

# **NIGERIAN FOREIGN RESIDENTS VOTING RIGHTS**

*(MEMORANDUM FOR THE INSERTION OF A SECTION TO ENABLE 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 18<sup>th</sup> 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**

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Section (XXX): Rights of non-resident citizens of Nigeria to vote

(PROPOSED SECTION XXX OF THE ELECTORAL ACT)

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| 1. | <p>(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, resident in a country or territory outside Nigeria shall be eligible to vote in all Presidential and Gubernatorial elections (general, bye-, and supplementary) held in the Federation; Provided that such non-resident voter is not subject to any legal incapacity to vote, and is registered as a Nigeria citizen in the Nigerian embassy or High Commission in the country of residence.</p> <p>(2) Accordingly, the Independent National Electoral Commission (the Commission) shall make rules to enable Nigerian foreign residents of the age of eighteen years and above to vote in all Presidential and Gubernatorial elections held in the Federation, to include but not limited</p> | Rights on non-resident citizens of Nigeria to vote within their countries of foreign residence |
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|  | <p>to the following:</p> <ul style="list-style-type: none"><li>(a) Registration Procedure;</li><li>(b) Qualification for registration and eligibility to vote;</li><li>(c) The use of Nigerian embassies and missions and any other designated centers as polling venues;</li><li>(d) Designation of electoral functions to Nigerian Ambassadors and Heads of Mission and any other governmental and non-governmental entities;</li><li>(e) Vote counting in the foreign countries;</li><li>(f) Release of votes counts in the foreign countries; and</li><li>(g) Carrying out such other activities and duties as are necessary in giving effect to the provisions of this Act.</li></ul> |  |
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