



# 2026 PRE-ELECTION DISPUTE OUTLOOK

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Although Nigeria's general elections will be held in 2027, 2026 is the most legally intense election year. This is when politicians position themselves for party tickets through primaries, alliances, defections, and internal negotiations. Under Nigerian law, most election-related disputes arise before Election Day, not after. As parties prepare for primaries and nominations, courts will see a surge in pre-election cases that must be resolved before the polls

**Here are some issues to consider**

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# Legal Framework

Pre-election activities in 2026 will be governed mainly by the 1999 Constitution (as amended) and the Electoral Act 2022. The Constitution sets strict timelines for pre-election matters under section 285, while the Electoral Act regulates party primaries, nomination processes, and submission of candidates' details to INEC. INEC's regulations and timetable, expected by late 2025 or early 2026, will activate key deadlines and trigger statutory timelines for litigation.

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# Party Primaries and Internal Disputes

Party primaries will be the biggest source of disputes in 2026. Political parties are required to conduct transparent primaries, notify INEC in advance, and submit the names of candidates who genuinely emerged from the process. Disputes often arise from flawed screening, parallel primaries, factional leadership struggles, sudden changes of venue, or imposed “consensus” candidates. Where parties mishandle these processes, litigation becomes almost inevitable.

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## Nomination, Submission, and Disqualification Battles

Once parties submit candidates' names to INEC under section 29 of the Electoral Act, another wave of disputes begins. Party members and opponents scrutinise nomination forms, affidavits, and credentials. Allegations of false information, forged certificates, name discrepancies, age issues, or improper substitution frequently lead to court actions. These cases are highly time-sensitive and often dominate court dockets during election cycles.

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## Courts, Timeline and Strategy

Pre-election matters fall under the exclusive jurisdiction of the Federal High Court. Actions must be filed within 14 days of the cause of action, decided within 180 days, and appeals concluded within 60 days. Courts have consistently held that they will not impose candidates on parties, but they will intervene where the law or party rules are clearly breached.

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What happens in 2026 will shape the 2027 elections long before votes are cast. Disputed primaries, flawed nominations, and unresolved internal crises often resurface during election petitions. Also, evidence generated in pre-election cases frequently becomes critical in post-election litigation. For political actors and parties alike, 2026 is not just a preparatory year; it will have a major impact on the 2027 election outcomes.

SPLP's Team continues to be recognised by clients and peers as experts in Pre-election dispute resolution matters.

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