

NIGERIA: Update on the presidential election forecast

- We continue to forecast a seemingly comfortable 16 percentage point lead for the main opposition candidate Atiku Abubakar over President Muhammadu Buhari.
- Yet the underlying assumption of a 'reasonably free and fair vote' might not hold, increasing the likelihood of a lengthy legal challenge of the result.
- Key strategies employed by the major parties to manipulate the results will include vote buying and disruption of the vote in opponents' strongholds. Control of security institutions gives the ruling party an advantage regarding the latter.

Less than two weeks ahead of the 16 February presidential and legislative polls, our forecast concerning the outcome of the presidential election remains unchanged. We still project a first-round victory by the main opposition candidate, Atiku Abubakar, with up to 57% of votes, against an anticipated 42% to be cast for the incumbent, President Muhammadu Buhari (please click below on "View PDF" for a visual overview). That would give Atiku a seemingly comfortable 16 percentage point advantage over Buhari. As per our [initial forecast](#), the underlying assumption is a 'reasonably free and fair' vote, i.e., levels of fraud, voter intimidation and manipulation that do not exceed those observed in the 2015 ballot. However, as [previously explained](#), this assumption might not hold, and the election outcome is thus likely to be challenged in court.

The prospects of a legal challenge

For starters, presidential election results being challenged in court is the rule rather than the exception. Since 1999, four out of five presidential elections ended up in court (see table below). Ironically, then-candidates Atiku and Buhari jointly appealed against the result of the 2007 presidential election, universally regarded as Nigeria's most rigged electoral contest to date. While the courts have so far always decided in favor of the president-elect, Buhari might have [alienated the judiciary](#) with the recent suspension of the Chief Justice of Nigeria. However, everything would depend on the composition of the Supreme Court tribunal eventually reviewing the appeal. As per the 'time lag' column in the table below, in the event of a legal challenge, Nigeria would be in for a prolonged period of suspense.

Under such a scenario, how paralyzed the political system will become would much depend on the majorities in the Senate and the House of Representatives, which will equally be elected on 16 February. If the president-elect has no majority in the National Assembly, any major policy decisions would likely be blocked, including appointments requiring Senate approval. However, it should be noted that even in a 'normal' year, passing the annual budget can take more than six months.

Election Date	Date of final court ruling	Time lag	Decision [Court; decision]
27.02.1999	05.04.1999	1 month, 7 days	Confirming the result [Appeal Court; unanimous]
19.04.2003	01.07.2005	2 years, 2 months, 13 days	Confirming the result [Supreme Court; unanimous]
14.04.2007	12.12.2008	1 year, 7 months, 30 days	Confirming the result [Supreme Court; 4:3 decision]
16.04.2011	29.11.2011	7 months, 14 days	Confirming the result [Supreme Court; unanimous]

Should Buhari win, it is virtually guaranteed that Atiku will go to court. In fact, his People's Democratic Party (PDP) has legally challenged the results of the [Ekiti](#) and [Osun](#) gubernatorial polls conducted in July and September 2018, respectively. Conversely, there would be a lesser chance of a legally contested outcome in the event of an Atiku victory. Indeed, this would imply that government institutions were unable to prevent or were even complicit in vote-rigging, which would be somewhat embarrassing for Buhari. In 2015, the only instance so far in which a sitting president was defeated, then-president Goodluck Jonathan chose to vacate his seat without recourse to legal means.

How to rig the election: a primer

Both main parties will try to rig the election in their favor. However, their ability to do so depends on their respective control of the situation on the ground, which varies across the country. This puts the opposition in a better position in its traditional strongholds across the south-south and south-east geopolitical regions, while the ruling APC has a better ground game across the north. Note that this is already factored into our forecast. Ultimately, however, the greater – not necessarily exclusive – sway over the security forces favors the party in power.

The strategies to be deployed are shaped by the rules of the game, i.e. the provisions of the 2015 electoral act as well as the rules and regulations issued by the Independent National Electoral Commission (INEC). Although their use is [still not mandatory](#), the electronic authentication of voters by means of a Permanent Voters' Card (PVC), containing the voter's biometric details, is a key aspect of the electoral process. As in last year's state-level elections, parties will therefore place much emphasis on vote buying, even though this strategy has its drawbacks: voters might take the money but still vote independently. Yet the apparent scarcity of funds during the campaign so far suggests parties are hoarding cash to be disbursed on election day.

Given the pitfalls of vote buying, another strategy that will surely be deployed is to simply disrupt the vote in opponents' strongholds. This can take place before the vote, for instance by destroying uncollected PVCs, as recently happened in Abia State (a PDP stronghold) where a local INEC office was set ablaze, destroying an alleged 15,000 voter cards. During election day, the strategic deployment of army and police units will probably feature highly. Similar to what happened during last year's elections in Ekiti and Osun State, the security forces are more likely to intercept the vote-buying business of opposition parties or – a particularly crude tactic employed during the partial re-run in Osun – deny opposition voters access to polling stations altogether. However, the crucial difference to state-level polls is scale: the security forces are simply spread too thinly to control a nationwide election involving some 120,000 polling stations.

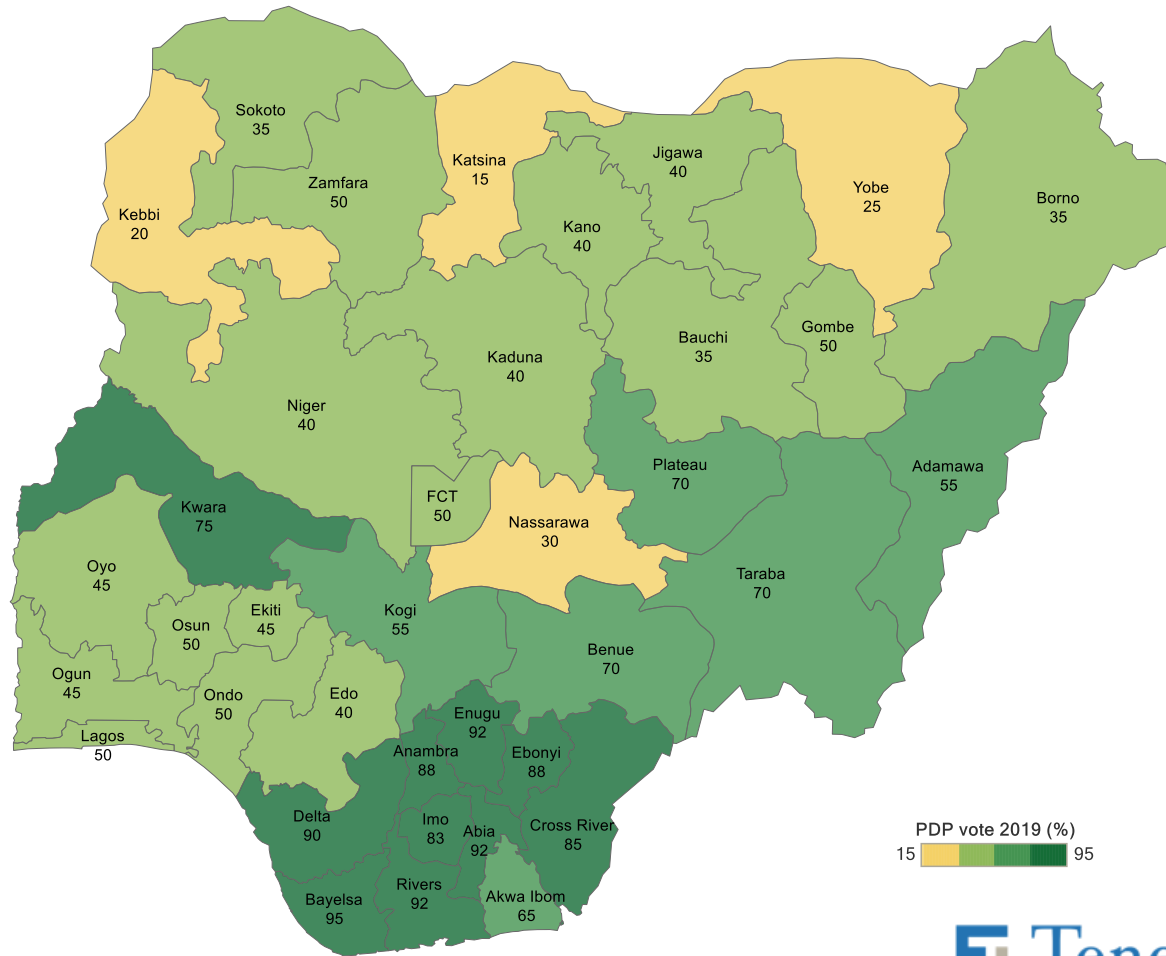
The multi-stage election results collation process offers another avenue for manipulation, especially since results are still not transmitted to INEC servers straight from the polling station. Besides, INEC has a habit of only publishing top-line, aggregated results, which makes it difficult to detect manipulation at lower levels. Finally, INEC's ICT infrastructure is alleged to be outdated and over-centralized, creating the alternative option of electronic vote hacking.

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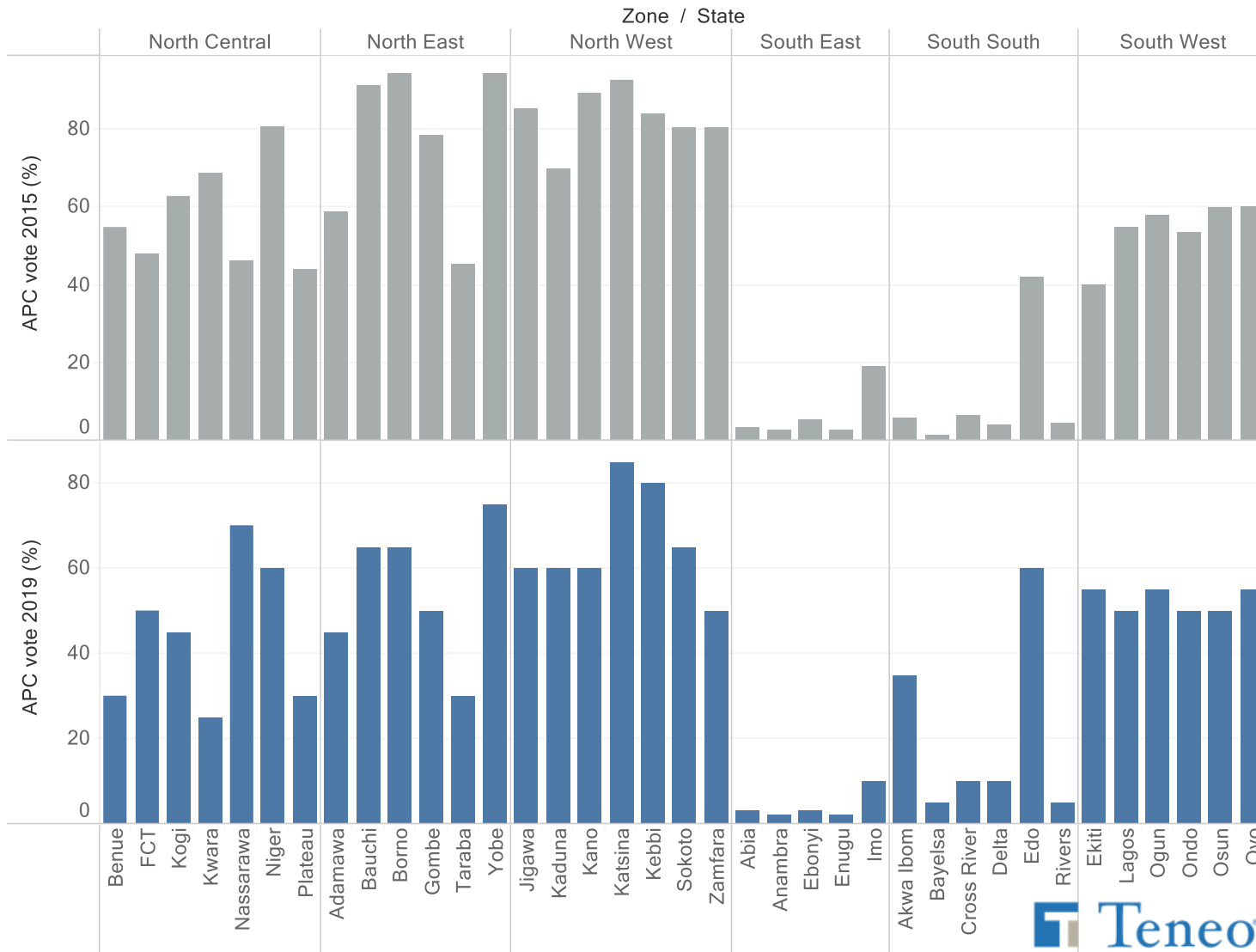
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PDP vote 2019 (presidential election forecast, 4 February 2019)



Presidential election: APC 2015 vs 2019 (forecast, 4 February 2019)



Presidential election: PDP 2015 vs 2019 (forecast, 4 February 2019)

