

118TH CONGRESS  
1ST SESSION

# S. RES. 36

Reinforcing the United States-Nigeria relationship and urging the Government of Nigeria to conduct free, fair, transparent, and inclusive elections in 2023.

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IN THE SENATE OF THE UNITED STATES

FEBRUARY 7, 2023

Mr. MENENDEZ (for himself and Mr. RISCH) submitted the following resolution; which was referred to the Committee on Foreign Relations

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## RESOLUTION

Reinforcing the United States-Nigeria relationship and urging the Government of Nigeria to conduct free, fair, transparent, and inclusive elections in 2023.

Whereas Nigeria is the most populous democracy in Africa;

Whereas Nigeria remains one of the United States closest partners in Africa, with billions of dollars of United States aid and investment per year going towards key areas of governance, health, education, energy, and finance, and democracy in Nigeria continues to be a strategic priority;

Whereas Nigeria has the largest economy in Africa and plays an essential role in the economic growth and development of West Africa and continent-wide;

Whereas the United States-Nigeria trade relationship, supported by the African Growth and Opportunity Act (AGOA) (19 U.S.C. 3701 et seq.) and foreign direct investment, further connects our two countries' economies;

Whereas Nigeria's leadership in the Economic Community of West African States (ECOWAS) underscores Nigeria's position on upholding democracy and adherence to transfer of power through constitutional means;

Whereas the 2023 electoral process in Nigeria is scheduled to include a presidential election, 28 governor elections, 469 Federal lawmaker elections, and 36 State House of Assembly elections that may test the very foundation of democracy in Nigeria;

Whereas the United States supports peaceful, credible elections in Nigeria in keeping with the democratic aspirations of the Nigerian people;

Whereas the United States, through key multilateral and nongovernmental international organizations, has provided support to increase voter participation, access, education, and safety in elections since Nigeria's transition to multi-party democracy in 1999;

Whereas the 2019 Nigerian presidential and state-level elections were marred by election-related violence, last-minute delays, widespread vote buying, and disinformation, and had the lowest voter turnout in a presidential election since the return to civilian rule in 1999;

Whereas, after the 2019 elections, Nigerian citizens made a resounding call for electoral reforms to address violence, corruption, and political party conduct within the country's political system;

Whereas, over numerous election cycles, Nigerian civil society has developed significant capacities to impartially observe elections, conduct civic and voter education programs, and hold government officials accountable to democratic values;

Whereas the 2019 international election observation report published by the National Democratic Institute and the International Republican Institute noted that “political parties remain the weakest link among Nigeria’s nascent democratic institutions,” a sentiment shared by other citizen and international election observation missions, and emphasized the need for political party reforms to promote stronger internal democracy mechanisms, the further inclusion of women and young people in the political process, and the adherence to election codes of conduct and the legal framework by political parties;

Whereas despite the low voter turnout in the 2019 elections, a 2022 Afrobarometer poll indicated that 70 percent of Nigerians favor democracy over any other kind of government;

Whereas, since 2019, Nigeria has taken integral steps to advance transparency and inclusion in elections, including through key provisions passed as part of the Electoral Act, 2022;

Whereas the Electoral Act, 2022 calls for, among other things, an earlier release of election funding for the Independent National Electoral Commission (INEC), the electronic transmission of results, and the enfranchisement of voters with physical and mental disabilities;

Whereas the people of Nigeria continue to advocate for stronger democratic values, governmental accountability,

and the full implementation of the Electoral Act, 2022 in advance of presidential elections in 2023;

Whereas President Muhammadu Buhari has committed to a “peaceful transfer of power to an elected democratic government” in 2023, and has pledged to ensure that “elections are conducted in a free, fair, and transparent manner”; and

Whereas Nigeria continues to suffer from a multitude of security issues, including banditry, terrorism, ethnic violence, religious intolerance, and a lack of accountability for human rights abuses attributed to state security forces: Now, therefore, be it

1       *Resolved*, That the Senate—

2               (1) reiterates the United States commitment to  
3       democracy and good-governance in Nigeria and un-  
4       derscores the support of the United States for all  
5       people of Nigeria to be able to participate in free,  
6       inclusive, and fair elections;

7               (2) commends the Government of Nigeria on  
8       the passage of the Electoral Act, 2022, which sig-  
9       nals the intent of the Government of Nigeria to  
10      strengthen its administration of elections, and em-  
11      phasizes the need for fair and transparent electoral  
12      processes;

13              (3) applauds the work of the many Nigerian  
14      civil society organizations that continually work to  
15      advocate for and support the implementation of key  
16      election reforms, bolster civic education, demand ac-

1       countability for actions of the government and secu-  
2       rity personnel, and embolden women and youth par-  
3       ticipation in politics;

4           (4) encourages all Nigerians to exercise their  
5       right to vote and to refrain from all acts of electoral  
6       violence, voter malfeasance, vote buying and selling,  
7       inflammatory speech and disinformation, and any  
8       other actions that undermine free and fair elections  
9       in Nigeria;

10          (5) condemns violence perpetrated by Boko  
11       Haram, ISWAP, and numerous other insurgent and  
12       bandit groups that has impacted millions of Nige-  
13       rians and displaced hundreds of thousands in neigh-  
14       boring Chad, Niger, and Cameroon;

15          (6) calls on the Government of Nigeria to fully  
16       implement the various reforms included in the Elec-  
17       toral Act, 2022, and to—

18           (A) fund INEC to its fullest capacity to  
19       independently administer free, fair, and credible  
20       elections;

21           (B) ensure that Nigerian citizens can safe-  
22       ly vote in elections, free of voter intimidation  
23       and violence perpetrated by security forces,  
24       bandits, paid political disruptors, and armed in-  
25       surgents;

1 (C) remain independent from political in-  
2 terference by candidates, appointed or elected  
3 officials, political parties, and state security  
4 forces;

5 (D) work with INEC to ensure that elec-  
6 tions are held as scheduled;

7 (E) partner with civil society organizations,  
8 the United States Department of State, and the  
9 United States Agency for International Devel-  
10 opment on programs that promote and fund  
11 good-governance, civic education, and voter ac-  
12 cess;

13 (F) work meaningfully to reduce domestic  
14 tensions within Nigeria; and

15 (G) support effective sub-national elections  
16 through State Independent Electoral Commis-  
17 sions;

18 (7) urges INEC to—

19 (A) ensure equitable access for voter reg-  
20 istration, the distribution of Permanent Voter  
21 Cards (PVCs) and voter rolls, and ensure that  
22 the Bimodal Voter Accreditation System  
23 (BVAS) accurately allows for only one vote per  
24 person;

1 (B) maintain and publicly share accurate  
2 pre- and post-election voter turnout data;

3 (C) hold candidates, elected officials, and  
4 political parties accountable for electoral law  
5 violations, and take steps to prosecute all those  
6 who engage in voter intimidation, vote buying,  
7 and all other forms of electoral malfeasance;

8 (D) coordinate with civil society groups  
9 that help advance voter education, voter reg-  
10 istration, and election observation;

11 (E) minimize bureaucratic hurdles for ac-  
12 creditation of citizen and international observ-  
13 ers and ensure they have unfettered access to  
14 all aspects of the electoral process; and

15 (F) work with the United Nations and the  
16 international community to enfranchise millions  
17 of Nigerian citizens that have become internally  
18 displaced due to violent conflict;

19 (8) urges political parties in Nigeria to under-  
20 take reforms that reinforce democratic values and  
21 good-governance, including by—

22 (A) holding candidates, elected officials,  
23 and party operators accountable for efforts to  
24 interfere with elections, including vote buying,  
25 voter intimidation, and electoral violence;

1 (B) addressing financial and other barriers  
2 that routinely block women and young people  
3 from participating or running for elected office;  
4 and

5 (C) addressing electoral corruption, pa-  
6 tronage, and clientelism;

7 (9) calls upon the United States Government  
8 and the international community to continue to in-  
9 vest in programs aimed at advancing voter edu-  
10 cation, electoral security, conflict mitigation, elec-  
11 toral dispute resolution, anti-corruption efforts, as  
12 well as the development of political parties in Nige-  
13 ria, including—

14 (A) funding pre- and post-election data col-  
15 lection with the Government of Nigeria and  
16 INEC in accordance with the best election data  
17 maintenance and accessibility practices to en-  
18 sure there is a free open source for post-election  
19 data that is transparent and permanently avail-  
20 able to the public;

21 (B) supporting the right of Nigerian citi-  
22 zens to vote in elections that are free, fair,  
23 credible, and consistent with international  
24 democratic standards;



1 (C) promoting accountability for any indi-  
2 vidual that seeks to use violence, intimidation,  
3 or corrupt electoral practices to undermine  
4 peaceful credible elections in Nigeria, including  
5 through consideration of targeted financial and  
6 travel sanctions;

7 (D) enabling citizen and international ob-  
8 servation initiatives unfettered access to observe  
9 and issue reports on the pre-election, election  
10 day, and post-election processes, including inde-  
11 pendent verification of election results to the  
12 greatest extent possible; and

13 (E) working alongside the Government of  
14 Nigeria to call out and address disinformation  
15 about the electoral process or from malign ex-  
16 ternal actors;

17 (10) calls on candidates running for the office  
18 of the president, governor, and Federal and state  
19 elected offices to publicly commit to peace and to  
20 pursue the resolution of election disputes through  
21 peaceful means; and

22 (11) calls on the Secretary of State to pursue  
23 diplomatic engagement to encourage a peaceful and  
24 transparent electoral process in Nigeria in 2023, in-  
25 cluding by coordinating efforts among various

1 United States Government agencies and depart-  
2 ments to further good governance, strengthen demo-  
3 cratic and electoral institutions in Nigeria, and pre-  
4 vent intercommunal violence.

