

NIGERIAN FOREIGN RESIDENTS VOTING

RIGHTS

(MEMORANDUM TO PROVIDE FOR NIGERIANS RESIDING IN FOREIGN COUNTRIES TO PARTICIPATE IN PRESIDENTIAL AND GUBERNATORIAL ELECTIONS IN NIGERIA, BEING PART OF THE ON-GOING AMENDMENT OF THE ELECTORAL ACT OF NIGERIA)

PURSUANT TO THE JUDGEMENT OF THE FEDERAL HIGH COURT, ABUJA DELIVERED BY JUSTICE A. BELLO, DATED 18th DECEMBER 2008, IN SUIT NO: FHC/ABJ/CS/370/2007 BETWEEN HON. OLUWAFOLAJIMI AKEEM BELLO & 19 OTHERS VS INDEPENDENT NATIONAL ELECTORAL COMMISSION (INEC) & ATTORNEY-GENERAL OF THE FEDERATION

PART (XXX): NIGERIAN FOREIGN RESIDENTS VOTING RIGHT

(PROPOSED PART XXX OF THE ELECTORAL ACT- (in amendment))

Establishment of the foreign residency voting rights and eligibility	1. Subject to the provisions of the Constitution and notwithstanding any provision to the contrary in this Act or any other Act of the National Assembly, a citizen of Nigeria, of the age of eighteen years and above, residing and registered in the appropriate High Commissions or Embassies of Nigeria, shall be eligible to vote in all Presidential and Gubernatorial elections (general, bye-, and supplementary) held in the Federation.
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Independent Electoral Commission to Make Rules	2	<p>The Independent National Electoral Commission (“Commission”) shall make rules to enable Nigerian foreign residents of the age of eighteen years to vote in all Presidential and Gubernatorial elections held in the Federation, to include but not limited to the following:</p> <ol style="list-style-type: none"> a. Registration Procedure; b. Qualification for registration and eligibility to vote; c. The use of Nigerian embassies and missions and other designated centers as polling venues; d. Designation of electoral functions to Nigerian Ambassadors and Heads of Mission and any other governmental and non-governmental entities; e. Vote counting in the foreign countries; f. Release of votes counts in the foreign countries; and g. Carry out such other activities and duties as are necessary in giving effect to the provisions of this Act
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EXPLANATORY MEMORANDUM

THIS MEMORANDUM SEEKS TO PROVIDE FOR NIGERIANS RESIDING IN FOREIGN COUNTRIES TO PARTICIPATE IN PRESIDENTIAL AND GUBERNATORIAL ELECTIONS IN NIGERIA, BEING PART OF THE ON-GOING AMENDMENT OF THE ELECTORAL ACT OF NIGERIA.