services and which of these equipment and facilities will be deployed during the elections?

**Q. Transporters/Transport Associations**

1. In light of the upcoming 2015 elections, please provide us with the following information:
  - a. Is there any plan by your company (or association/union) to provide transportation services on election-day during the 2015 elections?
    - i. If yes what is the scope of the transportation services to be provided?
    - ii. In what areas will members of your association (or union) be operating?
    - iii. How many members of your association (or union) do you expect to operate on election days?
    - iv. Will your company (or association/union) be obtaining accreditation from INEC or permission from any other authority to operate on election days?
2. Do you have a code of conduct for your members during the elections?
3. Do you plan to sign a memorandum of understanding (MoU) or any other form of agreement with INEC to guide your activities on Election Day?

**(For Motorbike (Okada) Riders Associations)**

Please provide us with the following Information;

- a. How do you ensure that your members are not violent or disruptive on election days?
- b. Does your association plan to collaborate with INEC and security agencies to ensure that ballot boxes, ballot papers and other election

materials are not snatched during elections?

- c. Do you have any association and awareness creation activities for your members prior to the elections?

**Requests for State Institutions and Agencies/Federal Institutions and Other Relevant Agencies Located in States (Outside Abuja)**

**Independent National Electoral Commission (State Office)**

1. As INEC prepares for the 2015 elections, kindly provide us with the following information:
  - a. The amount received as subvention or other funds, from INEC Headquarters in Abuja in the last four years.
  - b. The amount and other forms of support received from various sources other than INEC headquarters over the last four years.
  - c. Any forms of support, including grants and donations, received from the State Government over the last four years.
2. As INEC prepares for the 2015 elections, kindly provide us the following information:
  - a. The list of contributors in cash and kind in the last four years and what they contributed.
  - b. A copy of INEC State Office's budget proposal for the year 2014 submitted to INEC headquarters through which it is currently carrying out its operations.
  - c. What is the stipend/allowance to be paid to each cadre of staff to be deployed on Election Day?
3. As INEC prepares for the 2015 elections, kindly provide us the following information:
  - a. The list of personnel who are permanent staff broken-down by Local Government council and wards employed by INEC in the State. Please disaggregate the list of staff by gender
  - b. The list of personnel broken-down by Local Government council and wards to be deployed for Election duty.
4. As INEC prepares for the 2015 elections, kindly provide with detailed information about the different means of transportation that will be used for the deployment of personnel and materials in the State for the 2015 elections, including the number of each of these that will be required.
5. As INEC prepares for the 2015 elections, kindly provide us the following

information:

- a. What voter education and enlightenment activities are being implemented or carried out by INEC within the state office to discourage voters' apathy?
  - b. Please provide the duration, scope, platforms and schedules.
  - c. How has it been monitoring and measuring its success or otherwise?
  - d. Give proof of INEC State Office's efforts and the result in this regard.
6. As INEC prepares for the 2015 elections, kindly provide us the following information:
    - a. Is INEC (State Office) collaborating with other stakeholders in the implementation or conduct of voter education activities at grassroots level? If so, which stakeholders is INEC (State Office) collaborating with and what are the roles of these stakeholders in the different activities? Please provide proof of the intervention of these stakeholders
    - b. In how many ways and languages has INEC State office provided civic education to voters in preparation for the forthcoming 2015 general elections? What are the ways, please provide sample copies of the educational materials.
  7. As INEC prepares for the 2015 elections, kindly provide us the following information:
    - a. Information regarding engagements between INEC (State Office) and political parties.
    - b. Which political parties/candidates have been found by INEC to have violated campaign finance ceilings provided in the Electoral Act?
    - c. Please provide us with information regarding your supervisory activities over the political parties during party primaries and nominations.
    - d. Please provide us with detailed information on the process for accrediting party agents to observe voting and the distribution of election materials from INEC State offices to polling booths. This information should include measures taken by INEC State Office's to prevent impostors from standing as polling or party agents.
  8. As INEC prepares for the 2015 elections, kindly provide us the following information:
    - a. What is the total number of permanent voters' cards that have been distributed across the state, broken down by gender and local



- government areas?
- b. How many registration points exist in the state to take care of the continuous voter registration exercise? Please indicate the number of points in each Local Government area.
  - c. How many people have been registered throughout the state since the inception of the continuous voter registration exercise? Please disaggregate by gender and age bracket.
  - d. How many persons were involved in double registration? Please provide us with the list of those who have been prosecuted for double registration
  - e. How will voters for the next elections be identified and how will you ensure that eligible voters are not disenfranchised?
9. Please provide copies of nomination forms submitted by Political parties for their candidates for:
- a. Gubernatorial Election;
  - b. Senatorial Election;
  - c. Election into the House of Representatives;
  - d. Election into the State House of Assembly
10. In relation to constituency delineation in the State, kindly provide the following information:
- a. The list of the delineated constituencies for your State. What are the factors that determine constituency delineation and how often is it done?
  - b. How many petitions has INEC State Office received regarding the constituency delineation in the State?
11. Has INEC State Office established the INEC State Office's Fund? If so, provide us with the following details:
- a) When was the Fund established?
  - b) How much has accrued to the Fund to date?
  - c) What are the sources of contributions to the Fund?
  - d) What are the details of the contributions so far made to the Fund?
  - e) In which bank or banks are the Funds being held?
  - f) Details of disbursements so far made from the Fund. Please indicate the purpose for each disbursement made.
  - g) Has INEC State Office established rules to govern disbursements from the Fund? If so, please provide us with a copy of the rules so established.

12. Please provide us with the following information:
  - a. Who determines the level of security deployment in specific locations during elections?
  - b. Who commands the security forces that are deployed for election duty?
  - c. Who will be responsible for ultimately taking the decision whether or not to hold elections in the affected parts of the State?
13. Please provide us with the following information:
  - a. Are there any parts of your state you would describe as crisis areas? If yes, what are the plans that INEC State Office is making to ensure that elections hold in those areas?
  - b. What indicators will INEC State Office use in assessing whether the situation in these parts of the State is conducive to the conduct of free and fair elections?
14. What plans do you have to put in place measures to avoid late accreditation and ensure the free movement of observers
15. What measures is INEC State Office putting in place to ensure that polling units where voting did not take place do not return results?
16. What plans are you making to forestall the campaigns and distribution of money at polling units on election days?
17. Please provide us with detailed information about the handling of election results, particularly the officials responsible for transmitting election results from:
  - a. The Polling Unit to the Ward Collation Centre;
  - b. The Ward Collation Centre to the Local Government Area Council Collation Centre;
  - c. The Local Government Area Collation Centre to the State Collation Centre;
  - d. Please provide us with a list of all the polling units established by INEC State Office around the State, broken down by Local Governments and Wards, with the number of voters allotted to each polling unit.
  - e. What measures is INEC State putting in place to make sure that the results as announced at the polling units are not tampered with?
18. Please provide us with the lists of persons responsible for transmission of results from the polling units to the constituency collation centres and the security and transport arrangements.
19. What measures have you put in place to ensure that accredited civil

- society observers are not debarred from observing at collation centres?
20. Please provide us with detailed information regarding arrangements being made by INEC State Office for the participation of persons with disabilities in the 2015 elections, including the following:
    - a. What mechanisms is INEC State Office putting in place to ensure the accessibility and suitability of polling units to persons with disabilities?
    - b. What percentage of registered voters are persons with disabilities. Please indicate the number of persons with disabilities that are registered to vote in each polling unit.
    - c. Please provide us with detailed statistical information on the number of persons with disabilities in the Register of Voters, indicating the types of disabilities, numbers, percentages and locations (polling units) for each of the categories of disabilities.
    - d. What civic enlightenment activities and methods is INEC adopting to address the needs of persons living with disabilities?
    - e. How much has INEC budgeted to address the special needs of persons living with disabilities?
    - f. What are the plans put in place by INEC to ensure persons without fingers are able to vote?
  21. We understand that INEC is in the process of producing Braille facilities to aid voting by persons who are visually impaired. Is INEC State Office providing the same facility? If yes, kindly provide us with details about this, including the following information:
    - a. Whether the facilities will be available for use or deployment in the 2015 elections.
    - b. The number of such facilities that are being developed, produced or procured
    - c. How these numbers will be distributed around the State.
  22. Please provide us with details of training and capacity-building activities undertaken or planned by INEC State Office for its ad hoc staff, including the following:
    - a. How many ad hoc staff does INEC State Office intend to engage for the 2015 elections?
    - b. Criteria used for the selection of ad hoc staff
    - c. Does INEC State Office have a database of ad hoc staff that the Commission has engaged in the past?
    - d. Does INEC State Office plan to engage ad hoc staff for the 2015

- elections that have been previously engaged or used by the Commission for election activities?
  - e. The categories of ad hoc staff that were trained for the 2011 elections and the nature of the trainings.
  - f. The number of ad hoc staff that benefited from the training for each category.
23. Please provide us with details of training and capacity-building activities undertaken or planned by INEC State Office for its ad hoc staff, including the following:
  - a. What training activities are been planned by INEC State Office ahead of the 2015 elections for its ad hoc staff.
  - b. The categories and numbers of ad hoc staff that will benefit from the planned training activities.
  - c. A detailed budget for the training activities, including the total cost.
  - d. Detailed information on the sources of funding for each of the training activities.
  - e. What are the proposed contents of the trainings for ad hoc staff for the 2015 election?
  - f. What measures or plans does INEC State Office have in place to ensure ad hoc staff are not influenced by politicians or other interest groups
24. In our previous experience from observing elections, there have been a number of electoral malpractices, including inducements and campaigns outside of specified campaign periods. What are the plans put in place by INEC State Office to address such situations if they arise during the 2015 elections?
25. In carrying out electoral activities to comply with the Electoral Act 2010 as amended, kindly provide the following information:
  - a. What plans is INEC State Office putting in place to comply with and enforce the provisions of Section 81 of the Electoral Act, 2010 as amended, which prohibits the recruitment, training or equipping of thugs.
  - b. How does INEC State Office plan to enforce the provisions of Section 87 of the Electoral Act 2010 regarding the nomination of candidates for elections by political parties?
26. In carrying out electoral activities to comply with the Electoral Act 2010

as amended, kindly provide the following information:

- a. What plans and mechanisms has INEC State Office adopted to monitor the sources of finance of political parties in accordance with Section 88 of the Electoral Act, 2010 and to enforce the provisions of the Law?
  - b. Has INEC State Office exercised its power under Section 90(1) of the Electoral Act to place limitation on the amount of money or other assets which an individual or group of persons can contribute to a political party? If yes, please provide us with the details of the limitations stipulated by the Commission
  - c. Make available to us the most recent copies of the Statements of assets and liabilities as well as analysis of sources of funds and other assets and statement of expenditure submitted by political parties to INEC State Office in accordance with Section 89(1) of the Electoral Act, 2010 as amended.
27. How does INEC State Office monitor compliance with the limits stipulated in Section 90 of the Electoral Act?
- a. Please provide us with copies of reports that have been issued by INEC State Office or on behalf of INEC State Office as part of its monitoring or audit activities in this regard.
  - b. In how many cases has INEC State Office determined that the limits have been exceeded by any individual or group of persons in the run up to the 2015 elections? In such cases, what actions has INEC State Office taken against breaches?
  - c. How does INEC State Office monitor compliance with the limits on election expenses incurred by political parties during election periods?
  - d. In how many cases has INEC State Office determined that the limits have been exceeded by any political party? In such cases, what actions has INEC State Office taken against such political parties that are in breach
28. Concerning security deployments during elections, please provide us with the following information:
- a. Who is in charge of coordination of the activities of law enforcement and security agencies prior to, during and post elections.
  - b. Who is responsible for the welfare and logistic support for security personnel while on election duty?
  - c. What is INEC State Office's budget for the provision of security around the 2015 elections?

- d. What measures are being taken to ensure that only authentic policemen and other security agents are on election duty?

29. Concerning procurement of goods and services during elections, please provide us with the following information:
- a. Does INEC State Office operate under the Public Procurement Act, 2007? If so, what procurement activities does INEC State Office require or request waivers from the application of the Public Procurement Act?
  - b. Does INEC State Office have a schedule for the procurements of various materials and services that will be required ahead of the 2015 elections? If so, please provide us with a copy of your procurement plan and status performance.
30. Please provide us with a list of goods and services for which INEC State office has jurisdiction to procure
31. Does INEC State Office plan to engage the services of a logistics firm to assist it in managing logistics for the 2015 elections? If so, please provide us with the following details:
- a. Terms of Reference for the logistics firm including performance indicators set for the firm;
  - b. The procedure adopted or to be adopted in the selection of the firm;
  - c. Required competencies that such a firm must have;
  - d. The professional fees paid or to be paid to the firm;
  - e. If a firm has been engaged, the name and address of the firm;
  - f. When the firm is expected to start work and duration of the contract between INEC and the firm;
32. Please provide us with the following information regarding INEC State Office's budget and funding for the 2015 elections:
- a. The detailed budget estimate by INEC State Office.
  - b. The total cost estimate for the conduct of the 2015 election
  - c. How much of the budget was approved
  - d. How much of the approved budget have been received by INEC State Office?
  - e. How much of the received budget has been expended, please give details of the expenditure
33. Please provide us with information regarding INEC State Office's engagement with political parties, including the following:
- a. The policy document defining the powers and functions of the Inter-

- Party Advisory Council.
- b. How often does the Council meet?
- c. How is the Council funded?
- d. What actions or activities has INEC State office in place to check political parties' misconduct during elections?

34. Has INEC State Office constituted an Inter-Agency Consultative Committee on Election Security (ICCES) to ensure coordinated engagement of all the security agencies during election periods? If so, please provide us with information about this Committee, particularly the following:
- a. What security, law enforcement and other agencies sit on this Committee?
  - b. Who heads or chairs the Committee?
  - c. How often does the Committee meet?
  - d. What are the precise functions of the Committee?
  - e. Does the Committee have any document guiding its operations and activities? If so, kindly make available to us a copy of all such documents.
35. Please provide us with the following information;
- a. A list of the constituencies all over the state where elections will be held in 2015 for the various categories of elections.
  - b. Prior to the current exercise, when was the last time constituencies were delineated for purposes of elections?
  - c. How many additional polling units have been created or are expected to be created in your state?
  - d. What is the total number of polling units that INEC State Office expects to have for the 2015 elections?
  - e. What is the maximum number of voters that are expected to vote in any polling unit?
36. Please provide us with the following information;
- a. What plans does INEC State office have in case there is a medical emergency on Election Day?
  - b. What plan does INEC State office have in place to ensure that personnel do not leave their duty post in search of conveniences (e.g. food) during election?

37. Provide us with the following information on INEC's Compliance

- and/or readiness to comply with FOI requests;
- a. How many requests for information under the FOI Act 2011 has your institution received annually since the law was passed in 2011?
- b. How many of these requests did your organization respond to?
- c. How many of the responses resulted in your giving out the information requested?
- d. Were responses given within 7 days after the applications were received?
- e. How many information requests has your organization ignored or otherwise failed to respond to?
- f. How many information requests has your organization denied? Were reasons stated for the denial?

38. Provide us with the following information on INEC's Compliance and/or readiness to comply with FOI requests;
- a. Does your institution have an officer designated to handle applications for information in compliance with the provisions of the FOI Act?
  - b. Has your institution organized or participated in any training on the FOI Act? If yes, which? If no, are there any plans to train staff of the institution?
  - c. Has your institution used the FOI Act to access information from other institutions?
39. Provide us with the following information on INEC's compliance and/or readiness to comply with FOI requests;
- a. In keeping with Section 2(1) and 9(1) of the FOI Act 2011, does your institution keep information and records about ALL its activities, operations, personnel, businesses? If yes, what policies, measures, strategies or system are enforced to ensure that such information are recorded and kept?
  - b. In compliance with Section 2(2) does your institution ensure the proper organization and maintenance of ALL information or record in its custody in a manner that facilitates public access to information? If so, what manner/strategy does your organization employ to ensure proper organization and maintenance of all information?
  - c. Has your organization proactively disclosed all the information it is required to publish under Section 2 (3) and (4) of the Act?

40. With regards to the Direct Data Capture Machines (DDCM), kindly

provide the following information:

- a. How many DDCM does the state need for the 2015 elections
- b. How many DDCM are available for the 2015 election in the state?
- c. How many of these DDCM were procured for the 2011 elections
- d. How many of the DDCM are in a good state to be used for the 2015 elections

### **Requests for Other Public Institutions at State Level**

#### **B. Vigilante Corps/Group**

In light of the upcoming 2015 elections, please provide us with the following information:

- a. Does your organization plan to play any role in the 2015 elections? If so, what role will it be playing?
- b. What arrangements has the organization put in place to play this role effectively?
- c. How many personnel do you have and how many of them will be engaged in election-related duty?
- d. Do you have any formal agreement or arrangement with INEC or security agencies to provide security during the elections?
- e. Will members of your organization be providing security for individual politicians or political parties?
- f. Does your organization require the consent of politicians to provide security during the elections?
- g. Please provide us with detailed information on the range of security services that your organization provides or plans to provide during the elections?
- h. What security equipment and facilities does your organization employ in the provision of security services and which of these equipment and facilities will be deployed during the elections?
- I. What are the organization's sources of funding
- j. What is its budget for its planned activities for the forthcoming 2015 elections

#### **C. Media (NTA, FRCN, and others)**

1. In light of the upcoming 2015 elections, please provide us with the following information:
  - a. Does this broadcast house adhere to the National Broadcasting Commission Code and the Electoral Act 2010 as amended on

election broadcasting?

- b. What is the level of preparedness of print and electronic media to ensure that all political parties and candidates are given equitable access to the media to air their programmes and manifestoes

2. In light of the upcoming 2015 elections, please provide us with the following information:

- a. Are there special programmes and programme schedules for election related issues and activities? If so, please provide the following information: if not why?
- b. What programmes are being planned to enlighten the general populace about the importance of voting, voting procedures and other issues related to the 2015 general elections?
- c. What policies and arrangements are being put in place to ensure that political parties and contestants in the elections have equal or equitable access to your media organization to talk about their programmes and policies?
- d. Does your organization have plans to provide free access to all political parties and contestants ahead of the elections, especially during campaign periods in the 2015 elections?
- e. Does your organization plan to build the capacity of your journalists on conflict sensitive reporting before, during and after the 2015 elections? If so, please provide us with details of such plans.
- f. What measures are being taken to ensure objectivity, impartiality and neutrality in coverage of election related issues and activities?
- g. What funds have been allocated to ensure the coverage of election processes? What are the sources of these funds?

#### **D. State Emergency Management Agency (SEMA)**

1. In light of the forthcoming 2015 elections, please provide us with the following information:
  - a. What is the level of preparedness of the SEMA to provide emergency services before, during and after the 2015 elections?
  - b. What types of emergency services does SEMA expect to provide in support of the elections?
  - c. What other roles will SEMA and its personnel play before, during and after the elections?
  - d. What types of facilities and equipment does SEMA have for the provision of emergency services and which of these facilities and equipment are being prepared for deployment during the elections?

Please indicate the number of each of the facilities or equipment that will be available during the elections.

2. In light of the forthcoming 2015 elections, please provide us with the following information:
  - a. What mechanisms is SEMA planning to put in place to enable members of the public report emergencies to the agency in a timely and efficient manner?
  - b. Will SEMA be embarking on any public sensitization activities in the period leading to the elections? If so, what are the types of sensitization activities planned or being undertaken?
  - c. Is SEMA working in partnership with other agencies or organizations? If so:
    - i. What agencies and organizations are you working with
    - ii. What is the nature of various partnerships and
    - iii. What types of activities do they cover?

#### **E. Transporters/Transport Associations**

3. In light of the upcoming 2015 elections, please provide us with the following information:
  - a. Is there any plan by your company (or association/union) to provide transportation services on election-day during the 2015 elections?
  - b. If yes what is the scope of the transportation services to be provided?
  - c. In what areas will members of your association (or union) be operating?
  - d. How many members of your association (or union) do you expect to operate on election days?
2. Will your company (or association/union) be obtaining accreditation from INEC or permission from any other authority to operate on election days?
3. Do you have a code of conduct for your members during the elections?
4. Do you plan to sign a memorandum of understanding (MoU) or any other form of agreement with INEC to guide your activities on Election Day?

#### **(For Okada Riders Associations)**

Please provide us with the following Information;

- a. How do you ensure that your members are not violent or disruptive on election days?
- b. Does your association plan to collaborate with INEC and security agencies to ensure that ballot boxes, ballot papers and other election materials are not snatched during elections?
- c. Do you have any association and awareness creation activities for your members prior to the elections?

#### **F. Hospitals/Medical Associations/Unions**

In light of the upcoming 2015 elections, please provide us with the following information:

- a. Do you have any plan to provide emergency medical services during the 2015 elections? If so, what plans are you putting in place? What sorts of services do you plan to provide?
- b. How many medical personnel or care givers do you plan to have on ground on election days during the 2015 elections?
- c. How many other medical/emergency agencies do you plan to work with?
- d. What equipment do you plan to deploy and how many of these in the state and local governments?

#### **G. Eateries/Food Vendors/Restaurants Associations**

In light of the upcoming 2015 elections, please provide us with the following information:

- a. Do you have any plans to ensure the availability of food and refreshments on election days during the 2015 elections?
- b. Do you have specific plans to ensure the availability of food and refreshments throughout the state, including rural communities, on election days?
- c. Do you plan to obtain permission from INEC or other relevant authorities in order to be able to provide these services?

#### **H. Department Of The State Services (DSS)/ Police/Military/NSCDC/FRSC, others**

1. In light of the upcoming 2015 elections, please provide us with the following information:

- a. Will the DSS be involved in the provision of security before, during and after the 2015 general elections?
  - b. If yes, what role does the DSS plan to play in this respect?
  - c. Who will decide the number of personnel that the DSS will deploy for security-related duties and the duration of their services in 2015 elections?
  - d. Who will command the personnel that are deployed for election duty?
  - e. What plans is the DSS making to ensure that elections hold in volatile states and regions in 2015?
  - f. What indicators will the DSS use in assessing whether the situation in such states and regions is conducive to the conduct of free and fair elections?
  - g. Who will be responsible for ultimately taking the decision whether or not to hold elections in the affected parts of the country?
2. In light of the upcoming 2015 elections, please provide us with the following information:
    - a. What measures are you putting in place to prevent pre-election violence – crimes such as kidnapping, assassinations, mob attacks e.tc.
    - b. What measures are you putting in place to secure materials, venues, personnel and voters during and after elections
    - c. What measures are being taken to checkmate the impersonation of police officers during elections?
    - d. What measures are being taken to ensure that unarmed policemen can effectively tackle armed hoodlums and thugs during elections?
3. Please provide us with detailed information about security measures put in place by DSS concerning the handling of election results, particularly transmitting election results from:
    - a. The Polling Unit to the Ward Collation Centre;
    - b. The Ward Collation Centre to the Local Government/Area Council Collation Centre;
    - c. The Local Government/Area Council Collation Centre to the State Collation Centre; and
    - d. The State Collation Centre to the National Collation Centre
  4. In our previous experience from observing elections, there have been a number of electoral malpractices, including inducements and campaigns outside of specified campaign periods which were not addressed. What are the plans put in place by police to address such situations during the 2015

elections?

#### **I. National Orientation Agency (NOA)**

1. As the nation prepares for the 2015 elections, kindly provide us the following information:
  - a. The amount received as subvention or other funds, from NOA Headquarters in Abuja in the last four years.
  - b. The amount and other forms of support received from various sources other than NOA headquarters over the last four years.
  - c. Any forms of support, including grants and donations, received from the State Government over the last four years.
  - d. The list of contributors in cash and kind in the last four years and what they contributed.
  - e. A copy of NOA State Office's budget proposal for the year 2014 submitted to NOA headquarters through which it is currently carrying out its operations.
  - f. What is the stipend/allowance to be paid to each cadre of staff to be deployed on Election Day?
2. As the nation prepares for the 2015 elections, kindly provide us the following information:
  - a. The list of personnel who are permanent staff broken-down by Local Government council and wards employed by NOA in the State. Please disaggregate the list of staff by gender
  - b. The list of personnel broken-down by Local Government council and wards to be deployed for Election duty.
3. As Nigeria prepares for the 2015 elections, kindly provide us the following information:
  - a. What voter education and enlightenment activities are being implemented or carried out by NOA within the state office to discourage voters' apathy? Please provide the duration, scope, platforms and schedules.
  - b. Is NOA (State Office) collaborating with other stakeholders in the implementation or conduct of voter education activities at grassroots level? If so, which stakeholders is NOA (State Office) collaborating with and what are the roles of these stakeholders in the different activities? Please provide proof of the intervention of these stakeholders
  - c. In how many ways and languages has NOA State office provided civic

education to voters in preparation for the forthcoming 2015 general elections? What are the ways, please provide sample copies of the educational materials.

- d. What is NOA State office doing to discourage voters' apathy, how has it been monitoring and measuring its success or otherwise? Give proof of NOA State Office's efforts and the result in this regard.
4. As Nigeria prepares for the 2015 elections, kindly provide us the following information:
  - a. Information regarding engagements between NOA (State Office) and political parties.
  - b. Which political parties/candidates have been found by NOA to have violated campaign finance ceilings provided in the Electoral Act?
  - c. Please provide us with information regarding your supervisory activities over the political parties during party primaries and nominations.
  - d. Please provide us with detailed information on the process for accrediting party agents to observe voting and the distribution of election materials from NOA State offices to polling booths. This information should include measures taken by NOA State Office's to prevent impostors from standing as polling or party agents.

#### **J. Police Community Relations Committee**

1. Does the PCRC plan to play any role in the 2015 elections? If so, what role will it be playing?
2. What arrangements has the PCRC put in place to play this role effectively?
3. How many members or volunteers do you have and how many of them will be engaged in election-related duty?
4. Do you have any formal agreement or arrangement with INEC or security agencies to provide security/services during the elections?
5. Please provide us with detailed information on the range of services that the PCRC provides and plans to provide during the elections?
6. What equipment and facilities does the PCRC employ in the provision of its services and which of these equipment and facilities will be deployed during the elections?

#### **Questions Peculiar to Cross River State INEC State Office**

1. What measures is INEC State office and security agencies putting in

place to protect voters in Calabar South?

2. Does INEC intend to conduct elections in the new Bakassi during the 2015 elections?
3. The number of polling units that have been allocated to the LGA and where will they be located
4. Traditionally, materials do not get to locations in riverine communities in Cross River State. What are INEC State office's plans for ensuring that materials get to these riverine communities in 2015?  
What arrangements is INEC putting in place for ensuring that materials and personnel get to other hard to reach areas of Cross River State?

#### **Questions Peculiar to Delta State INEC State Office**

1. What plans does INEC have to ensure effective and prompt delivery of election materials, especially in Burutu LGA, Ughelli South, Patani, Warri South West, Oshimili South, Warri North, Bomadi, &Ndokwa East?
2. What measures are being put in place by INEC State office in order not to disenfranchise communities in Ika South where the Voters Registration exercise has been cancelled?
3. What measures does INEC state office have in place to ensure that election materials are delivered to the polling units in Onuiyi community, where voting has traditionally not taken place while results have always been declared in previous elections with almost 100% voter turnout recorded?

#### **Questions Peculiar to Edo State INEC State Office**

1. We would like to know the names, offices, and telephone numbers of security personnel assigned to INEC officials in Edo State
2. What are the names and telephone numbers of FOI Desk Officer or officers and senior personnel at the INEC head office in Edo State
3. We would like to have the names and telephone numbers of INEC officials assigned to each LGA, wards and polling units in Edo State

#### **Questions Peculiar to Rivers State INEC State Office**

1. Does INEC State Office have any plans to put in place a voters' hotline to enable voters make complaints or report incidents?
2. Please provide us with the list of collation centres in Rivers State
3. When will Rivers State conduct her voter registration exercise and re-



- validation of voters' cards?
4. What measures has INEC taken to ensure that materials get to the remote areas of Rivers State, e.g. Bonny LGA, Andoni, Akuku-Toru, Degema, Asari-Toru, Opobo-Nkoro, Okrika, Abua-Odual
  5. Please provide us with the addresses of INEC offices in the 23 LGAs of Rivers State

### **The Judiciary**

What measures are being put in place to ensure that pre-election disputes are resolved by the Judiciary in the light of the stalemate in the Judiciary in Rivers State?

### **Questions Peculiar to North-East**

1. What specific voter education measure has NOA put in place to address the needs of women in purdah towards the 2015 election?
2. What are INEC plans to conduct elections in Borno?
3. What are the plans on ground for internally displaced persons (IDPs) to vote during the 2015 elections?
4. What are the specific voters enlightenment activities slated for IDPs towards the 2015 election?
5. Provide the list of all IDPs registered to vote during the 2015 elections. Kindly disaggregate the list in terms of gender, age bracket and IDPs camps/locations.
6. What is INECs provision for IDPs located outside the Nigerian borders towards the 2015 election?