

Papua New Guinea National Election

June-July 2017



The Commonwealth

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We convey our warm-hearted gratitude to the Commonwealth Secretary-General, Rt Hon Patricia Scotland QC, for giving us the opportunity and the privilege to serve the Commonwealth through this mission, in support of Papua New Guinea's electoral processes.

We express our appreciation to His Excellency the Governor General, Sir Bob Dadae, the Government and the people of Papua New Guinea, for the generous hospitality which has been extended to us since our arrival in June 2017.

The support and advice provided to the Group by the Papua New Guinea Electoral Commission and some of the stakeholders involved with the 2017 National Parliamentary Election is greatly appreciated.

We acknowledge the help extended to the Group by the Heads of the Commonwealth diplomatic missions and other international partners in Port Moresby. We were greatly assisted by the support provided by UNDP to coordinate the work of the international observers. The assistance and advice from our drivers and security officers during our deployment across the four regions of the country was exemplary.

A special mention must be made of the support and advice provided throughout the mission by the Commonwealth Secretariat Staff Team, Mr Luamanuvae Albert Mariner, Ms Sarah Linton, Ms Emma Kerr, Ms Zippy Ojago, Mr Ryan Bertrand, and media consultant, Mr Tunumafono Ulafala Aiavao. Their unstinting commitment and professionalism enabled us to complete our task.

Letter of Transmittal

Rt Hon Patricia Scotland QC
Secretary-General of the Commonwealth
Marlborough House
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Dear Secretary-General

We have pleasure in submitting our Group's report following our assignment to Papua New Guinea's National Election held in June-July 2017.

The 2017 National Election faced significant challenges, notably with a large number of names missing from the electoral roll. An accurate and credible electoral roll is at the heart of a credible electoral process. This issue should be addressed by the PNG Electoral Commission (PNGEC) immediately after the 2017 election. However, it is noteworthy that voters who were able to participate were generally free to exercise their democratic right, and the Group was pleased to observe that in most provinces, women, the elderly and young people appeared unhindered in their participation in the process.

Our Group was warmly welcomed in all parts of the country we visited and we appreciated the support and advice provided by the PNGEC and all the key national interlocutors. We worked closely with other international observer groups and we were particularly pleased with Transparency International PNG (TIPNG) facilitating and deploying domestic observers throughout all the provinces in the country.

Our conclusions and recommendations are submitted with a view that, if implemented fully, they would improve Papua New Guinea's electoral processes and facilitate the participation of its citizens in the country's future elections. We hope the Government, Parliament, PNGEC, and all the key stakeholders who are involved in elections, including the country's development partners, will give this report due consideration and provide the necessary support to implement the recommendations. We would encourage the Secretariat to make available the resources required to support PNGEC's efforts to strengthen and consolidate Papua New Guinea's democratic processes.

Yours sincerely



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Executive Summary

The Commonwealth Observer Group for PNG's 2017 National Election was present in the country from 19 June to 10 July. Our arrival was preceded by a visit to PNG by the Chair from 24 to 27 May 2017, and an Advance Observer Team, deployed from 7 June 2017 to examine the campaign period. The Chair and a small team of observers remained in PNG following the Group's departure until 14 July to observe counting in the capital.

The 2017 National Election was delivered in the face of significant funding, administrative and logistical challenges, including inclement weather, which hampered the PNG Electoral Commission's (PNGEC) ability to administer the election within the prescribed time period. Significant issues with the voter registration process were an unfortunate feature of the 2017 National Election, with a large number of names missing from the electoral roll. However, voters who were able to participate were generally free to exercise their democratic right, and in most provinces women, the elderly and young people appeared largely unhindered in their participation in the process.

The campaign period was competitive and broadly peaceful, although there were some isolated incidents of violence and a small number of deaths. Candidates appeared to be able to campaign in most areas without interference, and the media's coverage of the election was robust. The increasing influence of social media in political commentary was noteworthy.

Polling was scheduled to take place from 24 June to 8 July, although it was extended in some areas due to inclement weather and other issues. The citizens of Papua New Guinea turned out in large numbers to express their franchise and, with a few exceptions, in a peaceful manner. While there were some variations to voting practices throughout the country, and adherence to secrecy of the ballot was inconsistent, generally, the polling staff and voters appeared knowledgeable in the processes and procedures.

We were saddened by reports of election related violence during the counting period in the Highlands region which resulted in the loss of lives, including some members of the Police. All leaders of PNG have a responsibility and a role to play in ensuring national elections are held in a peaceful manner and the results are accepted as the will of the people, expressed through a credible democratic process. Consideration should be explored for the police to work in close collaboration with the traditional and church leaders to maintain law and order during national elections and to promote the principle of peaceful transfer of power.

The Group was disappointed to note that recommendations submitted by previous Commonwealth Observer Groups such as the need to improve the accuracy of the roll and to review constituency boundaries have not been implemented by both the PNGEC and previous Governments.

We were disappointed that significant barriers remain to women successfully standing for elections. We noted that not a single woman was elected to the

Parliament in the 2017 election. The Government and the PNGEC must urgently consider measures to ensure that there are female MPs in the National Parliament, in keeping with the international commitments to which Papua New Guinea is a signatory.

We noted the impact on PNGEC's efforts to prepare for 2017 elections with the limited financial resources made available by the Government. Adequate funding for PNGEC and advance preparation, in close coordination with the provincial Election Managers, must be addressed before the next election.

The Group recommended that the PNGEC should conduct an urgent review and lessons learned process immediately after this election, and improve the accuracy of the electoral roll. This process should be carried out with strong support from the Commonwealth Secretariat in collaboration with other development partners of PNG. Our Group was of the view that despite the challenges observed with the electoral roll, there were some positive aspects observed, in particular the high voter turn-out and enthusiasm by the people to participate in their democratic process.

Recommendations

Election administration

- The PNG Electoral Commission (PNGEC) should conduct an urgent review and lessons learned process immediately following this election. The review should include a specific component on the transparency of the PNGEC's operations, which needs to be improved in order to enhance the credibility of the PNGEC and the electoral process.
- It is critical that the PNGEC be provided with timely and adequate funding. The Government should consider introducing arrangements for direct appropriation of funds to the PNGEC to ensure its independence.
- The PNGEC should ensure adequate and timely release of funds to provincial election authorities and service providers, to minimise avoidable disruption to the election timetable.
- The continuing empowerment of provincial authorities with new responsibilities could also help reduce costs and ensure more timely and effective election operations in the field. The PNGEC should provide training to provincial officials and ensure accountability of all expenditure within a specified time period.
- The Inter-Departmental Election Committee (IDEC) should be chaired by the Electoral Commissioner (or co-chaired with the Chief Secretary) so as to ensure the Electoral Commissioner is able to coordinate effectively across different government agencies, and to counter perceptions that the PNGEC is under the control of the Government and is not fully independent.
- The Election Advisory Committee should be appointed and convened earlier in advance of an election, and given sufficient resources and access to information to enable it to fulfil its functions.

Engagement with political parties, candidates, media and the public

- The PNGEC should strengthen its working relationship with the Integrity of Political Parties and Candidates Commission (IPPC) to deliver regular briefings for political parties and candidates on all aspects of the election, to foster greater trust in the election process.
- The PNGEC should engage with the media more thoroughly to enhance public understanding of the electoral process. It should also expand its use of social media.

Boundary delimitation

- PNG's relevant laws should be reviewed to facilitate the revision of boundaries in line with international best practice. The Boundaries Commission should be empowered to make final decisions over boundary delimitation following broad consultations including with members of Parliament.

Voter registration

- The Government should ensure timely release of funding to the PNGEC to enable a thorough process of updating the electoral roll. This process should be completed earlier in advance of the election and finalised prior to the cut-off upon the issue of the writs. Security measures should be put in place to prevent further changes to the roll after the cut-off point, and political parties and candidates should receive copies of the final electoral roll in advance of the polling period.
- The PNGEC should consider providing for continuous voter registration, including online registration.
- The PNGEC should ensure greater accuracy and transparency in the voter registration process. Existing local structures should be supported to collect enrolments and provincial election authorities should be responsible for maintaining the electoral rolls. The PNGEC should ensure oversight and accountability of this process, including providing adequate training.
- The PNGEC should develop a system for voter identification as a priority. The National Identification (NID) system, should it be successfully completed, and with sufficient provisions for data sharing with the PNGEC, could be used for this purpose.
- The PNGEC should carry out awareness programmes over the enrolment process, including display of the rolls and initiatives such as the 'Roll Look Up' app. Voters should also be made aware of their rights to appeal decisions relating to their registration.
- Consideration should be given at future elections to providing voter registration forms at polling stations to voters turned away because their names are not on the roll, to help improve the roll's future accuracy. Such registration forms should have a number and receipt so that the voter will have his or her registration number once the form is completed. Appropriate security measures should be in place to prevent multiple registration to improve the accuracy of the roll.

Voter education and civic awareness

- A sustained programme of voter education should be undertaken in partnership with civil society such as Transparency International PNG

(TIPNG) and church groups. Areas of focus should include voter registration, how to vote and the importance of ballot secrecy.

- Efforts should be made to strengthen awareness about voters' rights and responsibilities, the role governments can play in the delivery of services and the relationship with citizens.
- We encourage the PNGEC to collaborate with various youth organisations across PNG to develop and implement youth-friendly voter and civic education programmes, in consideration of the large youth population in PNG. The PNGEC should develop targeted civic awareness programmes for students of high schools and universities, so as to empower these young people to share this knowledge with their families and communities.

Election disputes

- The system for election petitions should be reviewed to reduce the burden on the courts, and free the PNGEC from being a respondent, which would ensure speedier resolution of disputes. The PNGEC should be seen as a friend of the court, rather than a party to the proceedings. We note the Electoral Commissioner has endorsed recommendations from a Commonwealth technical expert in this area.

Inclusion and access

- We urge political parties, independent candidates and stakeholders to enhance youth and women's political participation at all levels, to foster meaningful involvement and inclusion. A study looking into the participation of women as voters and as candidates should be commissioned to better understand the barriers faced by women.
- The Government should consider strengthening its efforts to increase women's representation in Parliament. Temporary Special Measures (TSM) can be an effective tool in addressing this issue, as reflected in key international commitments to which PNG is a signatory. Parties should also be encouraged to introduce a minimum ten percent quota for women candidates.
- Ways to enhance the security of the campaign environment for female candidates should be examined. In the lead-up to the next election, the PNGEC and partners should undertake public awareness on the value of women's political participation.
- The PNGEC could consider additional measures to minimise coercion and intimidation of women at polling stations, particularly in the Highlands.

Campaign practices

- The IPPCC should continue work to strengthen political parties and their practices, including the continuing development of the code of conduct.
- Parliament should update and strengthen laws relating to the regulation and transparency of campaign financing. This needs to be coupled with more active enforcement of such laws.
- Election-related offences, particularly with regard to bribery, undue influence and underage voting, should be enforced to dispel the culture of impunity. Individuals who seek to prevent other potential voters, particularly women, from exercising their franchise should be liable for prosecution, in line with existing law.

Election preparations

- Effort should be made to ensure polling stations are able to open on time. Election officials should ensure that the time for transportation of ballot boxes, materials and staff is incorporated into planning so as to minimise delays.
- The PNGEC should consider measures to be put in place with the aim of reducing the overall length of the polling period.
- The PNGEC should review the placement of polling locations to ensure adequate shelter, lighting where possible, and to enable voters to easily access the polling stations. Consideration should be given to a more equal distribution of voters among polling stations.
- Noting that security forces and polling officials are often deployed away from their homes, special effort should be made to ensure these officials are able to vote. Such consideration could include ‘advance polling’ for all officials involved in the national election.

Voting practices

- The PNGEC should consider using more effective indelible ink with a higher concentration of silver nitrate.
- The PNGEC should ensure sufficient distribution of ballot papers based on the numbers on the electoral roll. The colour on the back of the ballot papers should match the front.
- Training for polling officials, including on assisted voting, should be strengthened with an emphasis on ensuring ballot secrecy.
- The IPPCC should coordinate with the PNGEC to train political party representatives, including scrutineers, on voting procedures so as to avoid confusion at polling stations.

Counting practices

- Counting should commence in all locations following the conclusion of the polling period.
- Counting processes should be reviewed, with a view to making it more efficient without compromising the transparency of the process.
- At all counting centres, consideration should be given for the ballot paper to be projected on a screen to ensure greater transparency during the counting period.
- Effort should be made to foster a better security environment during the counting period. Consideration should be explored for the police to work in close collaboration with the traditional and church leaders to maintain law and order during national elections and to promote the principle of peaceful transfer of power.

Chapter 1

INTRODUCTION

The Commonwealth Secretary-General, Rt Hon Patricia Scotland QC, constituted an Observer Group for the June-July 2017 National Elections following an invitation from the Government of Papua New Guinea (PNG) on 8 February 2017. In line with normal practice, the Secretary-General deployed a Pre-Election Assessment Mission to Papua New Guinea in February 2017 to assess the prevailing situation and the pre-electoral environment.

The Commonwealth Observer Group was led by Rt Hon Sir Anand Satyanand, former Governor-General of New Zealand and former Chairman of the Commonwealth Foundation, and comprised twelve Commonwealth citizens from Africa, the Caribbean, Pacific and South Asia. The Group comprised experts from various fields, including election management, politics, civil society, human rights, media, gender and youth. A six-person staff team from the Commonwealth Secretariat provided technical support to the Observer Group.

Terms of Reference

‘The Group is established by the Commonwealth Secretary-General at the invitation of the Government of Papua New Guinea. The Group is to consider the various factors impinging on the credibility of the electoral process as a whole.

The Group will determine in its own judgement whether the elections have been conducted according to the standards for democratic elections to which the country has committed itself, with reference to national election-related legislation as well as relevant Commonwealth, regional and other international norms and commitments.

The Group is to act impartially and independently. It has no executive role: its function is not to supervise but to observe the process as a whole and to form a judgement accordingly. It would also be free to propose to the authorities concerned such action on institutional, procedural and other matters as would assist the holding of such elections.

The Group is to submit its report to the Commonwealth Secretary-General, who will forward it to the Government of Papua New Guinea, the PNG Electoral Commission and leaders of political parties, and thereafter all Commonwealth member governments.’

Activities

The Chair of the Observer Group paid a pre-election visit to Port Moresby from 24 to 27 May 2017, accompanied by a Secretariat staff member. Meetings were completed with some of the key stakeholders including the Electoral

Commissioner, the Registrar of Political Parties, representatives of political parties, the Prime Minister, civil society organisations, Commonwealth High Commissioners and some of PNG's development partners, such as the United Nations Development Programme (UNDP).

An Advance Observer Team arrived in Papua New Guinea on 5 June 2017, ahead of the full Observer Group, which was present from 19 June to 10 July 2017. The Chair, accompanied by two observers and two members of the staff team, remained in Port Moresby until 14 July 2017 to observe counting in the capital.

The Observer Group received briefings on the preparations and political environment ahead of the 2017 National Elections from the Advance Observer Team, the PNG Electoral Commission (PNGEC), Integrity of Political Parties and Candidates Commission (IPPC), representatives of several political parties and candidates, a wide range of civil society organisations, including from the field of gender, youth representatives, other international and domestic election observer groups, the media, UNDP and Commonwealth High Commissioners.

The Observer Group held a media conference on 21 June, where an Arrival Statement was delivered (Annex II).

Members of the Group were deployed in eight teams to the four regions of the country, visiting 15¹ of PNG's 22 provinces between 22 June and 5 July (Annex III). Before observing polling, they received briefings at the provincial and local government level from representatives of the Electoral Commission, political parties and candidates, civil society organisations, faith groups, traditional leaders, media and the police. They also liaised with members of other international and domestic observer missions.

Following return to Port Moresby, the Commonwealth Observer Group held a media conference on 10 July 2017, where they released an Interim Statement (Annex IV), highlighting the Group's preliminary findings and observations.

This report was prepared in Port Moresby prior to the Group's departure on 14 July 2017, and was thereafter transmitted to the Commonwealth Secretary-General.

¹ National Capital District (NCD), Central, Milne Bay, Madang, Morobe, East Sepik, East New Britain, West New Britain, New Ireland, Autonomous Region of Bougainville, Eastern Highlands, Chimbu, Jiwaka, Enga and Western Highlands.

Chapter 2

POLITICAL BACKGROUND

Early and colonial history

Archaeological evidence of humans on the island of New Guinea has been dated to approximately 50,000 years ago. Spanish and Portuguese sailors sighted the land in the early 16th century. The Dutch claimed the western half of the island in 1828 as part of the Dutch East Indies. There was some limited foreign exploration of the eastern half of the island in the 19th century, and a few settlements made. In 1884, Germany annexed the northern parts and Britain proclaimed a protectorate over the southern parts, which were formally annexed by Britain in 1888 and became British New Guinea.

In 1906, Australia took over British New Guinea, renamed a year earlier as the Territory of Papua. The Australian army occupied German New Guinea during the First World War and in 1920 Australia received from the League of Nations a mandate for the government of New Guinea, as it was then called.

In 1942 the Japanese army occupied parts of New Guinea and Papua; the Australian military administered the rest. Papua New Guinea played a significant role in World War II history, as a frontline of allied defence against Japan's push southward. Following the war, under the Papua and New Guinea Act of 1949, the two parts were united for administration as the Territory of Papua and New Guinea and put under United Nations International Trusteeship. The Act set up a legislative council, under an (Australian) Administrator, with a mix of elected and appointed members. Under the Papua and New Guinea Act of 1963, the council became a House of Assembly, with 64 members, ten of them nominated official members and 54 elected from throughout the Territory in 1964.

The House of Assembly established a Select Committee on Constitutional Development, and its recommendations were adopted in 1967. This resulted in the number of elected seats in the House being increased to 84 in elections in 1968. A new ministerial system was adopted and an Executive Council established. In 1971 a new Select Committee recommended that the Territory prepare for self-government. Elections were held in April 1972. The House then had 100 elected members, with an additional three appointed and four official members. Sir Michael Somare became Chief Minister of a coalition government. Self-government was granted at the end of 1973.

Post-Independence

Papua New Guinea achieved independence on 16 September 1975, becoming a sovereign constitutional monarchy with Queen Elizabeth II as Head of State, represented by a Papua New Guinean Governor-General, Sir John Guise. PNG adopted a five-year parliamentary term and Sir Michael Somare, the Prime Minister at independence and leader of the Papua New Guinea United Party

(PANGU Pati), was returned to power at the 1977 election. A parliamentary defeat in 1980 led to his replacement as Prime Minister by Sir Julius Chan, leader of the People's Progress Party (PPP). Chan served as Prime Minister until 1982 when, following a national election, the Parliament re-elected Somare (PANGU). In 1985, the Parliament again passed a vote of no confidence in Somare, and Paias Wingti, leader of the People's Democratic Movement (PDM) was elected Prime Minister. Wingti (PDM) was re-elected Prime Minister following the 1987 national election, but was removed following a vote of no confidence in 1988. Sir Rabbie Namaliu, who had successfully challenged Somare for the leadership of PANGU, became Prime Minister. After the 1992 election, Wingti (PDM) won back the Prime Ministership.

At independence, PNG's Constitution incorporated a six-month grace period after elections during which no-confidence motions were banned (s. 145(4)). The aim of the grace period was to allow government sufficient time to settle into office, develop and implement policies. Parliament amended this law in 1991 to extend the mandatory period between no-confidence motions to 18 months to increase political stability. In an attempt to extend his grace period by a second 18 months Wingti resigned in 1994 without notice and was almost immediately re-elected. PNG's Supreme Court ruled the manoeuvre unconstitutional and Sir Julius Chan (PPP) successfully challenged Wingti for the Prime Ministership. Chan was forced to resign in March 1997 as a result of a political and military crisis arising from the Bougainville conflict.² Cabinet appointed a caretaker government headed by the Minister for Mining and Petroleum, John Giheno (PPP).

At the election held in 1997, 16 ministers (including Chan) lost their seats and Sir William (Bill) Skate, leader of the People's National Congress (PNC), was elected Prime Minister by Parliament after a month of negotiations as the head of a four-party coalition. Beset by corruption scandals and an acute financial crisis, by mid-1999 Skate lost the support of the majority in Parliament. He resigned as Prime Minister in July, shortly before Parliament started its new session, and Sir Mekere Morauta, then leader of PDM, was elected Prime Minister.

² The conflict between 1989 and 1997 in Bougainville was one of the most serious and damaging in the modern history of the Pacific Islands region. The origins of the crisis were complex, but largely rooted in disputes related to the Panguna copper mine in central Bougainville, which was PNG's most significant source of employment and revenue before the conflict. Unsuccessful attempts were made over several years to broker a peace agreement. In early 1997 the PNG Government secretly engaged and deployed a group of foreign mercenaries (the 'Sandline' group) to Bougainville to resolve the crisis by force of arms. When this became known the PNG Defence Force mutinied, rounded up and expelled the mercenaries, and eventually forced the resignation of then-Prime Minister Sir Julius Chan. The gravity of the 'Sandline Affair' gave renewed urgency to the search for a negotiated settlement. The Bougainville Peace Agreement was signed in August 2001 and provided for special autonomous status for Bougainville under its own Constitution (enacted in 2004), with a gradual draw-down of substantial powers from the PNG Government, and the promise of a referendum on independence to be held between 2015 and 2020. In May 2016, a target date for the referendum of 15 June 2019 was agreed by the National Government and the Autonomous Bougainville Government (ABG).

Under Sir Mekere Morauta's leadership, Parliament passed the Organic Law on the Integrity of Political Parties and Candidates (OLIPPAC) in 2001 (amended in 2003), introducing legislative measures designed to address political instability. OLIPPAC instituted stringent party membership rules designed to make political parties stronger and governments more stable. Under OLIPPAC, members of Parliament (MP) were to be penalised if they switched parties, and had to vote in accordance with their party on matters relating to constitutional amendments, budget appropriations and motions of no confidence.

2002 National Election

The national election that took place in 2002 was chaotic and violent, and marked by widespread voting irregularities, inaccurate electoral rolls, voter manipulation and intimidation (including at times by electoral officials) hijacking of ballot boxes, and outbreaks of violence among rival candidates, their supporters and, in some instances, against polling officials, resulting in dozens of deaths. The Electoral Commissioner declared elections in six of the nine electorates in the Southern Highlands Province to have failed when officials were unable to retain control over the process. In Enga Province, ballot boxes held in a metal container outside a police station for safekeeping were bombed with drums of aviation fuel.

Following the election, Somare's National Alliance Party (NA) won 19 of the declared seats. Somare once again became Prime Minister, heading a multiparty coalition. With the OLIPPAC in place, the 2002 Somare government became the first since independence to serve a full five-year term in office.

2007 National Election

The 2007 national election was the first held following the enactment of a series of electoral reforms, some of which had commenced under the Morauta Government in 2001. Notably, these reforms included the replacement of the 'first-past-the-post' voting system with limited preferential voting (LPV).³ The decision to move to the LPV system was in response to calls for MPs to be elected with larger percentage of the vote and, in part, to reduce tensions associated with candidate movements during the campaign period.

Somare's NA won 27 seats at the 2007 elections, and secured the agreement of a further 59 MPs to join his coalition. Somare was therefore duly re-elected as Prime Minister by Parliament.

In July 2010, PNG's Supreme Court ruled that key elements of OLIPPAC were unconstitutional, including provisions that restricted MPs on votes relating to the election of (and vote of no confidence in) the Prime Minister, the budget, constitutional laws, and whether they wanted to remain within a political party or change allegiance.

³ Preferential voting had been used in elections in PNG in 1964, 1968 and 1972, but were replaced with the first-past-the-post system upon the country's transition to independence.

2011-12 'Political Crisis'

In March 2011, Somare departed to Singapore for medical treatment, for what subsequently emerged as a serious health condition. His absence extended for several months. On 2 August 2011, amid increasing concerns that Somare would never be able to resume office, a parliamentary vote declared the office of prime minister to be vacant. Peter O'Neill, PNC party leader, was then elected Prime Minister.

Parliament's actions were immediately challenged in the Supreme Court, spearheaded by the Somare-led NA. Upon his return from Singapore in September 2011, Somare joined this action. On 12 December 2011 the court ruled that the declared vacancy was unconstitutional, and therefore the subsequent election of Peter O'Neill as Prime Minister was invalid.

Parliament passed a law in response to the ruling to prevent a return by Somare as Prime Minister (notably by placing an age-limit on the eligibility requirements for the post). O'Neill remained in the position of Prime Minister, confirmed by a parliamentary vote, and continued to enjoy the support of the public service, police and other key agencies, although Somare attempted to appoint his own defence and police commanders.

On 26 January 2012, a small group of military officers briefly took up arms against O'Neill's appointed Commander of the PNG Defence Force, claiming the authority of Somare as the lawful Prime Minister. The attempted mutiny was quickly and peacefully defused by police and military loyal to O'Neill.

Despite a period of political tumult, marked by proposed delays to the election and attempts to restrict the authority of the court, elections proceeded in accordance with PNG's Constitution during June-July 2012.

2012 National Election

PNG's 2012 national election took place between 23 June and 13 July 2012. Polling was marked with widespread delays, ranging from hours to several days in some locations, and the official date for polling to conclude, originally scheduled for 6 July, was extended by one week to enable teams to conclude polling. The writs, originally scheduled to be returned on 27 July, were returned on 2 August 2012.

In coastal areas, polling was peaceful and correct voting procedures were broadly followed, albeit with some variances. Polling was also largely peaceful in the Highlands, although there were some isolated instances of violence and security forces were deployed in large numbers, and serious irregularities were observed in the voting procedures. The accuracy of the electoral roll was a cause of concern to many voters, with reports that numerous voters were turned away in coastal and islands provinces. Voting proceeded in the Highlands, despite the abandonment of the electoral roll altogether in most parts.

O'Neill's PNC party won 27 seats at the 2012 national election, and secured support from additional parties, including Somare's NA, which had won 7 seats and independent MPs to form government. On 3 August 2012, Parliament elected O'Neill Prime Minister.

The then Commonwealth Observer Group reported that the 2012 national election had seen some progress and some setbacks in the country's efforts to strengthen democracy. The report noted the increase in money politics, problems with aspects of election management (including delays for avoidable reasons and problems with the quality and management of the electoral roll), significant variations and practices of voting around the country, which impacted on the secrecy of ballot, and what they described as the widespread, deeply-rooted discrimination against women.

The Observer Group made recommendations on the following aspects of Papua New Guinea's elections:

- Parliament to give due respect to the principle of equal suffrage in considering future reviews of electoral boundaries;
- Review and strengthen the voter registration system and electoral roll, including an appropriate form of voter identification;
- Strengthen the effectiveness of election management by the PNG Electoral Commission, including through possible restructuring and refining arrangements for decentralisation;
- Make use of the Elections Advisory Committee as provided for under law;
- Ensure adequate and timely training of election officials;
- Ensure greater gender balance in Parliament, and expand dedicated programmes to train and support female candidates;
- Strengthen campaign financing laws and regulations, coupled with more active enforcement;
- Develop guidelines on election coverage by media;
- Provide consistent and ongoing education on the electoral and registration process;
- Ensure civic education to encourage voting based on policies;
- Upgrade training of polling officials to emphasise the importance of polling in accordance with the prescribed timeframe;
- Introduce a number of measures to enhance polling procedures;
- Ensure strict enforcement of the secrecy of ballot;
- Work to build a culture of democracy, such as a peaceful transfer of power;
- Strengthen measures to ensure appropriate gender balance and equal opportunity for men and women in all positions with regard to the electoral process;
- Continue and expand special arrangements for disabled voters;
- Include in the procedures for the count a requirement that information from the Presiding Officer's journal, specifically the reconciliation of the ballots, be publicly announced prior to the counting of each box; and
- Continue support and capacity development to strengthen domestic observation.

Chapter 3

THE ELECTORAL FRAMEWORK, MEDIA, INCLUSIVE PARTICIPATION AND REPRESENTATION

Prime Minister and the Parliament

Papua New Guinea's National Parliament is a 111-member unicameral legislature elected for five-year terms. Members of the National Parliament are elected from 89 single-member ('open') electorates and 22 provincial electorates. With the exception of the regional member for Bougainville, members from provincial electorates also serve as governors and oversee the provincial assembly and administration.⁴

The Head of Government of Papua New Guinea is a Prime Minister, a member of Parliament who is elected by a majority vote in Parliament following national elections or after a vacancy has arisen (for example due to a vote of no confidence). Following national elections, the leader of the party who has won the largest number of seats is invited by the Governor-General to nominate for the position. If he or she fails to receive a majority of votes, other candidates can be nominated for the position.

Legal Framework and International and Regional Commitments

Papua New Guinea's national electoral legal framework is comprised of:

- Constitution of Papua New Guinea (1975, as amended);
- Organic Law on National and Local-Level Government Elections (OLNLLGE - 1999, as amended);
- Electoral Law (National and Local-Level Government Elections) Regulations (2007);
- Organic Law on the Integrity of Political Parties and Candidates (OLIPPAC - 2003, as amended); and
- Integrity of Political Parties and Candidates Regulation (2005).

Additionally, Papua New Guinea has signed or agreed to several major regional and international commitments and instruments relating to the conduct of elections and human rights. These include:

- The Commonwealth Charter (2012);
- Pacific Islands Forum Leaders Declaration on Gender Equality (2012);
- Convention on the Rights of Persons with Disabilities (2008);
- Biketawa Declaration of the Pacific Islands Forum (2000);

⁴ The Autonomous Region of Bougainville is administered by the Autonomous Bougainville Government (ABG), with its own executive (President, directly elected by popular vote) and legislature (Bougainville House of Representatives). The regional member of Bougainville represents the interests of the Bougainville people in PNG's National Parliament but does not preside over the ABG.

- Convention on the Elimination of All Forms of Discrimination Against Women (1979);
- International Covenant on Civil and Political Rights (1966);
- International Covenant on Economic, Social and Cultural Rights (1966); and
- Universal Declaration of Human Rights (1948).

Papua New Guinea's Constitution provides the basic framework for parliamentary democracy and elections, which are required to take place every five years (s.105). It entrenches the right of citizens to vote and to be elected to office (s.50). It establishes universal adult suffrage for citizens aged 18 years and over (s.126). The qualifications for membership of Parliament are established, including a minimum age of 25 years (s.103). The Constitution mandates the independence of the Electoral Commission (s.126) and provides an overarching framework for electoral matters including the Boundaries Commission, Electoral Commission and its operation, requiring detailed provisions on these to be set out in the relevant organic laws.

The OLNLLGE sets out detailed provisions on all aspects of the electoral process, including the establishment and responsibilities of the Electoral Commission (s.5-24), determination of boundaries (s.25-42), polling places (s.43), electoral rolls (s.44-72), issue of writs (s.73-82), nominations (s.83-96), election cancellation and failure (s.97), voting and counting (s.98-174), return of writs (s.175-177), election offences (s.178-205) and dispute resolution (s.206-233).⁵

The OLIPPAC sets out provisions for the registration and regulation of political parties and provides for the establishment of the Integrity of Political Parties and Candidates Commission (IPCC) to oversee its operation.

Amendments to the Constitution and organic laws can be enacted through a bill in Parliament, which must receive an absolute majority (prescribed by the Constitution as either 50 percent plus one, a two-third majority or a three-quarters majority), and requires two readings before Parliament at least two months apart. However, legislation does provide for the waiving of certain provisions, if approved by a two-third majority in Parliament.

PNG Electoral Commission

Under the OLNLLGE, management of the election is vested in an Electoral Commissioner, appointed by the Head of State on the advice of an appointments committee consisting of the Prime Minister, Leader of the Opposition, Chair of the Parliamentary Committee dealing with electoral oversight, and Chair of the Public Services Commission (s.5-6). The current Electoral Commissioner, Patilias Gamato, was appointed in November 2015. The Commissioner administers the election through the PNG Electoral Commission (PNGEC).

⁵ The OLNLLGE also sets out provisions for local-level government elections, from s.234 onwards.

The PNGEC employs over 100 permanent staff, working in six branches: Election Operations, Information and Community Awareness, Policy Development, Human Resource Management, Finance, and Audit and Risk Management. The PNGEC also permanently employs an Election Manager and Assistant Election Manager in each provincial capital. A number of additional staff were recruited or seconded to the PNGEC headquarters and provincial offices to play various roles during the election period. The PNGEC received support from several international partners, including the Australian Civilian Corps, Australian Electoral Commission, International Foundation for Electoral Systems and the New Zealand Electoral Commission. In 2017, the United Nations Development Programme (UNDP) also provided support to the PNGEC to coordinate international and citizen election observers.

An Inter-Departmental Election Committee (IDEC), chaired by the Chief Secretary of the Prime Minister's Department, was also in place in 2017 to coordinate election arrangements between the PNGEC and other relevant government agencies including the police and military. The Group received reports of concern from several stakeholders that the Chief Secretary, in his capacity as Chair of IDEC, was perceived as the key decision maker preparing the country's 2017 elections. This perception was further heightened at press conferences in the lead up to the 2017 elections, in which the Chief Secretary, rather than the Electoral Commissioner, led public messaging on electoral matters. The Group notes the IDEC plays a fundamental role in the coordination of agencies through an 'all-of-government' approach during elections. Nonetheless, the perceived dependence of this Committee on the Chief Secretary can undermine perceptions of the Electoral Commission's independence.

It was apparent that, despite the coordination at senior levels across agencies, some officials, including security officials at more junior levels, demonstrated a lack of understanding of roles and duties related to the election.

Administration of the elections is largely decentralised. Provincial Election Managers are responsible in large part for organising and managing the elections in their respective provinces. They are expected to work in consultation with a Provincial Election Steering Committee, chaired by the Provincial Administrator. In advance of the 2017 National Election several Provincial Administrators signed memoranda of understanding with the PNGEC on provincial support to be provided to the electoral process. The Group noted positively the leadership displayed by many of the Election Managers, two of whom we met were women. The Group also welcomed the support provided by the Assistant Election Managers, the majority of whom were women, and who played a critical role in ensuring the operation of the elections. The Group received several comments that Election Managers, working with the Provincial Administration, should be given more leadership and responsibility, including for compiling and finalising the electoral roll at the provincial level. The delegation of powers, and allocation of resources to provincial election authorities could assist in this regard.

The appointment of Returning Officers for each electorate and assisting staff (assistant Returning Officers, Presiding Officers and polling and counting staff) is undertaken by the Electoral Commissioner. The Group noted that very few of the 111 Returning Officers were women, and encouraged the PNGEC to include gender equality in its criteria for the selection of Returning Officers. The Group noted the concerns expressed by some stakeholders over the appointment process for the Returning Officers, and encouraged transparency over the selection process in future elections.

Funding for the Electoral Commission and election-related activities

The Group was advised that the Electoral Commission had experienced serious funding shortfalls in the lead up to the election. Consistent underfunding in non-election years (2013-2016) had hampered the PNGEC's ability to undertake a timely update of the voters' register, undertake voter education and civic awareness, and pay outstanding debts from previous elections. We were informed that the PNGEC had requested a budget of K370 million for the 2017 National Election but was appropriated only K279 million. The budget estimate submitted for security operations was K230 million and only K121 million was appropriated by Parliament. The Group was advised that not all of this allocated funding had been released in a timely manner to the PNGEC and to the security forces. The Group noted concerns raised publicly by the Electoral Commissioner, including as recently as February 2017, that funding allocated to key election activities had been diverted to other government initiatives. Adequate funding to the PNGEC is vital to ensuring a credible electoral process. The PNG Government should prioritise funding of the Electoral Commission and ensure timely release of funds. The Government could consider funding the Electoral Commission through a separate funding appropriation to ensure greater independence over its budget and expenditure.

The lack of timely or adequate distribution of election funds by the Electoral Commission to the provincial and district level further inhibited election preparations. The Group was advised that PNGEC funding to provincial areas was insufficient and often delayed, due to competing funding priorities at Headquarters in Port Moresby. It was suggested that the centralised procurement of non-sensitive election materials led to a situation where election expenditure in Port Moresby was alleged to have been prioritised, leaving less money or delayed release of funds for field operations.

PNGEC engagement with political parties, candidates, media and the public

It was apparent that there was a lot of misinformation about the 2017 elections, and several stakeholders expressed a lack of trust in the PNGEC. For example, a number of people questioned the PNGEC's decision to print ballot papers in Indonesia. The Electoral Commission informed us that an Indonesian supplier had been awarded the contract because it had been able to produce additional security measures at a reduced cost. Nonetheless, some speculated that the 'new security measures' in the ballot papers could be used to defraud the elections. Representatives of several political parties expressed concern that

they had not had an opportunity to see samples of the new ballot papers prior to the election.

Many stakeholders also appeared confused at the announcement that 10 million ballot papers were printed for the election, some believing that this was double the 5,055,347 voters on the electoral roll. The PNGEC informed us that the 10 million ballot papers included 5 million open electorate ballots and 5 million provincial ballots, which indicated that the total number of names on the roll could have exceeded the number of ballot papers printed. Observers noted a shortfall in ballot papers during the polling period.

Representatives of opposition parties informed us that they had been unable to secure meetings with the PNGEC, despite several efforts to make appointments. Conversely, other political representatives advised that the PNGEC had been open and willing to discuss issues where they arose.

The Group noted that public and stakeholder confidence in the Electoral Commission is critical to the perceived credibility of any election, and encouraged the PNGEC to improve its engagement in the lead up to elections. It is essential that political parties and candidates enjoy equal access to timely information on the electoral process and developments. The IPPCC could be a useful partner in the dissemination of this information. Similarly, the PNGEC should partner with key civil society organisations, such as Transparency International Papua New Guinea (TIPNG) and the Council of Churches, to promote information related to the election. Regular, transparent and sustained engagement in this manner would assist in building confidence in the electoral process.

Some sections of the PNG media seemed ill-informed about key election issues. The apparently widespread public scepticism about the legitimacy of some PNGEC activities could be ameliorated by allowing the PNGEC's technical experts to engage more actively with the PNG media on a backgrounding basis.

Election Advisory Committee

The OLNLLGE provides for an Election Advisory Committee, comprising nominees by the Chief Ombudsman, TIPNG and an independent legal expert. The Committee is to provide recommendations and advice to the Electoral Commission on any election-related matters referred to it. The Committee is convened by the Governor-General on the advice of the Electoral Commissioner. The PNG Electoral Commissioner convened the Election Advisory Committee for the 2017 election in May 2017.

The Observer Group in 2012 had recommended that the Election Advisory Committee be constituted in accordance with provision prescribed in the OLNLLGE. We were therefore pleased to see that this recommendation had been adopted. However, the Committee was only formed six weeks before the commencement of polling, and was not invested with sufficient power or access to be able to advise the Electoral Commission adequately. We noted that the members of the Election Advisory Committee resigned during the counting

period because they felt they had not been given the access or resources needed to perform their functions. We would therefore encourage that sufficient power, resources and access be granted to the Election Advisory Committee for it to be able to fulfil its functions in future elections. The Election Advisory Committee could also usefully provide advisory support to other critical processes in the electoral cycle, including the update of the electoral roll.

Electoral Boundary Review

Article 125 of the Constitution establishes provision for the determination by Parliament of open electorates ‘in accordance with recommendations from a Boundaries Commission.’ Boundary delimitation reviews are to be conducted at least every 10 years. Under the OLNLLGE, boundaries are to be determined on the basis of ensuring each open electorate contains an equal population, with a variance of 20 percent to take into account such factors as traditional and local government boundaries (s.36). Parliament may accept or reject, but not amend, the Commission’s recommendations (s.40-41).

The Boundaries Commission has undertaken regular boundary delimitation reviews since 1977. However, Parliament has exercised its right of rejection for every boundary report which has been presented since independence (with the exception of the creation of Hela and Jiwaka, which did not affect open electorate boundaries). As a result, population numbers in open electorates vary widely, from 22,361 registered voters in Rabaul Open to 143,497 in Lagaip-Porgera Open. This inconsistency is of particular relevance, given the provision for District/Provincial Services Improvement Programmes (DSIP/PSIP), under which members of Parliament are allocated significant funds regardless of the size of the populations in their electorates.

This high degree of variation of population sizes in electorates is in breach of both the stated legal tolerance under PNG law and international best practice. Previous Commonwealth Observer Groups have recommended Parliament give due consideration to proposed boundary reviews, but this has not taken place. It is noted that members of Parliament have an interest in maintaining the existing boundaries, where they have invested their DSIP funds. Due to the clarity of the law in setting out the consultation process with Parliament, and the sustained intransigence of Parliament, the Group recommends reform of the organic law to remove the right of refusal from Parliament. This would be in line with international best practice, which recommends the removal of politics from the boundary delimitation process where possible.

Voter Eligibility and Registration

The Constitution states that to be eligible to vote in Papua New Guinea, one must be a citizen and at least 18 years of age (s.126). Under the OLNLLGE, an electoral roll is established for each electorate, comprising a number of ward rolls in the case of an open electorate and a number of open electoral rolls in the case of a provincial electorate (s.44). A Returning Officer is responsible for the revision and compilation of an existing electoral roll under the direction of

the Electoral Commissioner, and may obtain the assistance of any person he or she considers necessary to revise the roll (s.48(a)). A new roll may be prepared under the direction of the Electoral Commission where a new electorate is created, there has been a major movement of people out of or into an existing electorate, or the Electoral Commission consider it is necessary (s.46(a)). The electoral roll used in the 2017 National Election was first developed for the 2007 election and was updated in 2012 and 2017.

During the 2012 election, widespread concerns about the electoral roll were reported, with numerous voters turned away in all locations. In some polling stations lack of confidence in the roll was so great that it was abandoned altogether. The 2012 observer report noted allegations that errors in the roll had arisen from missing, misplaced or incorrect data entries which occurred in the rush to complete the roll update in the weeks leading up to the election. These problems were further exacerbated by the limited time for the return of preliminary rolls for checking in several provinces. It was also suggested that voters who were unable to locate their names on the electoral roll at their polling stations may in fact have been on the electoral roll but designated to vote at another location.

The 2012 report recommended that action be taken by the new government and the PNGEC as an urgent priority, immediately following the conclusion of the 2012 elections, to review and strengthen the voter registration system and the management of the electoral roll for future elections, including the use of voter identification. The Group notes with disappointment that this recommendation was not adequately implemented.

In 2014 the Government launched a national identity card registration exercise (the NID). It was anticipated by the PNGEC that the NID would create the basis for a 'live' voter roll, with the ID card establishing voter entitlement and identity. Given widespread belief that PNG's electoral roll is heavily inflated and can be subject to abuse, particularly in parts of the Highlands, use of a photo identification process such as through the NID could significantly improve the accuracy of the electoral roll. However, the Group was informed that less than 200,000 people have been registered, and the ID card system was effectively not in operation in time for the 2017 elections. The Group received further advice that there was no provision for the sharing of information between the NID process and the Electoral Commission.

The PNGEC undertook what was said to be a cleanse and update of the electoral roll in 2017. The electoral roll update should have been undertaken much earlier in advance of the 2017 election - particularly considering the roll's shortcomings in 2012, but had been delayed due to funding constraints. The Group was also informed that the electoral roll update, when it did occur, was problematic, with some enrolment officials protesting over outstanding allowances owed to them. It was alleged that some enrolment officials had refused to provide completed enrolment forms to Election Managers in some provinces, preventing the registration of new voters.

A total of 850,000 enrolment forms were released and distributed to the provinces, for election staff to visit local communities and collect new enrolments. Many stakeholders claimed that election officials had not provided sufficient enrolment forms to account for all new voters. Representatives of the opposition claimed that the PNGEC under-registered new voters in areas that supported opposition political parties. The PNGEC advised us that the roll update had been based on an assumed percentage growth in PNG of three percent annually. This assumed percentage growth does not take into account age or internal migration, and may not accurately reflect the number of new enrolments needed in an area.

The Observer Group noted the challenges faced by the PNGEC given the lack of national identity documents in Papua New Guinea. Observers were concerned that, given the delay in rolling out the NID scheme, ward recorders had no means of verifying requests for voter registration. This leaves the system open to abuse by registering voters under multiple identities, which was considered to be a particular concern in the Highlands. The Group understood that, in limiting the number of enrolment forms, the PNGEC was motivated to discourage the inflation of the electoral roll. However, this action appeared to have prevented a number of genuine would-be voters from enrolling. The PNGEC should ensure the availability of enrolment forms to enable all intending voters to be registered. In addition to forms being sent to local authorities to conduct the roll update, the PNGEC could consider uploading online, or facilitating online registration, which would be of benefit in urban areas. The PNGEC should consider developing more stringent methods of verification, such as the use of photo identification and/or fingerprinting, to ensure accuracy of the electoral roll.

In 2017, the PNGEC decentralised the updating of the roll to the provinces - data collection and updating was undertaken provincially by village recorders and election officials and was then sent by Provincial capitals to headquarters to be collated and printed. Provincial Election Managers and coordinators claimed that decentralisation was a significant improvement on previous roll updates, as it meant that election officials could address issues and errors as they arose. However, the significant problems with the electoral roll experienced in all provinces suggested that this is a process that continues to require attention. The Group was of the view that greater decentralisation of the enrolment process, including finalisation of the electoral roll at provincial capitals, could help improve the accuracy of the roll, on the provision that provincial election officials are given sufficient training for the process, and that security measures are introduced to restrict the number of persons with editing access. The PNGEC should maintain oversight of this process, including receiving copies of the provincial rolls and addressing issues of duplicate names across different provinces.

The Group was advised that the period of time allocated for the display and objection was significantly contracted, and there was not sufficient publication or awareness done for voters to check their enrolment. Observers noted that candidates and scrutineers often claimed they did not have access to the roll. Although the OLNLLGE states that the roll must be made available at the offices

of the Returning Officer without cost (s.50(1)), and printed copies made available for a fee (s.50(2)), it was unclear whether this occurred in practice and whether candidates were aware of this provision. Improved access of candidates to the roll prior to polling could potentially have mitigated the scale of the problem of unregistered voters later down the line. It is therefore recommended that copies of the electoral roll are made available to candidates prior to polling at the next election.

In advance of the 2017 election, the Electoral Commission launched a website and mobile phone app, PNG Roll Look-Up, through which prospective and existing voters could check and amend their registration details. Notwithstanding the fact that internet penetration in Papua New Guinea is very low, estimated at 11 percent, this initiative had the potential to go some way in ensuring greater visibility by voters, particularly in urban areas, over their voter registration status. Nonetheless, many people were not aware of the initiative.

According to figures from the PNGEC, the electoral roll for the 2017 National Elections contained 5,055,347 names, up from 4.77 million in 2012. The Group noted that there were significant problems with the roll throughout all of the provinces in which it observed. These issues were widely reported in the media, and included the failure of the roll to capture several high-profile officials, and deletions of names of people who had previously been enrolled. At polling stations, we witnessed high numbers of voters being turned away as their names were not on the roll, even if they had voted in previous elections. These problems are outlined in more detail in Chapter 4.

Concerns over the state of the electoral roll were raised by every stakeholder we met and appeared to be the single biggest issue affecting the overall credibility of the election. The exclusion of people from the roll resulted in increased tension at many polling stations and led to boycotts by a small number of communities and the complete abandonment of the roll in some parts of the country. That this issue appeared to be, at best, a repeat and, at worst, a further deterioration of the situation in 2012 is particularly disappointing.

Urgent action needs to be undertaken to address the shortcomings of the electoral roll. The Government should ensure timely release of funding to the PNGEC to enable a thorough process of updating the voters' register. The PNGEC should put in place measures to ensure greater accuracy and transparency in the voter registration process, including providing greater powers to local authorities such as village recorders to develop the electoral rolls and greater powers to provincial authorities to finalise and print the rolls. These authorities should receive adequate training to perform their duties properly. The NID system should be completed as a priority, and Government should provide for data-sharing arrangements between the Electoral Commission and the relevant national institutions responsible for the development of the NID system, to enable photo identification of voters. The Electoral Commission should conduct awareness over the enrolment process, including providing advice on the process for display of the rolls and on

initiatives such as the PNG Roll Look Up app. Voters should also be made aware of their rights to appeal decisions relating to their enrolment or transfer of their registration.

The Group noted that the Commonwealth deployed a technical expert to Papua New Guinea in November 2016 to provide advice on legal aspects related to the Electoral Commission, including voter registration. The legal expert made a series of recommendations to improve the voter registration process, and the Group was pleased to note that the Electoral Commissioner endorsed the recommendations. The Group encourages the PNGEC to work with relevant partners to implement the recommendations as a priority following the conclusion of the 2017 national election. For ease of reference, the recommendations are noted below:

- The PNGEC should collaborate on a project being undertaken by PNG's National Census Office and the Department of Provincial and Local Level Government Affairs to reinstate the village recorder system;
- Legislation should be adopted to form a cooperation agreement between the relevant national institutions;
- Legislation should allow for the free movement of data between the institutions, with one entity assigned as the central compilation hub. It is understood that both the Office of the Census and the Registry have competing claims for jurisdiction in this instance. Defining who should be the lead agency is a political decision and would be the first priority in this case;
- PNGEC data requirements should be integrated into the data collection system, to enable the creation of a voter roll. The voter roll should be up dated bi-annually in line with the national reporting system;
- The initial voter roll should be completed in concert with the census exercise in 2020, allowing for two renewal exercises to take place prior to the 2021 election; and
- Following the institution of this system, the existing Organic Law on National and Local-level Government Elections Parts V-VIII should be amended to reflect this new national process.

Absentee voting

The OLNLLGE provides for postal voting in PNG (s,98-112). The PNGEC advised that all individuals who are eligible to apply for postal votes were obliged to do so to their Returning Officer no later than 10 days after the issue of writs. The Commissioner said that enquiries had been received from mining companies, overseas embassies and security companies on behalf of their staff. Most other stakeholders were not aware that individuals could apply for a postal vote. The PNGEC advised that it did not have records of the number of postal votes cast in 2012.

In many regions, the management of the security services had decided to send security personnel to regions with which they were not familiar, in order to encourage their objectivity. However, this meant that those personnel were

unable to exercise their own right to vote as they were located away from the area in which they had registered. Despite a legal provision for postal voting, observers saw no examples of postal voting in practice.

Given that polling officials and security personnel are being deployed at the assistance of the Commission, the PNGEC should take proactive measures to issue postal ballots. This process could be undertaken during election training in advance of deployment for polling. An option to be considered is to have provisions in place for advance polling to enable all the officials that will be involved in the election to cast their votes before the main polling period.

Candidate Eligibility and Nomination

The Constitution provides that election to Parliament is open to all Papua New Guinean citizens of at least 25 years of age (s.103). To be eligible to stand for an electorate, a candidate must have been born in that electorate or have resided there for a continuous period of two years immediately prior to nomination or for a period of five years at any time, and must pay a nomination fee of PGK1,000 (s.103). A person is not qualified to be, or remain, a member of Parliament, if he or she is not of sound mind, not entitled to vote, under sentence of death or imprisonment for more than nine months, insolvent, or otherwise disqualified under the Constitution (s.103). No candidate may be nominated for more than one electorate (OLNLLGE s.84).

A total of 3,337 candidates contested the 2017 National Elections, a slight reduction on 2012 (3,428 candidates). Of these, 3,170 were men and 167 were women. 1,190 candidates were endorsed by 44 political parties, and 2,147 candidates were contesting as independents. The PNGEC, IPPCC and other stakeholders noted that some political parties had endorsed multiple candidates in some electorates, creating confusion. Other parties advised that they had endorsed particular candidates but also had 'pro-candidates' - candidates running as independents or for another political party but who supported their political party and who, if elected, would join their political party.

In early 2017, the Government proposed increases in fees associated with elections, including raising the nomination fee from K1,000 to K10,000, in order to deter non-serious candidates and to provide additional revenue for the PNGEC. The Government abandoned these proposed changes following a public outcry.

Political Parties and Candidates Commission

Forty-four political parties were registered under the OLIPPAC and endorsed candidates in the election. Despite the development of several large, well-established political parties over the course of the last two decades, the political party system remains relatively weak in Papua New Guinea. For the most part, political parties appear dependent on the personalities of key leaders rather than based on ideology or policy, and membership fluctuates as MPs seek positions in governing parties. Party affiliation has historically had a

limited relationship to voter behavior, although political parties in government tend to have an advantage due to the access of incumbent MPs to DSIP grants. OLIPPAC was put in place to strengthen political parties by requiring their formal registration and enforcing some party discipline, but the Supreme Court's rejection of key provisions of OLIPPAC in 2010 has weakened any achievement of this outcome.

The IPPCC has undertaken a number of training programmes designed to strengthen political parties. In 2014, the IPPCC submitted proposed revisions to the Organic Law on the Integrity of Political Parties and Candidates (OLIPPAC) to promote strengthening of political parties in PNG, but the Government did not introduce the revised law to Parliament for consideration.

In the weeks prior to the 2017 elections, the National Democratic Institute (NDI) supported a series of meetings amongst the PNGEC, IPPCC and political parties, with the aim of developing a code of conduct for political parties on the elections. We were informed that 17 parties initially signed the code of conduct, but following further consultations with political parties, the process was set aside, and political parties released a joint statement appealing to candidates and their supporters to 'promote the orderly conduct of elections.' While this project was considered a valuable exercise by observers, there were some learnings which should inform renewed efforts to make progress in this area. Development of a code of conduct needs to be fully consultative of all political parties in order to ensure their ownership of the final document. Likewise, the process of consultation needs to be commenced well in advance of elections in order to foster lasting cooperation between party representatives. The Group recommends that this initiative be taken forward, taking these learnings into account. In addition, the Group recommends that the IPPCC consider measures to enforce the code of conduct and to impose penalties upon its infringement. Although any penalties for infringements of the code should be directed towards the individuals concerned, the IPPCC may also wish to consider how the party deals with cases of infringement in the party's application for registration.

Voter Education/Civic Awareness

Due to funding constraints, the PNGEC has been unable to deliver a strong voter education programme in the lead up to the 2017 election. Awareness materials were prepared in advance of the election but many were only distributed to provincial centres in the final weeks before the election. Observers noted that awareness posters were in abundance at provincial election offices, but rarely saw the material displayed in public or at polling stations. The PNGEC and its development partners acknowledged that awareness material had been prepared very late in the electoral cycle, but informed that it was simply not possible to disseminate earlier due to funding shortcomings, and that given the constraints of the PNGEC, voter and civic education were 'not a priority' for the 2017 election.

Several stakeholders advised that most awareness and civil society programmes took place in urban areas, where the population was already more educated.

Even there, however, there was misinformation about the electoral process, including voter registration (for example, some stakeholders were mistakenly of the view that online registration was possible in PNG), how to vote, and key dates for the election. Awareness rarely reached rural areas, and community leaders were relied on for information about the electoral process, often drawing on informal sources such as social media. We were advised of work undertaken by church groups to promote good governance and leadership. The PNGEC could consider partnering with these civil society organisations to promote democracy and good electoral practice.

It was noted that a big awareness campaign was undertaken when the Limited Preferential Voting (LPV) system was first introduced and that this had given the population a fair understanding of how to vote. LPV was introduced following the 2002 National Elections as part of broader reforms to PNG's electoral system. Most stakeholders told us that LPV had been instrumental in reducing tensions between candidates and reducing violence during the campaign period. The Group welcomed these positive developments due to LPV, though noted that, as LPV is a more complex voting system than first past the post, there is an even greater need for effective voter education.

PNG's ballot papers do not contain information about candidates. Candidate posters are produced with the photograph, name and a designated candidate number (ranging upwards from 10), and voters are asked to write their preferred candidate's name or designated number on the ballot in the order of preference from one to three. This ballot requires voters to be able to comprehend and write either words or numbers. Given low levels of literacy amongst PNG's adult population (estimated at 65.6 percent for men and 62.8 percent for women), the LPV method of voting would either lead to high levels of informal votes cast or high numbers of assisted voting. While the PNGEC did not have statistics on the number of assisted voters, it noted that 84,300 informal votes were cast at the 2012 election, representing 2.3 percent of the voting population. The relatively few instances of informal voting in PNG, despite the low levels of literacy, would indicate that assisted voting is commonplace in PNG, as our observers noted (See Chapter 4).

In addition, there is a need to educate voters not only about the electoral system in place, but also about the role that governments play in the delivery of services and their relationship with citizens. In many of the provinces that were visited by observers, voters informed us that members of Parliament were rarely seen in their constituencies, if at all, outside of the campaigning period. Voter education therefore needs to cover good governance, the role of the government and its responsibility for accountability to citizens.

In past elections, donors have been able to provide civil society organisations such as TIPNG with funding to undertake civic awareness programmes. However, this funding was not provided by donors in 2017, and the Group notes that the Electoral Commission should not be reliant upon funding from external organisations to undertake civic awareness. It is therefore recommended that the Electoral Commission set aside funding for voter education programmes, to be delivered in partnership with civil society.

The Group noted the Electoral Commission's development of a Facebook page as a positive development, which it is hoped will improve communication with voters. Further use of social media is another mechanism through which the Electoral Commission could improve voter education and awareness.

Progress in the area of civic education would be particularly welcomed prior to PNG's Local Level Government elections in 2018.

Complaints, Appeals and Election Petitions

The OLNLLGE provides that petitions for disputed returns are to be heard in the National Court (s.206), with all cases to be heard by a single judge (s.207). The PNGEC is represented as a party respondent to the petition. There are no time restrictions on the courts' deliberations, and the existing legislation does not provide for special measures to expedite cases. While the Court has appointed a dedicated administrator for electoral petitions, judges do not receive election-specific training, and they hear petitions as part of their regular case load.

The sheer volume of election petitions filed following elections in Papua New Guinea places a significant financial burden on the institution. Following the 2012 election process, 106 election petitions challenging the results were filed in the Courts. The Courts took four years to process these cases, the final case being concluded in 2015.

In preparation for the 2017 election cycle the Government proposed changes to the OLNLLGE to increase the costs of filing an election petition, restrict the locations where election petitions could be filed and reduce the time frame for lodging petitions following the conclusion of elections. The proposed changes were abandoned following public outcry.

An effective and timely system for dealing with election petitions helps to ensure confidence in a country's rule of law and bolsters the credibility of the electoral process. A technical expert, deployed by the Commonwealth to Papua New Guinea in November 2016 to consider legal matters related to election administration, made a number of recommendations to improve the dispute resolution process. The Group was pleased to learn that Commissioner Gamato had accepted the report and its recommendations, and encourages the PNGEC to work with the Government, judiciary and other relevant stakeholders to implement the recommendations. Those recommendations are listed below:

- Provision for a specially-convened Tribunal to consider election petitions, as previously provided for under PNG law, should be revived and the Organic Law on National and Local-level Government Elections amended, removing the existing provisions;
- The petitions system should shift focus from an adversarial model to an investigative system, where the role of the PNGEC changes from that of respondent to information provider. While individual representatives of the PNGEC should be liable personally in cases of alleged wrong doing,

the institution should not routinely be placed in this position of respondent as is the current situation;

- The necessity for the PNGEC to be represented by law firms should be removed. PNGEC officials should be trained in the investigation of ballot box-centred fraud and in the assessment of inaccuracies in the vote count. Training should enable them to present accurate information to the Tribunal. Allegations of other forms of illegality such as vote buying etc. should be the subject of police investigation as appropriate;
- Tribunal adjudicators could be appointed from the judiciary (the Bench) or Barristers (the Bar). They should receive training, supplied by the PLGEC, in electoral audit and fraud to fully understand the nature of the evidence. Adjudicators would review evidence to establish legality/illegality under the law;
- All procedures for the Tribunal should be streamlined to enable the timely and cost effective settlement of disputes based exclusively on the available evidence. Clear and restrictive time deadlines should be adopted, reducing the processing time for petitions to a maximum of 6 months. This period would include the duration for appeals;
- Criminal proceedings should be separated from the disputed results process, allowing for criminal prosecution, where necessary, to be undertaken separate to a ruling on the legality of results; and
- The Tribunal would be a forum of first instance with the capacity to appeal to the National Courts. The National Courts should be restricted to reviewing the evidence presented in the first instance, with clear procedural provisions including time restrictions and a costs cap.

The role of the media

Papua New Guinea has the largest and most active media industry in the Pacific Islands region. With more than 800 languages, most people speak Tok Pisin, and a smaller number understand English and Motu - these are the official languages.

Section 46 of the Constitution provides that 'every person has the right to freedom of expression and publication'. This includes (s.46(2)(a)) the freedom to hold opinions, to receive ideas and information and to communicate ideas and information, whether to the public generally or to a person or class of persons; and (s.46(2)(b)) freedom of the press and other mass communications media.

Radio is the only national medium. Newspapers, television, online and other media are mainly found in urban centres where services, such as electricity and internet, are more widely available.

The state-run National Broadcasting Corporation (NBC) operates a national radio service, NBC TV and it has radio stations in almost every province, broadcasting in Tok Pisin or Motu and, in places, local languages.

Private media includes two weekly newspapers (The National, owned by Rimbunan Hijau, a Malaysian logging company; and the Post Courier, owned by News Corp) which publish Monday to Friday; and the weekly newspapers, Sunday Chronicle (locally owned) and Wantok Niuspepa (owned by Word Publishing, a faith-based group and published in Tok Pisin).

Private TV stations include EMTV, TV Wan and PNG TV (Click TV). There are a number of private radio stations.

Social media is growing. The mainstream media also have online branches. Other outlets include PNG Loop News, PNG News Page, PNG Blog, PNG News Online, Facebook pages and other platforms. Some international media cover PNG on a regular basis, but the only resident overseas correspondent is with ABC Australia.

The National Information Communications Technology Authority (NICTA) was quoted in May 2016 as estimating 900,000 internet users, and 3.3 million mobile phones in a population of eight million. One of PNG's major political parties noted its Facebook Group page had gone from 5,000 subscribers in 2012 to over 80,000 in 2017.

Media reporting of the election campaign

Both the mainstream media and social media have provided extensive and lively coverage of the election. Several media representatives noted the emergence of what they termed 'attack ads' in 2017, where various parties used advertisements to make negative comments about their rivals, as opposed to only saying positive things about themselves. Some candidates and their supporters complained about lack of coverage. Media responded that with over 3,000 candidates, and limited time slots, there was a practical issue of covering all candidates. The default was to select a representative range. Candidates with more campaign funds were better able to access media, as well as make use of paid advertisements and social media. At least one major political party made extensive use of 'blast text message' services to promote candidates.

Generally, the 2017 campaign period was deemed to be quieter than previous ones, possibly due to a tighter fiscal environment. Another factor is that the use of LPV meant that political rivals needed to cooperate more with each other than under the first-past-the-post system.

A number of journalists reported cases of intimidation over their coverage of election issues. These included physical assaults, and intimidation to the point where at least one journalist in a provincial capital left her home to live with relatives.

Complaints against coverage often focused on social media, which can be subject to fewer editing controls and formal standards than mainstream media. A small proportion of the social media commentary was also deemed to be libelous and inflammatory by commentators. On the plus side, social media was

also seen by others as just another level of scrutiny, and a normal part of checks and balances.

In an attempt to control the excesses of social media, the O'Neill government passed the Cybercrime Code Act in 2016. This was widely criticised by media freedom advocates who were worried it might be used in a way that infringes on freedom of expression.

The Media Council of Papua New Guinea operates a code of conduct which is based on the principles of fairness, accuracy and balance - all mainstream media are members of the Council. There are no punitive measures and the media is largely self-regulating.

The PNGEC ran Media in Elections training workshops in February and March 2017, prior to the issue of writs. The training covered the electoral cycle, electoral processes and systems, roles and responsibilities of the media as a watchdog for the public interest, and LPV voting simulation and LPV counting process.

Observers were informed that media requests to cover regular activities in the lead up to the election, such as accompanying the distribution of election materials to the provinces were refused. This contributed to suspicion about the running of the election. Some of the media reporting reflected a lack of understanding of some of the measures that the PNGEC was taking in organising the election.

The PNGEC operated a Media Centre and ran almost daily briefings on the progress of the election. Overall, the media coverage was comprehensive.

Inclusive Participation and Representation

Women

A total of 167 women contested the 2017 election - the largest number in PNG's history, which was noted favourably by the Group. All three of the incumbent women MPs re-contested their seats. Only seven women have ever been elected to Parliament in Papua New Guinea, and in some previous Parliaments there have been no women.

In many parts of PNG, traditional leadership roles are filled by men, and women find it difficult to elicit support from community leaders. Women are less likely to receive endorsements by political parties, and do not receive funding or strong party support. Observers noted that, in general, female candidates often did not have scrutineers present at polling stations, reflecting perhaps a lack of funding for their campaign, or a lack of support.

The patriarchal structures that permeate PNG, both in the household and in wider society, can inhibit women from putting themselves forward as candidates and can hinder their campaigning efforts. In addition, high levels of insecurity in some regions, most notably the Highlands, has a particularly

negative impact on women, who can be more vulnerable to threats and intimidation in the campaigning and polling periods.

Previous efforts to increase women's political participation through the provision of temporary special measures have been unsuccessful. In 2011, a bill was put before Parliament to provide for reserved seats for women in each regional electorate, which would have led to the creation of an additional 22 seats in Parliament. The Equality and Participation Bill to amend PNG's Constitution was passed by Parliament in November 2011. However, the enabling Organic Law failed to secure the required two-third majority support of Parliament.

More recently, a number of stakeholders have been supporting efforts to promote women candidates. The Australian Government is supporting a five-year programme to provide leadership training to women in PNG. UNDP ran a trial project during the Autonomous Bougainville Government elections in 2016, distributing a small election kit to women candidates that had participated in their candidate training. While considered successful, UNDP did not replicate this programme for the 2017 election due to funding issues. In early 2017, UNDP ran a 'mock Parliament' for 50 women to raise awareness about the roles and responsibilities of political leaders. We were advised that 43 women who attended the training contested the election.

On some occasions, observers noted that political campaigning seemed not to have reached women, and this was verified by the reports from civil society organisations on the ground.

There were high levels of variation between the regions as to the turnout of female voters and their freedom to exercise their right to vote independently and safely. In some regions, for example East New Britain and New Ireland, women clearly felt safe in casting their vote, did so independently and without pressure and were vocal in their expression of their right to vote.

By contrast, in the Highlands, there was a very low voter turnout amongst registered female voters, and observers saw numerous examples of aggression towards those female voters that did attend polling stations. In this region, there were also reports of women being told by family members or other members of their clan for whom to vote and some women were denied their right to vote at all.

In 2012, The PNGEC introduced provision for separate voting compartments for men and women at polling stations across PNG (this had previously only occurred in the Highlands provinces), with a view to addressing intimidation of women as they cast their vote. The 2012 Commonwealth Observer Group report noted that, where this was implemented, it helped to provide women with greater independence in voting and secrecy of ballot. In the 2017 elections, the PNGEC introduced a provision for separate queues for men and women. Observers noted that this provision was not implemented in all provinces of PNG.

In many parts of PNG, particularly the Highlands and also in Bougainville, women were seen to be assisted in significantly higher numbers than their male counterparts. In the Highlands in particular, women continue to experience tremendous challenges when it comes to exercising their votes in a free, fair and safe election. This is despite the separate entry lines mentioned above. The Electoral Commission should consider providing separate polling stations for women only, with the aim of minimising coercion and intimidation at the voting booth, where women voters are still being assisted by male voters regardless of whether the assistance is required.

Following the 2017 election, Papua New Guinea's Parliament will not include any female MPs. The Government, PNGEC and other stakeholders need to consider urgently measures to ensure that there are women, and their interests, are represented in the National Parliament, in keeping with the international commitments to which Papua New Guinea is a signatory.

Youth

Although the problems with the electoral roll affected the whole of the population, the observer team noticed that young people in particular seemed to be affected and were frequently turned away at polling booths. The issues with the 2017 roll were particularly problematic for those registered to vote for the first time.

In some areas, teams noticed that young people had been engaged in political activity as scrutineers and as observers. However, there are no formal means of political engagement for young people, such as youth arms of political parties and there is a general lack of outreach to young people in political campaigning. This was particularly evident in areas outside of the capital. The lack of voter and civic education affects young people disproportionately given that many after voting for the first time. There were some reports that students at universities were forbidden from displaying campaign materials on campus or from promoting any political activities or parties. Candidates were sometimes forbidden to enter campus. Reports of violence affecting UPNG University students in 2016 in which three students were shot at by police created an atmosphere of fear and tension amongst some students around the election period.

At some universities, students protested because not enough ballot papers had been distributed for all students to be able to vote. In one instance, to resolve issues with the electoral roll, ultimately the PNGEC did allow the list of registered students at UPNG in Port Moresby to be used as a supplement to the 2017 roll, but there was no evidence that this was implemented in other universities nationally. At Unitech Campus in Lae, students burnt the ballot papers in protest when only 1,100 ballot papers were delivered, as they claimed there should have been more than 5,000 voters on the roll. Some Unitech staff were upset with the students' actions, saying they would have to find somewhere else to vote. While the Group sympathises with the frustrations of voters at not being on the electoral roll, hostile expression of this frustration serves to add to tension during an already difficult atmosphere. There was also

confusion amongst students about whose responsibility it was to register students to vote - the university or each individual.

Observers noted that the turnout of young women in particular was low in many regions. In some areas, young people reported that their vote was not the expression of their own political voice and that their families or others had indicated to them who their first and second preference should be.

The lower age limit to run as a candidate in the elections is 25. It is unknown how many candidates running for the 2017 election were under 30 (the Commonwealth definition of youth), but it was considered that this limit would inhibit young people standing for election in general.

Persons with a Disability

The frequent use of assisted voting was observed to be a great help to many disabled voters. However, the lack of timeliness at many polling stations was considered to be a potential hindrance to voters with disabilities, who would have had to wait for long hours to cast their vote. Similarly, the set-up of polling stations could have made access for some disabled voters difficult. At the majority of polling stations observed, there was no express line for the disabled - though in some stations, the elderly and disabled were fast-tracked to the front of the queue.

Recommendations

The following recommendations pertain to aspects of the electoral framework, media and inclusive participation and representation, and are also reflected on pages ix to xiii.

Election administration

- The PNG Electoral Commission (PNGEC) should conduct an urgent review and lessons learned process immediately following this election. The review should include a specific component on the transparency of the PNGEC's operations, which needs to be improved in order to enhance the credibility of the PNGEC and the electoral process.
- It is critical that the PNGEC be provided with timely and adequate funding. The Government should consider introducing arrangements for direct appropriation of funds to the PNGEC to ensure its independence.
- The PNGEC should ensure adequate and timely release of funds to provincial election authorities and service providers, to minimise avoidable disruption to the election timetable.
- The continuing empowerment of provincial authorities with new responsibilities could also help reduce costs and ensure more timely and effective election operations in the field. The PNGEC should provide

training to provincial officials and ensure accountability of all expenditure within a specified time period.

- The Inter-Departmental Election Committee (IDEC) should be chaired by the Electoral Commissioner (or co-chaired with the Chief Secretary) so as to ensure the Electoral Commissioner is able to coordinate effectively across different government agencies, and to counter perceptions that the PNGEC is under the control of the Government and is not fully independent.
- The Election Advisory Committee should be appointed and convened earlier in advance of an election, given sufficient resources and access to information to enable it to fulfil its functions.

Engagement with political parties, candidates, media and the public

- The PNGEC should strengthen its working relationship with the Integrity of Political Parties and Candidates Commission (IPPC) to deliver regular briefings for political parties and candidates on all aspects of the election, to foster greater trust in the election process.
- The PNGEC should engage with the media more thoroughly to enhance public understanding of the electoral process. It should also expand its use of social media.

Boundary delimitation

- PNG's relevant laws should be reviewed to facilitate the revision of boundaries in line with international best practice. The Boundaries Commission should be empowered to make final decisions over boundary delimitation following broad consultations including with members of Parliament.

Voter registration

- The Government should ensure timely release of funding to the PNGEC to enable a thorough process of updating the electoral roll. This process should be completed earlier in advance of the election and finalised prior to the cut-off upon the issue of the writs. Security measures should be put in place to prevent further changes to the roll after the cut-off point, and political parties and candidates should receive copies of the final electoral roll in advance of the polling period.
- The PNGEC should consider providing for continuous voter registration, including online registration.
- The PNGEC should ensure greater accuracy and transparency in the voter registration process. Existing local structures should be supported to collect enrolments and provincial election authorities should be

responsible for maintaining the electoral rolls. The PNGEC should ensure oversight and accountability of this process, including providing adequate training.

- The PNGEC should develop a system for voter identification as a priority. The National Identification (NID) system, should it be successfully completed, and with sufficient provisions for data sharing with the PNGEC, could be used for this purpose.
- The PNGEC should carry out awareness programmes over the enrolment process, including display of the rolls and initiatives such as the ‘Roll Look Up’ app. Voters should also be made aware of their rights to appeal decisions relating to their registration.
- Consideration should be given at future elections to providing voter registration forms at polling stations to voters turned away because their names are not on the roll, to help improve the roll’s future accuracy. Such registration forms should have a number and receipt so that the voter will have his or her registration number once the form is completed. Appropriate security measures should be in place to prevent multiple registration to improve the accuracy of the roll.

Voter education and civic awareness

- A sustained programme of voter education should be undertaken in partnership with civil society such as Transparency International PNG (TIPNG) and church groups. Areas of focus should include voter registration, how to vote and the importance of ballot secrecy.
- Efforts should be made to strengthen awareness about voters’ rights and responsibilities, the role governments can play in the delivery of services and the relationship with citizens.
- We encourage the PNGEC to collaborate with various youth organisations across PNG to develop and implement youth-friendly voter and civic education programmes, in consideration of the large youth population in PNG. The PNGEC should develop targeted civic awareness programmes for students of high schools and universities, so as to empower these young people to share this knowledge with their families and communities.

Election disputes

- The system for election petitions should be reviewed to reduce the burden on the courts, and free the PNGEC from being a respondent, which would ensure speedier resolution of disputes. The PNGEC should be seen as a friend of the court, rather than a party to the proceedings. We note the Electoral Commissioner has endorsed recommendations from a Commonwealth technical expert in this area.

Inclusion and access

- We urge political parties, independent candidates and stakeholders to enhance youth and women's political participation at all levels, to foster meaningful involvement and inclusion.
- The Government should consider strengthening its efforts to increase women's representation in Parliament. Temporary Special Measures (TSM) can be an effective tool in addressing this issue, as reflected in key international commitments to which PNG is a signatory. Parties should also be encouraged to introduce a minimum ten percent quota for women candidates.
- Ways to enhance the security of the campaign environment for female candidates should be examined. In the lead up to the next election, the PNGEC and partners should undertake public awareness on the value of women's political participation.
- The PNGEC could consider additional measures to minimise coercion and intimidation of women at polling stations, particularly in the Highlands.

Chapter 4

THE ELECTION CAMPAIGN VOTING, COUNTING AND RESULTS

Conduct of the Election Campaign

The campaign period commenced in PNG upon the close of nominations on 27 April, and lasted for 8 weeks. All of the stakeholders that the team met advised that the campaign environment was much 'quieter' in 2017 compared to the 2012 elections. Some speculated that PNG's electoral system was 'maturing' with people less interested in money politics, and candidates possessing a better understanding of how to use LPV to their advantage. Others believed that the economic downturn, combined with the lengthy election campaign period meant that candidates were not able to be as active as in previous years.

Most candidates chose to promote their campaigns through candidate posters and billboards. While there were some large public rallies, we were advised that the most popular method of campaigning was by visiting settlements and villages, and by establishing 'campaign houses', where supporters could visit and receive free food and drink throughout the campaign period. Some candidates also opted to attach loudspeakers to their cars or vans and drive around urban areas promoting their candidacy.

Campaign finance and money politics

Under OLIPPAC, political parties receive some government funding. For each MP that is registered with a political party, the party receives K10,000. This fee is determined annually based on current membership, irrespective of whether the candidate contested the election under the party banner. Political parties can also receive funding through donations, to a limit of K500,000 per donation. The Group was advised that there is no limit on the number of times an individual or company can donate, although foreign donations are prohibited.

There is no limit on campaign expenditure by political parties or candidates. Political parties must submit financial returns to the IPPCC in order to remain registered, although the Group was informed that most parties had failed to do so. While some of the larger parties provide candidates with some funds and/or materials, for the most part candidates are expected to fund their own campaigns.

The OLNLLGE sets out a comprehensive series of illegal practices and offences, including treating, bribery and undue influence, false enrolment and personation, misleading or interfering with voters including through false campaign advertising, interfering with and destroying election materials. Each offence is punishable by a range of fines and/or prison sentences as prescribed in the law (s.178-205).

Many stakeholders advised the Group that the use of public resources by incumbents in the campaign period was an issue. Members of Parliament receive K10 million annually in constituency grants under the District Services Improvement Programme (DSIP).⁶ These funds are intended to fund local service delivery and infrastructure programmes in the electorate, but many speculated to us that funds were siphoned off to fund campaigns or buy votes. The Group was informed that 63 percent of DSIP returns had not been submitted. Further, some opposition MPs claimed that they had been prevented from accessing DSIP funds, and expressed concern to us that Government's inconsistent allocation of DSIP served to create an uneven playing field for the election.

The Group was told that the Ombudsman Commission had frozen access to DSIP funds following the issue of the writs for the election to prevent the use of public funds for campaign purposes. Nonetheless, many stakeholders claimed that projects that had been earmarked or funded under DSIP were used to promote incumbents' campaigns. It was observed that in one instance a public event was held during the campaign period to launch Government projects, which was perceived to be part of a campaign rally.

Concerns were raised with the Group about the enduring feature of 'money politics' in PNG election campaigns, although it appeared that the scale of these practices had reduced in 2017. The Group was advised that candidates in some parts of PNG would offer money, food and beverages in exchange for votes. The Group was informed that, while police were often aware of electoral malpractice during the campaign period, they generally did not intervene so as to avoid exacerbating tensions or being perceived to be interfering with a candidate's campaign. While the Group appreciates the sensitivities, the lack of enforcement of election laws feeds a culture of impunity.

Election-related violence

There were several serious incidents of election-related violence during the campaign, polling and counting periods, some of which resulted in loss of life and destruction to property. It was noted that many instances of violence during the election related to longstanding/existing tribal conflicts. It was further noted that existing tensions between tribal groupings inhibited the movement of some people in the area, ultimately preventing them from voting. The Group witnessed some instances of intimidation and, at times, violent behavior towards some female candidates in the Highlands. The Group also noted reports that at least one female candidate that had to be air-lifted out of a community in response to threats of violence against her.

We were saddened by reports of election related violence during the counting period in the Highlands region which resulted in the loss of lives, including some members of the Police. It appeared that much of this violence occurred as an

⁶ We were advised that provincial members receive K5 million under the Provincial Services Improvement Programme.

expression of dissatisfaction with an election result, or in an attempt to prevent a peaceful transfer of power.

Voting

The official polling period was originally set for 24 June to 8 July 2017, although polling was extended in some parts of PNG due to logistical or administrative issues or inclement weather. The Group was advised that multi-day polling was necessary as the PNGEC and security forces did not have the resources to conduct one-day polling, and also that multi-day polling was more orderly in rural areas.

As it did in 2012, and for security reasons, PNG conducted single day polling in each of the Highlands Provinces. One-day polling also occurred in the urban centres of Port Moresby, Madang, Lae and Kokopo.

In the lead up to the 2017 election there was some confusion over polling dates for particular locations, including in urban centres, with polling dates as printed in the national gazette indicating different dates to what was publicised by the Electoral Commission. This confusion was compounded by the Electoral Commissioner stating incorrectly in public that polling would not commence on Saturday 24 June (contrary to the national gazette), but in most places polling that was scheduled to occur on this date did proceed.

In many provinces, including the National Capital District (NCD), there were significant delays to polling. While in some cases this was due to unavoidable circumstances such as the weather, in others the cause of the delay was entirely avoidable. Polling officials in NCD and elsewhere, for example, went on strike due to the outstanding payment of their allowances, causing significant disruption. Many businesses had given employees the day off to cast their vote and expressed frustration at the delay, which was only announced in the morning of 27 June, given that they had made an economic sacrifice in order to ensure that their workers were able to exercise their right to vote.

The Government imposed a ban on the sale of alcohol for the duration of the polling period. The Group observed this ban being adhered to in many parts of the country, although there appeared to be a few instances of public intoxication during the polling period.

The Observer Group noted that there was wide discrepancy in the number of voters allocated to vote at each polling station, with some stations anticipating as few as 50 voters (despite being located in urban areas) and others expecting more than 1,000. This caused needless delays and strain on polling staff in busier stations, and indicated a waste of much-needed resources in quieter locations. It is recommended that an assessment of electorates be undertaken to ensure that resources are distributed as evenly as possible in order to improve the service offered to voters and achieve best value for money.

The Group was pleased to observe the elections in PNG alongside domestic observers, under the coordination of Transparency International PNG, and also noted the presence of observers representing several domestic institutions, such as the National Research Institute and the Ombudsman Commission. The Group also noted positively the presence of other international observer groups, including the Pacific Islands Forum, Melanesian Spearhead Group and the Australian National University.

Key Procedures for Opening

In brief, the standard procedures set out for opening and voting were stated to be as follows:

Polling hours are from 0800 hrs to 1800 hrs. All official signage should be removed from the immediate vicinity of the polling station and at least one police or security officer should be present throughout the day.

If polling is for one day only or on the first day of polling, the empty ballot box should be shown to scrutineers and any voters, and seals affixed immediately prior to declaring the polling station open and delivering an opening speech. On subsequent days with partially used boxes, the unbroken seals should be shown and the numbers read out, prior to the removal of the inner seal to enable voting. The ballot paper number of the first ballot paper to be used should also be read out, to confirm that it is the next in the series from the last paper used the previous day.

Assessment of Opening

With the exception of East New Britain and New Ireland, very few of the polling stations opened on time. There was wide variation across the rest of country. There was also a wide variation in presence of campaign materials within the vicinity of polling stations.

In most places observers witnessed the correct application of seals and they were read out to scrutineers in the morning. However, in several places, particularly in Lae, ballot boxes were not sealed properly, compromising the security of the ballot boxes. Some teams in these places were unaware of the correct procedures when questioned. In some polling stations, scrutineers were read the series number of the ballot papers to be used to be cross-checked with the previous day, but this rule was not consistently applied across the country.

In many places, appropriate infrastructure for polling stations was not made available to polling teams. Many polling stations were uncovered and open to the elements, which caused delays and disruption due to rain, and forced voters and polling staff to be exposed to the sun all day. There was a lack of basic facilities available to polling staff, scrutineers, and voters. In some provinces, voters were required to travel long distances, though it was recognised that multi-polling had allowed polling officials to bring many polling stations closer to communities.

Key Procedures for Voting

There should be a separate queue and entrance where possible for women, away from the issuing points. Only four or five voters should be in the polling area at any one time to minimise crowding.

Upon entry to the polling place, the voter's little finger on the left hand should be checked for indelible ink to ensure he or she has not already voted.

All voters must be on the electoral roll. The voter's name should be identified on the roll and crossed out, and the voter should then proceed to the Assistant Presiding Officer who will mark off the next number on the gender tally sheet, and place indelible ink on the voter's little finger on the left hand. The voter proceeds to the Presiding Officer who checks that the finger is inked before issuing the ballots. Each voter receives two ballot papers, one (blue) for the provincial electorate, and the other (yellow) for the open electorate. The Presiding Officer tears out the next ballot paper from each book, initials the back of the ballot papers and hands them to the voter.

The Presiding Officer should explain to the voter the process of voting (writing the number, name (or both) of their preferred candidates on the ballot paper, making reference to the candidate posters in the voting compartment). The Presiding Officer should then ask the voter to proceed to a vacant voting compartment to mark the ballot papers, fold the papers and put them in the correct ballot box (provincial or open - the boxes should be colour-coded blue or yellow to match the ballot papers). A ballot guard is present to ensure that the ballot is placed in the correct box.

Voting compartments should be placed to ensure voting can be conducted in secret. They should contain candidate posters. Only one voter should be permitted in a voting compartment at any time, unless the person is receiving assistance approved by the Presiding Officer.

Assistance is permitted for voters with impaired vision, voters who are physically incapable of marking a ballot paper without assistance, and voters who are illiterate and unable to vote without assistance. In all cases, the Presiding Officer must first be satisfied that the person is unable to vote without assistance. The voter can then nominate any person, except a candidate or scrutineer (see below), to assist. In the absence of such a person, the Presiding Officer can assist. At some polling stations, one person may offer to assist many voters, and the Presiding Officer should discourage this as the person may be an active supporter of a particular candidate.

Contesting candidates are entitled to nominate agents, known as 'scrutineers', to observe procedures in the polling stations and counting centres. Scrutineers must wear an authorised identification card at all times while in the polling area. Scrutineers must not interfere with or attempt to influence voters, communicate with persons in the polling area except to carry out authorised functions, or enter a voting compartment while a voter is present there. They cannot observe the ballot papers being completed, or assist any voter to vote.

The ballot box should be supervised at all times. After the last ballot has been placed in the box, the box must be immediately sealed and locked.

Assessment of Voting

The implementation of separate lines for men and women was sporadic across the country.

For the most part, we did not see large groups of people inside the polling stations or booths at the same time. However, in those polling stations where the roll was being called, many people entered the polling station at once. In other stations, the trickle of people through the station moved very slowly or was delayed because there was only one voting booth available.

With the exception of the Highlands, in the majority of polling stations that we saw, the correct procedures for inking the finger with indelible ink were followed, although on occasion the ink did not reach the cuticle. It was noticed that the concentration of silver nitrate in the ink was just 7%, and we observed that in some cases, the ink was easily removed. We heard reports that some polling stations may have been diluting the ink, simply to ensure they did not run out. In the Highlands, however, dilution of the ink was believed to enable voters to be able to vote again.

There were varying practices in the use of the electoral roll. At some polling stations, the correct procedure was followed in that voters approached, gave their name, and were searched for in the manual list. In other polling stations, names on the electoral roll were called out alphabetically and voters were often forced to wait all day - and those who missed their name had to approach officials at the end of the day. This caused substantial delays. In other polling stations, names were called by clan or settlement area. Lastly, in some places, most notably the Highlands and in some parts of Lae (generally towards the end of the day), the roll was abandoned entirely. In these cases, voters continued to vote until all of the ballot papers were used. There was therefore great inconsistency of practice in usage of the electoral roll.

When it became evident that there were issues with the electoral roll, the Electoral Commissioner announced that the preliminary roll, released in March 2017, could be used as a supplement to the final 2017 roll. However, this caused some confusion because it was not clear whether the 2012 electoral roll or 2017 preliminary roll should be used, and whether it should be a supplement or a replacement for the 2017 roll. In some regions the Election Manager reported having received this order through official channels of communication and in others they had not received the communication and had only seen it announced on television. Some Election Managers decided not to use the preliminary roll to supplement the 2017 roll as they considered it unfair to those that had already cast their votes. In some other areas, the Electoral Commissioner's direction was accommodated by allowing voters who had been turned away for not being on the 2017 roll to vote at nearby polling stations on subsequent days, on the condition that they were on the 2012 roll. In Bougainville, a request was made prior to polling by candidates to use the

Bougainville electoral roll, and this request was denied. This decision was not communicated to officials until the day of polling and officials protested, delaying polling by two days.

The inaccuracy of the electoral roll resulted in a high percentage of voters being turned away on polling day. In one electorate, the Returning Officer estimated that one in four intending voters was not on the roll. In very few provinces, we saw polling officials keeping a record of those turned away, but mostly this was not the case, and where it did occur it was done in an informal manner. Intending voters were not informed as to whether they were registered elsewhere. At polling stations where voters were called by name, it was impossible to tell how many voters were not on the roll as intending voters did not have the opportunity to present to the polling officials.

When voters were on the electoral roll and proceeded, they were crossed off the list and, in general, a gender tally was kept. They were given their ballot papers, signed by the Presiding Officer and proceeded to the voting booths. Voting booths varied in their provision for secrecy. In the Highlands, observers noted that many voters did not use booths to complete their ballot papers. However, in most regions, booths were used, though they were often very open.

There was wide variation in the implementation of open and regional voting. In some polling stations, voters were given both papers at once and entered one polling booth to complete both papers. In others, voters collected first the regional ballot paper, completed and submitted it and then returned for the open ballot paper. In these polling stations, there were separate booths to complete regional and open ballot papers. The colour of the ballot papers caused some confusion. Nominally, ballot papers were yellow and blue for open and provincial ballot papers. However, the colour of the paper was only on the front page, and it was not possible to distinguish between ballot papers from the back - in many cases, the ballot box officer then opened the folded paper of the voter to determine in which box the ballot paper should be submitted, which often compromised the secrecy of the vote. In some places, voters handed the unfolded ballot paper to the ballot box guard to check prior to depositing it in the box.

In the vast majority of polling stations observed, posters of provincial and open candidates were displayed in voting booths to inform voters as they filled in the ballot paper. With the exception of the Highlands, only those sanctioned to assist voters were allowed to accompany voters into the booth. It should be noted that this rule was flouted regularly in the Highlands.

There were inconsistencies regarding assisted voters. In most polling stations, the rules were followed closely and the voter was asked to nominate someone to accompany them into the booth. In a few rural polling stations, the same person was allowed to accompany many voters. Observers noted that in many areas, more women were assisted than men. The Highlands was a notable exception, with voter secrecy seriously compromised.

The scrutineers played an important democratic function in the election process. At some polling stations, there was good communication between polling staff and scrutineers, ensuring that procedures were followed. However, in some polling stations the pressure that scrutineers exerted over polling staff encouraged staff to deviate from the rules. For example, at one polling station scrutineers demanded that all unused ballot papers be burnt. The decision to call the roll out loud was also attributed to scrutineers at some polling stations. Although in some areas scrutineers had received training and were well informed, in others scrutineers displayed a lack of understanding of procedures. Scrutineers unfortunately were not in possession of the electoral roll, which would have aided them in preventing double-voting and voter impersonation.

In the majority of polling stations, scrutineers' IDs were checked, though they did not wear them throughout the day. Some scrutineers reported not having been distributed their ID cards, carrying their registration form instead. As part of the opening process, we observed the Presiding Officer giving clear instructions on the process of voting and allowing questions from scrutineers and clarifying the set up to voters and observers.

Key Procedures for Closing

Polling ends at 1800 hrs. The Presiding Officer should announce the close of the polling station at (and not before) 6pm, but any voters who have joined the queue before 1800 hrs should still be allowed to vote. Any remaining voters should be brought into the polling booth to cast their vote and, if possible, doors closed behind them. If the polling booth is outside, a polling official should stand behind the last person in the queue to identify the last voter of the day.

The time of closure should be witnessed and verified by a second person, preferably a scrutineer, and the time of closure should be recorded in the Presiding Officer's Journal.

Once the last voter has placed their ballot papers in the ballot boxes, the ballot boxes must be immediately sealed. The outer seals on the sides of the ballot box should not be removed. The inner flap seal is closed with a plastic seal at the end of each day of polling. The number must be recorded in the journal, and scrutineers are to be provided with an opportunity to inspect the seal number. The number of the next ballot paper in the series is read to scrutineers - this is the paper to be used by the first voter the next day.

Once sealed, the security of the ballot box is the responsibility of the Presiding Officer, who must make arrangements for secure storage of the ballot boxes - if stored in premises other than the polling booth (e.g. the police station), ballot boxes should be accompanied by police escort to the location and should be kept securely overnight. Provision should be made for scrutineers to accompany the transportation of ballot boxes and remain with them overnight.

If during the polling a ballot box becomes full and the Presiding Officer decides to send it to the Assistant Returning Officer, form 62 (Certificate for Conveying

Ballot Box in the Journal) must be completed by both officers. Ballot papers and other sensitive materials must be kept safe and secure while the Presiding Officer completes the after-polling processes and the polling team packs up the polling booth. The Presiding Officer must use checklist G to complete tasks once polling has finished.

Assessment of Closing

Many polling stations closed before the scheduled 1800 hrs finish. This varied across the country - in East New Britain and New Ireland, for example, closing generally did not take place until 1800 hrs. However, in many provinces, closing took place in the early afternoon and there was no provision made for those who had no opportunity to vote before then. In Bougainville, many polling stations were forced to close at 1700 hrs as it had become dark and polling stations did not have access to electricity. In some cases, polling officials closed polling stations early in order to be able to take ballot boxes to police stations by nightfall, which in some cases were at a considerable distance from polling stations. At those stations that closed at 1800 hrs, for the most part voters who arrived before 1800 hrs were identified and allowed to vote. The time of closure was witnessed and recorded in the Presiding Officer's Journal. In stations that had opened late, early closure further deprived voters of their right to vote.

Almost without exception, the correct procedures were followed regarding the sealing of the ballot boxes and the demonstration of these seals to scrutineers. In some cases, observers noted that the plastic seals meant for the inner seal were being used as outer seals rather than metallic seals. Ballot box numbers were recorded in the Presiding Officer's Journal and ballot paper serial numbers were read aloud to scrutineers.

In most cases, the correct procedures were followed for transporting ballot boxes to the police station to be stored securely overnight. Boxes were accompanied by a police escort and scrutineers, even when this involved transporting the ballot boxes long distances. This sometimes caused long delays in the start of voting the next morning. In other cases, for example in more remote islands, boxes were stored securely overnight on the islands and security and transparency was maintained by the use of the security seals.

Although in the majority of cases ballot papers were kept securely overnight, there were a few exceptions to this - in one location in Lae, for example, we witnessed scrutineers demanding that unused ballot papers be burnt and we were later informed that polling officials complied. News reports indicated that this was not the sole example of the burning of ballot papers. In one polling station in East New Britain, ballot papers had been stored with the stationery and could not be found the next morning, causing concern among scrutineers. The latter issue was resolved peacefully by the Returning Officer, once the missing ballot papers had been located. However, these were exceptions, and in general the team saw good practice.

The Count

Key Procedures for Counting and Results Aggregation

Counting was not done in the polling stations, but conducted at counting centres located in district or provincial capitals. The stated procedures for the count were as follows:

Before opening the ballot boxes, the Returning Officer must read out the ballot box details, team number, and seal numbers from the inner and outer lids of the box, to enable scrutineers to verify these. Each ballot box is then opened individually and all ballot papers emptied on to a sorting table. Officials check that each ballot paper has been initialed on the reverse side, and is a 'formal' (valid) vote. A formal vote is one where a candidate's code number and/or name appears against each of the boxes numbered 1, 2 and 3 on the ballot. If any of the numbers or names are missing or repeated, or a tick or cross is used, the vote is informal. A ballot not initialed on the back, or on which the voter has identified him/herself, is also informal.

The ballot papers are then sorted into trays for the candidates who have received the first preference votes (or into the 'informal' tray). Following the sorting, counting officials count the first preferences in each tray, and they are double-checked by a second official. The agreed total is confirmed on a counting slip which is passed to a tally recorder and entered on the appropriate tally forms. This process is continued until all ballot boxes for an electorate have been fully sorted and counted. The ballots for each candidate from all boxes are then amalgamated, and the total figures re-checked. Once this is complete, the necessary quota for an absolute majority is determined by calculating $50\% + 1$ of the total formal votes. If any candidate receives an absolute majority of first preferences, that candidate is declared elected. If no candidate receives an absolute majority, distribution of preferences is commenced.

The candidate with the lowest number of votes is excluded, and each ballot paper from that candidate's tray is distributed to the remaining candidate who received the next preference shown. After each exclusion the absolute majority is checked, and if not yet reached by any candidate, this process is repeated. If during an exclusion there is no continuing candidate left on a ballot paper (that is, preferences 1, 2 and 3 have all been excluded), the ballot paper is exhausted. Before each exclusion of a candidate, the number of known exhausted ballot papers is subtracted from the number of formal votes and the absolute majority required to win is recalculated. The exclusion process continues until one candidate achieves an absolute majority. The law provides for a re-count of ballot papers at the request of the candidate who comes second in any electorate, if the margin of victory is 0.25% or less.

Assessment of Counting and Results Aggregation

Some of the key observations of our teams were:

Our Group observed the count at two of the three counting centres within NCD. The procedures for the count were generally adhered to by the counting officials and the process was conducted in a calm and orderly fashion. The scrutineers were allowed access to observe the process and raise objections or concerns. However, such intervention by the scrutineers led to several delays to the process as the Returning Officer and his colleagues ensured that issues raised by the scrutineers were clarified before the count would continue. The count was further delayed when the counting officials at one of the centres refused to carry out their roles and responsibilities unless their allowances were paid by the PNGEC.

The Group commended the venue and set-up of two of the three count centres in NCD held at the sporting facilities in Port Moresby. This provided adequate space for all the officials and promoted transparency of the process. The group commended the members of the security forces who ensured that only the officials with proper accreditation from PNGEC would be granted access to these count venues.

In meetings with Election Managers in some of the provincial capitals prior to or during the polling period, it was noted that a process of 'electronic counting' - the use of a projector to display the ballot paper on a screen - had been trialled in several by-elections and was used in the Highlands provinces of PNG. The view was expressed to us that this process should be introduced at all counting centres, as it served to give scrutineers confidence that the counting officials' tallies matched the votes cast. It was put to us that this could also help to speed up the counting process, as scrutineers would be less inclined to protest.

The Group was concerned with media reports of election-related violence that resulted in the death of four people, including members of the police, during the count process in the Highlands Province of Enga. It appeared that much of this violence occurred as an expression of dissatisfaction with an election result, or in an attempt to prevent a peaceful transfer of power. All leaders of PNG have a responsibility and a role to play in ensuring national elections are held in a peaceful manner and the results are accepted as the will of the people expressed through a credible democratic process. Consideration should be explored for the police to work in close collaboration with the traditional and church leaders to maintain law and order during national elections and to promote the principle of peaceful transfer of power.

Overview of the Countrywide Observation

Southern Region

Central Division and National Capital District

- Our team received numerous complaints from voters and scrutineers whose names were missing from the electoral roll. Many stated that they had voted at previous elections.
- None of the polling stations observed opened at the official start time of 0800 hrs. Delays were blamed on late arrival of election materials, disputes over allowances, disagreement where the polling venue should be, logistics and late deployment of key polling officials.
- NCD (Port Moresby), where polling was originally scheduled for Tuesday 27 June was deferred to Friday 30 June. This followed dispute of camping allowance for the polling officials and a police incident in which the former Election Manager was arrested.
- Some polling stations had less number of ballot papers than the number of registered voters on the roll. At the University of PNG in Port Moresby, the students refused to vote as the number of ballot papers made available was only about 1200 for a student roll of more than 5000. The Group commended the constructive response displayed by the student leaders in allowing the polling team to consult the Returning Officer and the Electoral Commissioner on several options they had agreed to in trying to resolve the issue. Polling at UPNG commenced the following day with the students agreeing to cast their votes on a first-come, first-served basis with the same amount of ballot papers allocated by the PNGEC.
- There was inconsistent use of the electoral rolls, even when the Electoral Commissioner allowed the use of the preliminary roll. This message was not communicated to all the polling teams visited. Most polling stations the team observed did not have a copy of the preliminary roll. Our team met with a prominent citizen who was also a candidate but his name was not on the roll. The team was pleased to note that he was still able to cast his vote as he presented his Voter ID number.
- Our team observed a variation of voting procedures allowed by polling officials. This could be attributed to the lack of training. Assisted voting was common, although it was sometimes unclear as to the reason (e.g. illiteracy, lack of understanding, coercion, etc.).
- At some of the polling stations, the secrecy of the ballot was not secured due to the set-up and location of the polling booths.
- Our team observed that the voting at all the stations we visited was peaceful and orderly.

Milne Bay

- Access was the primary constraint faced by the election officials in Milne Bay. Roads were in poor condition due to rain and lack of maintenance. Much of the province is accessible via helicopter or boat only. Shortages of boats meant that it was difficult for polling officials and security personnel to get to polling stations and set them up on time. On the

islands, materials were transported without a police escort. Boats and vehicles had been hired centrally which left no freedom for provincial staff to meet emergency situations.

- There was large disparity in the size of open electorates.
- Police personnel had not been paid their allowances on time and were therefore absent from duty for the first two days of polling. This left the polling stations and sensitive election materials unprotected, though no untoward situation was observed during this period.
- Large numbers of names were missing from the electoral roll and many complained despite submitting their applications for registration, their names had not been included.
- Polling was peaceful even on days when security personnel were absent from duty.
- Although staff were trained, training took place very close to the commencement of polling. There were marked deviations from the prescribed procedures from place to place. In some places two voting compartments were made - one for open electorate and the other for provincial, and in others the same compartment was used to cast votes for both the open and provincial electorates. Opening and closing took place according to procedure in urban locations, but there were deviations in remote locations. This indicates that training given to the polling staff was not adequate.
- Many were not aware of the PNG Roll Look Up application created by PNGEC to facilitate information about registration.
- In the absence of any identification documents, there was no way to formally identify voters. The village recorder helped the polling staff in identifying voters. In some locations the ward councillor also helped in identification.
- The ballot box was deposited in the police station for the night in Alotau urban Local-Level Government (LLG), but in remote areas these boxes were stored in local schools or community buildings and from there were transferred to the next polling place the next day.
- Scrutineers moved from place to place with the ballot box. As not all were local residents, they were not in a position to confirm voter identification. They also didn't have copy of the electoral roll to mark voters' names.
- Almost all polling stations opened late - some by a less than an hour, others by many hours. Similarly, in remote locations, polling generally closed earlier than 1800 hrs as polling officials had to travel to another remote location on foot or on bad roads. For instance, one polling station in Marmatana Rural LLG closed at 1411 hrs, instructing remaining voters to come to the next polling station assigned to the polling team.
- There were two queues for men and women in many places. However, in many places the whole family came to vote, covering long distances, and they wanted to vote together to return together back home. Women didn't have any issues with standing with their family members in the same queue, though this separate queue facility was observed more strictly in the urban locations.

- Most polling stations were set up in the open air and were vulnerable to rain and the hot sun. Even basic minimum facilities were missing, including toilets for the female polling staff, scrutineers and voters.
- At some polling stations the serial number of the ballot papers were not shared.
- In one place, the Presiding Officer advised the observers that numbers of registered voters could be obtained from the Provincial Election Manager or the PNGEC and Presiding Officers not authorised to share this information at their level. It seems that polling staff were not briefed properly on the role of observers.

Momase Region

East Sepik

- Polling started on the 24th of June in East Sepik amidst heightened security after reports in the media the night before that an unmarked vehicle carrying ballot boxes and ballot papers to an unknown destination without security had been intercepted by concerned citizens. The police arrested the driver and detained the vehicle and its contents at the police station. Checks by the Observer Team with police officials confirmed that the matter was under investigation. The Election Manager explained to us that the vehicle was actually hired by the PNGEC to convey sensitive voting materials closer to some far-away polling stations in order to enable the early start of polling the following day. He admitted that the vehicle was not official and was not accompanied by security.
- We observed that, as a result of the incident above, polling was postponed in the affected electoral area in Turubu in the Wewak Rural LLG from Saturday to the following Monday. Polling took place on Monday at the affected polling stations but we observed that the opening of poll started late, at around 1300 hrs.
- In all the polling stations visited throughout the six electoral areas the most significant observation was the huge number of names missing from the electoral roll. On each occasion we observed that there were marked decreases in the number of names on the electoral roll compared to the 2012 electoral roll. This caused anxiety and frayed tempers, as well as disenfranchisement and suspicion of corruption.
- Polling generally opened late in all polling stations, mostly after 1000 hrs.
- We observed that there was no consistency in the layout out of polling stations. Whilst in some polling stations the practice of separate lines for men and women was adhered to, in others men and women were encouraged to come in two at a time to check their names on the electoral roll. In other polling stations names on the roll were called out alphabetically.
- The placement of the booths in most polling stations did not ensure proper secrecy.
- There were varying degrees of professionalism among polling officials. They were generally courteous towards voters, observers and scrutineers

and took time to explain the process to scrutineers before voting began. Sufficient training appeared to have been conducted. However, the correct procedures for assisted voting were not always followed.

- Most polling stations in the urban areas had a roughly equal number of male and female polling officials, though this was not the case in rural areas, where men outnumbered women.
- Women were assisted in higher numbers than men in both rural and urban polling stations, perhaps drawing into question the secrecy of their vote.
- We observed that all polling stations visited were in the open and exposed to the weather, causing delays or postponements when it rained. The location of polling stations was often changed at the last minute, contrary to gazette locations, causing confusion.
- The 2017 electoral roll was not provided to scrutineers in order to ensure transparency and the right to make meaningful objections. Interestingly, we noticed many had possession of the 2012 roll.
- Identification of voters from the electoral roll varied significantly from polling station to polling station. In some polling stations procedures were followed and in others names were called alphabetically.
- The Election Manager informed us that the deficiencies in the roll could be attributed to the shortage of registration forms distributed to ward councils, insufficient time for roll update and shortages in funding.
- Although quantities of voter education materials were available in the Office of the Electoral Commissioner, these were rarely seen at polling stations.

Madang

- Polling stations generally opened after the assigned time, 0800 hrs. The delay started in the dispatch centres where ballot boxes were deposited, with teams being dispatched late.
- Most polling stations were set up in the open which was vulnerable to rain and hot sun. There was no shade in many places and the polling staff, scrutineers and voters suffered. In some places some tents were erected. Rain caused significant delays to polling at a number of polling stations.
- At one polling station, we were told that nearly 700 voters could not vote at the previous location where the team had conducted polling due to rain and many of those left out there turned up at this location.
- There was no separate queue for women in many places - in fact it appeared that it was not needed because voters were coming with families and all voters in the family claimed they wanted to stay together rather than women going to a separate queue.
- Many elderly persons complained that they voted in 2007 and 2012 at the same place but their names were not found in the 2017 electoral roll. We were told that the village recorder did send the forms for new voters but many had not been included at the time of centralised printing of the roll. There was a general feeling that exclusion of existing names had also happened at the printing level.
- A grievance redressal process was in place. A dispute regarding delays in the transport of ballot boxes deposited by one team was raised by the

scrutineers. The scrutineers and some candidates complained that the ballot box, transported by helicopter, arrived at the airport at 1700 hrs but was deposited in the strong room at 1800 hrs, despite the distance between the airport and the strong room being barely 15 minutes. They submitted a written complaint. In response, the poll staff took out the boxes from the strong room in the presence of the complainants, read out the outer and the inner seal numbers and confirmed them with the scrutineers. After the numbers were confirmed, a permanent metal seal was put in the flap/ inner seal and then the boxes were deposited in the strong room. The team then used new boxes for their poll work from after this day, which satisfied those raising complaints.

- Opening procedures were followed, including the reading of the serial numbers of ballot papers.
- There was a large number of assisted voters. The majority of them were elderly men and women, and there were more women than men. In a number of cases, one person assisted many voters.
- At one polling station, one voter turned up to vote only to find that someone had already used his identity.
- In some places temporary seals were used while the metal seals were available.
- In remote locations, scrutineers and village elders almost dictated the way polling was to be conducted.

Morobe

- Polling in Morobe proceeded broadly in accordance with the scheduled days of voting, although in some locations, it was delayed due to weather. In some areas, polling officials were unable to process all intending voters in one day and had to return in subsequent days.
- Very few polling stations opened on time, with several not opening until 1100 hrs or 1130 hrs.
- Many polling stations were located outside and in the open air. While this appeared to be the preference of many polling teams and communities, it could present problems during rainy weather. Indeed, in some places, officials had to erect tarpaulins to provide cover from the rain, although this did not always cover the entire polling station.
- Police were present at many polling stations, although the atmosphere was calm and peaceful in most areas, particularly in rural areas.
- Rural teams appeared better organised than urban teams.
- At most polling stations in rural areas, ballot boxes were sealed in accordance with the procedures. However, we observed several polling stations in Lae where no seals had been applied. In one instance, polling officials did not appear to understand that seals needed to be applied to the four sides of the box. At the other extreme, one polling station had accidentally sealed the top of the box as part of the opening procedure, and had to request the assistance of the Returning Officer to cut the seal to enable voting.
- At one polling station, the team did not have a copy of the electoral roll or provincial ballot posters, causing a significant delay to the opening of polling.

- Without exception we had complaints about the electoral roll at every polling station we visited, and with every stakeholder with whom we spoke. We observed many people being turned away as their names were not on the roll. Often these people informed us they had voted in 2012. Some claimed that less than half of their community's adult population was on the electoral roll.
- By contrast, we were also informed that some names that had been removed from the roll during the cleansing process had reappeared at the time of voting.
- In some stations, polling officials were using the 2012 electoral roll or the 2017 preliminary roll as a supplementary.
- In some polling stations, mostly in rural areas, polling officials adopted a 'roll call' method, often at the demand of the scrutineers. We were advised that this sped up procedures, and enabled the community to easily identify the voter. However, it meant some voters had to wait many hours to cast their vote, and we witnessed at least one occasion where officials closed the station at 1800 hrs, despite many people present not having had an opportunity to vote, as their names had not yet been called.
- In some polling stations, voters complained that not enough ballot papers had been provided to enable all voters to cast their ballot. In one urban polling station in Lae, community leaders were refusing to let their people vote, claiming there weren't enough ballot papers.
- Students at the Unitech in Lae burned the ballot papers in protest. Staff members expressed disappointment at this action, which denied all present the opportunity to vote.
- There was a varied application of the separate lines for men and women, although it did not appear that women were being coerced or prevented from voting.
- Some voters received assistance to cast their vote, although in all cases we witnessed this appeared to be genuine assistance.
- In urban areas there were large queues, and in several locations polling officials did not make use of all the ballot booths provided to them.
- Towards the end of the one-day polling in Lae, several polling stations disregarded the electoral roll entirely in order to speed up voting or in response to names not being on the roll. In some locations, scrutineers objected to this, asking for time stamps to be applied to ballot papers so that they could dispute their validity.
- Indelible ink was applied at all polling stations prior to voters casting their ballot. This was a messy exercise and we witnessed voters trying to shake the excess ink off.
- Most of the polling officials and scrutineers were men, particularly in rural areas.
- Scrutineers played an active role in the decision making process at many polling stations, although in some cases it appeared they did not have a clear understanding of procedures. For example, at one polling station scrutineers demanded that unused ballot papers be burned.

- In at least one polling station, scrutineers were allowed to vote despite not being on the electoral roll. It was explained to us that this was because they would not be able to vote at their own polling station.

Islands Region

Bougainville

- The team in Bougainville observed polls in North, Central and South electorates, covering the Autonomous Region. In our interaction and engagement with residents of Bougainville, it was generally noted that national election and voting were not topical and to an extent, not prioritised by the people. Many times, citizens referred to the 'main event' scheduled for 2019, that is, the upcoming referendum on possible independence. As such, the environment was peaceful.
- When the team arrived in Buka, it was the last day of campaigning. There was a small gathering at the campaign event opposite the market. Printed campaign materials, particularly candidate posters were displayed around town, and similarly in Arawa.
- Polling in Bougainville was scheduled for 26 - 30 June 2017. During the team's engagement with respective officials, they informed that all sensitive and non-sensitive materials were distributed to central points and safely secured at the police stations in Buka, Arawa and Buin. The total number of polling stations in Bougainville was 187.
- In meetings with several stakeholders prior to the start of the polling period, concerns were noted regarding the outstanding payment for 2012 national and 2015 (Autonomous Bougainville Government) elections to service providers. To prevent any disturbance during polls, Officials said they had to constantly reassure polling staff and service providers that payments would be made on time.
- On the first official day of polling, voting was suspended during the morning period in Central and North Bougainville due to the large number of complaints lodged regarding omitted eligible voters from the electoral roll. In some communities visited, more than half of the eligible voters were not on the roll. A decision on this matter was made by the afternoon to use the preliminary roll as a supplement to the 2017 roll. A few polling stations did not receive copies of the electoral roll and as such did not commence operation on 26 June.
- On the next two days, suspension of polling continued as there were further delays regarding printing and distribution of the preliminary roll. It was observed that in some instances the Autonomous Region of Bougainville's roll was used at polling stations, instead of PNGEC's electoral roll. It was unclear whether this occurred as a result of incorrect reference to the roll or the unavailability of copies of the preliminary roll.
- The location of numerous polling stations was not conducive for voting to be conducted, noting that the designated spaces were often too small. As such, only one line was used instead of two. This allowed only a few scrutineers in the room, and in other instances, they had to stand

- throughout the day to observe. For people with disability, it would have been particularly challenging for them reach and enter polling stations.
- Throughout the duration, numerous polling stations opened late for polls, between 1000 hrs to 1200 hrs.
 - Polling officials occasionally decided to shift the location of polling stations within an LLG, which presented both benefits and challenges. This method allowed voters relatively easy access to polling stations considering the miles some voters had to walk to cast their ballots. In one case, a polling station that was located in a 'No Go Zone' area was moved to a safer location. However, this sometimes led to less hours/days at the approved polling location and raised concerns as to whether community members were informed about the changes of the polling location. It also compromised scrutineers' ability to follow the movement of the polling stations.
 - There were a number of issues regarding secrecy of ballot and assisted voting. More often, police officers were seen assisting voters, and there were only a few times where the Presiding Officer assisted voters. There were also cases where scrutineers were in the voting compartment to witness assisted voting. The team also noted that more women required assistance compared to their male counterparts. At one polling station, voters were being assisted by a 'neutral community member' in the voting compartment.
 - The team generally noted that the voting compartments of many polling stations were placed at an angle which did not protect secrecy of ballot. Secrecy of ballot was also at risk as a number of voters left the voting compartment with their filled ballot paper unfolded and sometimes, handed the filled ballot paper to the polling staff to fold and place in the bin.
 - Campaign materials were rarely removed in time for commencement of the polling period. Candidates' posters were often in close proximity to the polling stations, and in some instances, plastered on the walls of the polling station. Scrutineers also wore their party's campaign t-shirts (detailed writing on the t-shirt) to poll stations which can be interpreted as a sign of campaigning.
 - Polls were suspended at one polling station in South Bougainville - Torokina - due to the absence of seals for the ballot boxes.
 - In South Bougainville also, polls were suspended for two days at two locations in Buin as a result of the outstanding payment of service providers.
 - It was observed that some polling staff were not dressed in their uniform whilst on duty.
 - Many scrutineers across Bougainville were without badges and it was unclear whether they were officially registered as scrutineers.
 - Polls were scheduled to conclude on Friday 30 June in Bougainville. As a result of the delays and suspension of polling stations during the period, there was an extension on the polling duration. Polls continued on 3 and 4 July, and at a few locations on 5 July. On these extended days, there was a small voter turned out at many polling stations, which raised questions as to whether voters were duly notified.

- Most polling stations in Buka used new ballot boxes on 3 July. The Acting Election Manager informed us that the new ballot boxes were issued in order to separate the polling that was done on the official polling schedule and the extended polling period. This was in contrast to Central Bougainville, where used ballot boxes were retained for the extended period.
- Two of the polling stations visited in Buka used only one ballot box, which meant that both the provincial and open ballot papers were dropped in one box, compared to other stations which used two new ballot boxes for the extended period.
- An additional allotment of ballot papers was transported to Bougainville as a result of the preliminary roll being used. However, officials informed us that they might not all be utilised given the short extension of the polling period.
- Polling stations were generally closed between 1600 hrs and 1730 hrs, with a few closing as early as 1500 hrs. Many polling stations were forced to close around 1700 hrs as it became dark and there was no lighting facility. Polling staff allowed voters in the line to complete the process but this led to polling staff, police officers and even scrutineers leaning over voters in the voting compartment with the torches on their mobile phones as voters filled out their ballot papers. This again compromised the secrecy of ballot.
- At close of polls, all materials were packed up and transported to the police station where they were safely stored.

East New Britain

- We had the opportunity to observe the last day of campaigning in Kokopo, when different parties were seen to be taking their convoy around the town. All the political parties started from the same park, with no violence reported. We were informed that under the LPV system, candidates and their supporters, including scrutineers, were more likely to collaborate.
- Churches were also holding rallies encouraging people to vote for candidates according to Christian principles.
- In general observers noted good practice demonstrated by polling station officials in East New Britain. Officials seemed competent and reported having received their training weeks in advance of polling. It was also reported that scrutineers received training. Most scrutineers either had their identity cards or completed forms that were submitted for identity cards. However, many scrutineers were not seen wearing their identification.
- Both voters and scrutineers displayed high levels of trust in the system and in officials' ability to carry out polling correctly. Where issues were raised, these were settled peacefully and quickly by the Returning Officer and other officials.
- At all polling stations there was an abundance of campaign materials within the immediate vicinity of the polling station.
- As elsewhere in the country, there were significant problems with the electoral roll and observers saw high levels of voters turned away. At one

polling station at a plantation, not a single person was able to cast their vote. We note with disappointment that the same station seems to have been problematic in this sense in 2012 (as was reported by the 2012 Group), perhaps due to its migrant population. We suggest that this issue is remedied urgently prior to the next election in order to allow these workers their right to participate in the election.

- Polling infrastructure at places like plantations were less than ideal. The structure was leaking and rainy conditions made it difficult for polling officials. Some polling officials stated that they were promised tents earlier but the Electoral Commission was not able to make these available.
- In a few select polling stations, particularly at the Duke of York, the roll was being called aloud (see chapter 4). This caused significant delays and was seen to be far less orderly than other polling stations that were observed. Islands like Duke of York had to have their ballot boxes left on the island, which raised some suspicion - however, opening and closing procedures were followed closely by polling officials and scrutineers were seen to be very vigilant in verifying all the seals.
- There was irregular implementation of separate lines for men and women, but women reported voting freely and some were passionate advocates of women's right to vote.
- In contrast to practice in other parts of the country, the Election Manager in East New Britain decided not to make use of the preliminary roll as a supplement to the 2017 roll as he considered it unfair to those that had already cast their vote. We note that in other provinces Election Managers were able to account for this by allowing those who were on the preliminary roll but had already been turned away to vote in later polling stations, which seemed a preferable solution.
- In general, observers noted that very good practice was displayed in all areas of East New Britain and that opening, voting and closing procedures were followed. The ballot papers were secured in containers at police stations. Police officials were the ones to open and close the containers when all polling officials arrived. Officials were seen to be arriving at around 0600 hrs to ensure they reached their polling stations on time.
- The province sets an example to the rest of the country as to good practice and may be able to share its expertise and experience with other provinces.
- Voters and scrutineers are also to be praised for their patience and for seeking appropriate channels to settle disputes.

New Ireland

- New Ireland demonstrated very good practice and officials had high levels of awareness of the rules and regulations regarding polling. Staff reported having received training weeks before polling. In fact, the Election Manager from New Ireland was transferred to Port Moresby to make use of his expertise and experience in New Ireland and elsewhere, in order to troubleshoot in the capital, filling in for an Election Manager whose contract had been terminated.

- Polling stations generally opened and closed on time, and opening and closing procedures were followed closely. Both voters and scrutineers displayed high levels of confidence in polling officials. They also demonstrated discipline in resolving problems, most notably resulting from the electoral roll.
- Observers noted that in Namatanai there seemed to be less confidence of officials as to the rules and regulations of polling. In one polling station in particular, scrutineers were able to pressure the Presiding Officer into calling the roll aloud. However, in general we witnessed good cooperation between scrutineers, polling officials and security personnel.
- Officials had been careful to remove campaign materials from the vicinity and some voter education had been undertaken by churches and by the Provincial Election Manager.
- Despite not having received their allowances, polling officials were dedicated to delivering a smooth and efficient election. Similarly, the Election Manager seemed to have managed budgets well and undertaken effective problem-shooting by using back-up provincial funds when capital allocation had not arrived in a timely manner and was able to organise boats and other vehicles as necessary.

West New Britain

- Polling took place broadly in accordance with the polling schedule, although locations were moved in some areas in Talasea for safety reasons or due to inclement weather.
- Polling was calm, orderly and peaceful, with procedures broadly followed by polling officials.
- Ballot boxes were sealed properly in all polling stations we visited.
- Complaints about the electoral roll again featured as the main issue in West New Britain. One senior election official speculated that as many as one in four voters had been turned away.
- In some polling stations, mostly in rural areas, polling officials adopted a 'roll call' method. We were advised that this sped up procedures, and enabled the community to easily identify the voter.
- In many polling stations we visited, polling officials examined each ballot paper prior to depositing them in the box. We were advised this was to prevent informal ballots being cast, and witnessed on several occasions polling officials call voters back to amend or have the ballot reissued. Voters did not appear to be uncomfortable with this process.
- In some cases, polling officials closed stations early in order to enable the transfer of ballot boxes to the police station by nightfall. Where polling was unable to be completed prior to closing, polling officials returned in subsequent days.
- We were advised that there had been some violent clashes, including three people being killed, in Talasea Open during the campaign period, and extra security had been deployed for polling.
- There were some complaints about the quality of the indelible ink, which we were told was easier to remove than in 2012.

- Scrutineers were present at all polling stations, and appeared to respect the process.
- The majority of polling officials and scrutineers were men.

Highlands Region

- Polling station set-ups were commonly in open fields, demarcated by sticks and strings and not suitable as a means of preserving the secrecy of the vote, nor providing a barricade for crowds during actual voting. This set-up has been used in PNG in all recent past elections. It may be the set-up that allows voters to see others casting the ballots openly and thereby giving each other the confidence that the process has been open and transparent. Observations revealed a long-standing suspicion and distrust of polling agents manipulating the process to favour a preferred outcome (by contaminating ballot papers, by manipulating voters etc.). Confidence in the officials and the process must be addressed.
- Block voting was a major feature of the voting process in the Highlands region. Numerous polling stations were set up to inform voters on the preferred (and often, agreed) order of the votes to be cast. The order of preference for the three candidates would often be displayed on trees, fences and walls with the candidate posters being organised in such a way that the preferred first choice candidate would be placed at the top and the second and third preference placed below. Also in Eastern Highlands Province, polling stations were strongholds for candidates and tribes commonly agreed on how to vote at each polling station.
- Separate lines for female voters, elderly and those with a disability were rarely provided at the polling stations visited. It was common practice that female voters received assistance with voting, with many women having more than two people assisting them, and these were almost always men. There were several instances where female voters were told who to vote for, with those assisting pointing directly at candidates on the posters placed in front of them inside the interior of the voting booth. There were also many examples where the men assisting the female voter filled in her ballot paper before handing it back to her to place in the ballot boxes. It is not clear whether this assistance was entirely due to illiteracy or whether there are coercive tactics at play. Many female voters turned up to the polling stations with their children, toddlers and babies and, because of the length of time waiting for polling to commence, the frustration and attention sought by the children intensified as the day progressed. It was also obvious that the ratio of male voters largely outnumbered the female voters at almost all polling stations (often at a 70:30 ratio) and there were some stations where the ratio was much less for women (80:20).
- In many polling stations, voters were given multiple ballot papers by polling officials, often on the voter's request and insistence that they are authorised to vote for and on behalf of family members who were unable to attend polling. Such family members included those who were assisting in the elections (police, military, polling officials, as well as those who were stationed in other provinces or overseas). This may in

fact be done by different voters in different polling stations, resulting in multiple voting for persons not on the electoral roll.

- Candidate representatives control voters and ensured that votes were cast presumably as tribally determined. In addition to their scrutineers, each candidate had no less than two representatives standing near the voting booths, directing approaching voters towards them, and overseeing their votes, sometimes filling in the ballots for them. In many instances, the assistant would place the ballot into the ballot box themselves. Interestingly, candidate representatives never approached a voter that was either a well-known supporter, relative or remotely associated with another candidate.
- Delays in commencement of voting resulted in gathering of large disgruntled crowds of voters who could not be controlled. The whole set-up of the polling area had questionable integrity in that although it was 'open and public', it was insecure and undermined the sense of security and peace of mind that voters needed to exercise their right to choose. Changes should be made to introduce measures to control crowds and limit interference by re-examining the use of open-field voting areas.
- Polling officials struggled to manage polling records and documentation. At the completion of polling in Goroka (there was no more than three hours' polling at most stations) ballot papers and boxes were returned to the police station for secured storage, in preparation for counting. Polling officials were not given the opportunity to organise themselves at the polling station. It was when they returned that they were left to arrange their records. In Goroka they were seen updating the electoral roll, crossing off names of presumed voters from their list to match the number of ballot papers cast. This practice raises serious concerns of record-tampering and therefore compromises the integrity of the ballot papers and boxes.
- There was a lack of proper protection and security over ballot papers, even those under police possession. In the Eastern Highlands Province, unused ballot paper booklets for Daulo District (Eastern Highlands Province) were returned to Goroka Police Station for safekeeping as polling at Daulo had been postponed due to candidate complaints. An audit of the boxes revealed that one box was missing seven ballot paper booklets and other boxes had evidence of possible tampering. The boxes were transported to the Daulo District Headquarters and in that process, the seven books were said to have been removed from the box. The vehicles were rented vehicles overseen by police and polling officials.
- Widespread misuse and tampering of the indelible ink occurred at many polling stations and the rules relating to the application of the indelible ink were not followed. In Eastern Highlands Province, polling officials were seen diluting the ink. In other polling stations the ink was not applied for some voters, but was applied for other voters. It was reported that polling officials responsible for the ink knew who each voter was and those to whom ink was not applied were those who were to vote again at a different polling stations. Oddly, in Jiwaka some voters had several fingers inked as they voted multiple times.

- The electoral roll was not used in most stations. Many polling officers reported that the inaccuracy of the roll made it unreliable and therefore useless. In Highlands region, officially, polling officials had copies of the 2017 roll available to them. They relied on the 2012 roll to determine the number of ballot papers to be issued to each polling stations, but the decision of who and how one would vote had already been determined at Haus lain level.
- A consistent problem in all polling stations in the Highlands region was insufficient ballot papers. In Eastern Highlands and Chimbu polling continued despite insufficient ballot papers. The number of voters who could vote was accepted as a representation of the intended votes of that community.
- In Eastern Highlands, Chimbu and Jiwaka candidates were personally responsible for financing campaigns. Many candidates relied upon resources built up over previous years to run campaigns. In Western Highlands Province and Enga, campaign finances and resources were provided by tribes, villages and supporters of the candidates, who contribute money as well as items towards the candidate's campaign. The level of input and contribution to assist candidate's elections is perhaps one explanation of the level of personal and tribal investment in the outcomes of the elections.
- Provincial electoral officials expressed serious concerns over the effective functionality of existing electoral laws and regulations. It is argued that the powers of the Commission and Commissioner is so central that it makes any practical decision-making at local level difficult. Some devolution of powers to Regional Coordinators, Returning Officers and Election Managers, particularly on simple matters related to recruitment and removal of polling officials, and validity of certain processes is recommended. Most delays were created because requests from provincial elections offices to the Electoral Commissioner were stuck in a bottle-neck at the central PNGEC office awaiting the personal attention of the Electoral Commissioner.
- The remoteness and sizes of provincial districts made transportation of polling materials high-risk and susceptible to delays and tampering. The highland region comprised considerably large and isolated districts that required enormous logistical operations to distribute ballot boxes and ballot papers from the provincial capital to district headquarters and then from headquarters to polling stations. In Eastern Highlands transport was largely by convoys with the closest district three hours away. In Chimbu, ballot boxes, papers and polling officials were transported by helicopter to isolated rural areas inaccessible by road. This exercise was done on the day of voting resulting in significant delays to the start of polling.
- In the Highlands, village councils insist that submission of family names of voters to be registered on the electoral roll should be done by the village council, submitted to the Provincial Council and then submitted to the PNGEC. In Western Highlands, tribal taboos with regards to handling and dealing of names of their people (e.g. married women, engaged girls) meant that families and tribes were solely and primarily

responsible for the determination of who would be registered to vote. Tribes would submit names to the village council and that list would then find its way onto the electoral roll. It may be worth considering conducting the exercise of voter registration as a provincial exercise.

- The role, powers and functions of the Provincial Electoral Council has also become the subject of concern for a number of stakeholders and election officials. While the councils are meant to provide an advisory role, the lack of clarity over the relationship between the council and the PNGEC means the council is often redundant, resulting in questions as to the practical functions of the council.
- The level of care and caution exercised by official in the storage of ballot boxes and ballot papers before and after voting varied across the region and between provincial headquarters. In Goroka the shipping container containing all ballot papers was kept in the Goroka Police station, but they were not secure and different polling officials could access them at any one time. In contrast to the Jiwaka Police Station, the shipping containers were positioned to face the public, with police stationed around it, and the containers were welded shut by a steel rod. Scrutineers and representatives were invited to attend to the opening of the ballot papers, the stamping of ballot papers, the counting of the number of ballot papers to be distributed to each polling station, and the distribution itself.
- There is a need for an open means of interaction and communication between electoral officials and campaign teams. After numerous problems, concerns and changes to decisions made during the election, the role of electoral officers warranted the need for a more practical but efficient means of communication between PNGEC, polling officials and candidates and candidate representatives. In Eastern Highlands, Chimbu and Western Highlands, communication between electoral managers, polling officials and candidate representatives was almost absent. Electoral officials in Jiwaka, however, were able to organise themselves more successfully in meeting and discussing with interested parties and answering concerns. They also offered workable proposals for the way forward, updating the stakeholders on decisions made and inviting them to collectively and openly observe steps taken relating to the handling of ballot papers and ballot boxes. In other regions, electoral officials were not so forthcoming or accessible.
- Issues related to non-payment and delayed payment of supporting personnel (namely the police, military, polling officials etc.) was a major concern expressed throughout the Highlands. In Eastern Highlands, the non-payment of allowances resulted in delays in a number of urgent matters. For example, Goroka police upset about the delays to their payment threatened to go on strike until some monies were paid. Goroka police officers who had received their allowances were asked to share them with those who had not, and this resolved the issue temporarily
- There is a need for better support to polling officials. Advance training and refresher workshops of polling officials and support personnel is very important. Polling kits could also assist in the efficient running and management of polling stations. This could include practical items like

clocks, pens, writing pads, megaphones etc. Understandably, polling officials had to make do with what was available to them and often relied on local convenience and preference to inform how they ran polling.

- The Highlands are well-known for being the most explosive and highly volatile regions where concepts of democracy and the right to vote and right to choice were interpreted and applied through tribal and cultural institutions. Changing political behaviour through institutional reforms will be very difficult as these institutions are embedded and inseparable from social structures and human agency.

Recommendations

The following recommendations pertain to aspects of the voting, counting and the declaration of results, and are also reflected on pages ix to xiii.

Campaign practices

- The IPPCC should continue work to strengthen political parties and their practices, including the continuing development of the code of conduct.
- Parliament should update and strengthen laws relating to the regulation and transparency of campaign financing. This needs to be coupled with more active enforcement of such laws.
- Election-related offences, particularly with regard to bribery, undue influence and underage voting, should be enforced to dispel the culture of impunity. Individuals who seek to prevent other potential voters, particularly women, from exercising their franchise should be liable for prosecution, in line with existing law.

Election preparations

- Effort should be made to ensure polling stations are able to open on time. Election officials should ensure that the time for transportation of ballot boxes, materials and staff is incorporated into planning so as to minimise delays.
- The PNGEC should consider measures to be put in place with the aim of reducing the overall length of the polling period.
- The PNGEC should review the placement of polling locations to ensure adequate shelter, lighting where possible, and to enable voters to easily access the polling stations. Consideration should be given to a more equal distribution of voters among polling stations.
- Noting that security forces and polling officials are often deployed away from their homes, special effort should be made to ensure these officials are able to vote. Such consideration could include ‘advance polling’ for all officials involved in the national election.

Voting practices

- The PNGEC should consider using more effective indelible ink with a higher concentration of silver nitrate.
- The PNGEC should ensure sufficient distribution of ballot papers based on the numbers on the electoral roll. The colour on the back of the ballot papers should match the front.
- Training for polling officials, including on assisted voting, should be strengthened with an emphasis on ensuring ballot secrecy.
- The IPPCC should coordinate with the PNGEC to train political party representatives, including scrutineers, on voting procedures so as to avoid confusion at polling stations.

Counting practices

- Counting should commence in all locations following the conclusion of the polling period.
- Counting processes should be reviewed, with a view to making it more efficient without compromising the transparency of the process.
- At all counting centres, consideration should be given for the ballot paper to be projected on a screen to ensure greater transparency during the counting period.
- Effort should be made to foster a better security environment during the counting period. Consideration should be explored for the police to work in close collaboration with the traditional and church leaders to maintain law and order during national elections and to promote the principle of peaceful transfer of power.

Annex I

Biographies of Chairperson and Observers

Rt Hon Sir Anand Satyanand (New Zealand)

Sir Anand Satyanand is a New Zealander with family links to Fiji and India. He trained as a lawyer being admitted to the Bar in 1970. Following 12 years in law practice he was appointed a Judge with a specialist warrant for criminal jury trials. He spent time engaged with parole work, law reform and judicial education programme development alongside his formal tasks. In 1994 Parliament appointed him as an Ombudsman in which he spent two terms, each of five years. In New Zealand the work involves maladministration as well as freedom of information cases. He then spent some time on a variety of part time briefs, installing a pecuniary interests disclosure scheme for Members of Parliament and chairing a Confidential Forum for Former In-Patients of Psychiatric Hospitals. In 2006 he was appointed Governor-General of New Zealand and served in that role for five years. Subsequently he has undertaken a variety of missions in New Zealand and beyond, as Chair of the Commonwealth Foundation for two terms, ending in December 2016 and as a member of the International Advisory Council of Transparency International. He and his wife Susan have a grown-up family and live in Wellington.

Lorna Simon (Antigua and Barbuda)

Lorna Simon is the Supervisor of Elections in Antigua and Barbuda. Prior to moving to the Electoral Commission, she held the position of Permanent Secretary with the Office of the Governor-General, and the Ministry of Tourism, Youth Empowerment, Sports, and Community Development. She has a degree in Public Sector Management from the University of the West Indies. She has attended public service training courses in Project Implementation and Management, Supervisory Skills Development and Advanced Accounting through the Caribbean Development Bank, Canadian International Development Agency (CIDA), and USAID. She has served as a member of several international electoral assessment and observation missions in Central America and around the Caribbean, as well as on two Commonwealth observer missions in St. Kitts/Nevis and Nauru in 2010, 2015 and 2016.

Sean Dorney (Australia)

Sean Dorney is a Non-Resident Fellow with the Australian think tank, The Lowy Institute for International Policy. He is the author of three books on Papua New Guinea and lived and worked as a journalist in the country for a total of 20 years, 17 of those as the resident Correspondent for the Australian Broadcasting Corporation. Papua New Guinea awarded him an MBE in 1990 and Australia made him a Member of the Order of Australia (AM) in 2000 for his work as a Foreign Correspondent.

Sashi Kiran (Fiji)

Sashi Kiran is the founding CEO of Foundation for Rural Integrated Enterprises & Development (FRIEND), a homegrown NGO working on good governance, health and livelihoods for poverty alleviation around Fiji since 2001. Her work

includes race relations and promoting peace-building and sustainable development practices. Sashi has also served national and international NGOs including the Commonwealth Foundation, CIVICUS and ASPBAE as well as the advisory committee of the University of the South Pacific Lautoka Campus.

Joseph Whittal (Ghana)

Joseph Whittal is a Barrister-at-Law and Advocate of the Supreme Court of Ghana. He is the Chairperson of Ghana's Commission on Human Rights and Administrative Justice (CHRAJ), an Independent Constitutional Body. He holds an LLB and BL from the University of Ghana and Ghana Law School respectively and a Masters (M.A) in Democracy Governance and Law from the University of Cape Coast, Ghana. He is experienced in the protection and promotion of human rights and public sector accountability domestically and internationally. He is a member of the Working Group (WG) on the SDGs of the Global Alliance of National Human Rights Institutions (GANHRI) (formerly International Coordinating Committee of national human rights institutions); Member of the Steering Committee of the Network of African Human Rights Institutions (NANHRI) for the promotion and protection of human Rights on the African continent; Member of the Executive Council of the African Ombudsman and Mediators Association (AOMA) as well as serving on several anti-corruption bodies at regional and international levels.

Tricia Teekah (Guyana)

Tricia Teekah holds a BSc. in International Relations from the University of Guyana and a Bachelor of Laws from University of London International Programmes. Her work over the last ten years has increasingly focused on protection of fundamental rights, and the need for inclusive, peaceful and democratic societies. Tricia is a founding member of the Guyana National Youth Council and served as the Board Secretary on the Board of Trustees between 2014-2016. Within that period, she co-led the Guyana National Youth Council's 'Vote Like a Boss' campaigns in Guyana for General and Regional Elections in 2015 and Local Government Elections in 2016. The campaigns were among the largest national voter and civic education initiative in Guyana in recent times, which was recognised by the Commonwealth Secretariat through the Commonwealth Youth Awards for Excellence in Development Work in 2017. To that extent, Tricia was named the Commonwealth Young Person of the Year for the Caribbean and Americas Region in 2017. She has led and contributed to creating participatory spaces and initiatives geared to empower young people, and foster youth and social development. Presently, she serves as the Pan-Commonwealth Coordinator of the Commonwealth Youth Human Rights and Democracy Network.

Noor Mohammed (India)

Noor Mohammad, a member of the Indian Administrative Service (1977-2011), has served in many positions in democratic governance. This includes many years as District Election Officer, Chief Electoral Officer of the most populous state of Uttar Pradesh, Deputy Election Commissioner in the Election Commission of India, International Member of the Joint Electoral Management Body in Afghanistan and Chief Electoral Advisor for the United Nations Development Programme in Kabul. He has been a visitor to Mexican and

Australian elections in 2003 and also a member of the Commonwealth Observer Group in 2007 (Nigeria) and 2015 (Guyana) respectively. He was instrumental in introducing many reforms in the field of electoral management in India including use of GIS maps in delimitation of constituencies, online registration, electoral rolls with photographs; IT based solutions for deployment of observers, deployment of staff using randomisation techniques; and transmission of results online, as well as identification of sensitive polling areas and the related risk management. At present, he works as member of the Faculty in Indian International Institute of Democracy and Election Management and conducts capacity building programmes for domestic and international election managers. His work has taken him to all the continents of the globe.

Gabrissa Hartman (Nauru)

Gabrissa Hartman is a law graduate from the University of the South Pacific. She worked as deputy clerk of Parliament prior to becoming a Member of Parliament, when she won in the by-election in January 2017.

Fetogi Rosita Vaai (Samoa)

Fetogi Rosita Vaai is a lawyer by profession and is currently the Assistant Electoral Commissioner. She joined the Public Sector in 2007 when she was employed by the Office of the Attorney General as a state solicitor in the criminal and drafting division. In 2013 she joined the Ministry of Police as their legal advisor. She was involved in the first consolidation of legislation in Samoa and was recently involved with the Commission of Inquiry into the 2016 General Election of Samoa.

Calvin Ziru (Solomon Islands)

Calvin Ziru is the Registrar of Political Parties in the Solomon Islands, a position he has held since 2014 following the enactment of the Political Parties Integrity Act 2014. As Registrar, he is responsible for the registration, administration and development of political parties. He is currently responsible for leading government reforms on the political parties system, and the electoral legal framework. Previously, he was Director of Political Governance in the SI Office of the Prime Minister & Cabinet, Chief Executive Officer of the SI Chamber of Commerce & Industry, Parliamentary Committee Secretary and Legal Advisor in the SI Office of the Speaker of Parliament. Calvin is a qualified lawyer, admitted to the Rolls of the High Court in Fiji. Although having received degrees in law (Vanuatu), politics and international relations (England), his professional interest is in leadership and governance reforms and public policy development.

'Ofa-Ki-Levuka Guttenbeil-Likiliki (Tonga)

'Ofa-Ki-Levuka Guttenbeil-Likiliki is the Director of the Tonga Women and Children Crisis Centre (WCCC). Her priority areas of work are in Eliminating Violence Against Women and Girls (EVAWG), Women's Participation in Politics and Decision Making, Women's Access to Resources and Land and Young Women's Engagement in Political Spaces and how all these issues inter-relate in the context of advocating for Gender Equity and the meaningful empowerment of women and girls in Tonga and the Pacific. Guttenbeil-Likiliki was a member of the Commonwealth Observer Group to the Solomon Islands General Elections in 2014. She is a General Assembly Member on the Asia

Pacific Women in Law and Development (APWLD), a member on the Asia-Pacific Resource and Research Centre for Women (ARROW) Advisory Program Committee, the 2012-2016 Civil Society Organisation Pacific Representative on the Commonwealth Gender Plan of Action Monitoring Group and Executive Member of the Pacific Women's Network Against Violence Against Women (PWNAAVW). Her educational background is in Media, Law and Gender. Guttenbeil-Likiliki is married with four children and is currently living in Tonga on the main island of Tongatapu.

Wilson Toa (Vanuatu)

Wilson Toa is the CEO for Transparency International Vanuatu where he manages and support projects and initiatives in the areas of transparency and accountability. After spending over a decade working in media and diplomatic missions, Wilson joined civil society in 2015 with the interest of encouraging partnerships between civil society and the government to promoting policies that support better accountability and transparency in all sectors in Vanuatu. Wilson has worked for the National Media in Vanuatu, the New Zealand High Commission, Australian High Commission, and ABC International (PACMAS) and has been on different Boards and committees within the government and civil society. In addition to his experience, Wilson is a trained Leadership Trainer.

Annex II

Arrival Statement



Arrival Statement

**Sir Anand Satyanand, Chair
Commonwealth Observer Group
Papua New Guinea National Elections 2017**

I am honoured to take my place in Papua New Guinea as Chair of the Commonwealth Observer Group to the 2017 National Elections.

The Commonwealth Secretary-General, Rt Hon Patricia Scotland QC, constituted a 12-member Observer Group, following an invitation early this year from the Government of Papua New Guinea. The Group is supported by a six-member staff team.

Members of our Group were appointed by the Secretary General from across the Commonwealth. They include experts from political, election, development, media, youth and gender fields. Our Terms of Reference are to observe the electoral process and consider the factors that could impinge on the credibility of the electoral process as a whole. This includes observing the pre-election environment, polling day, the count, and post election period.

In individual preparation for this assignment, I visited Papua New Guinea from 23 – 25 May 2017 with a senior political adviser from the Commonwealth Secretariat. I met a great many people including the Prime Minister and other senior officials in government, the Electoral Commissioner, the Registrar of Political Parties, representatives of political parties, and some of the Government's development partners and other stakeholders.

Two members of our Group have been on the ground as advance observers since 7 June in Port Moresby, Lae, Goroka and Mt Hagen.

The Commonwealth has been working in recent years with PNG's Electoral Commission and has observed four of the last five national elections since 1992. Our presence here reaffirms the Commonwealth's strong and long-standing support for Papua New Guinea's democratic processes.

We will also consider whether the elections have been conducted according to the standards for democratic elections to which Papua New Guinea has committed itself, with reference to national election-related legislation as well as relevant Commonwealth, regional and other international norms and commitments.

We are committed to being objective, independent and impartial. The



assessment of the Group will be its own, and not that of any member government or organisation. We will also make recommendations to assist the conduct of future elections.

We are meeting a wide range of stakeholders, including the Papua New Guinea Electoral Commission, Political Parties and Candidates Integrity Commission, representatives of political parties, civil society and the international community. Our Observers will travel to four regions of the country to observe the voting, counting and results processes. We will have a visible Commonwealth presence with the other international and national observer groups to share information and coordinate our efforts.

The Commonwealth Charter recognises ‘the inalienable right of individuals to participate in democratic processes, in particular through free and fair elections in shaping the society in which they live. Governments, political parties and civil society are responsible for upholding and promoting democratic culture and practices and are accountable to the public in this regard. Parliament and representative local government and other forms of local governance are essential elements in the exercise of democratic governance.’

The Commonwealth in this regard thus encourages and supports its member countries to conduct credible and peaceful elections as a means of giving the citizens an opportunity to choose their leaders and to hold them accountable.

We acknowledge and commend the theme for these 2017 elections as declared by the Electoral Commissioner: “Your Choice – Protect our Democracy”. We call on all political parties and citizens to play their roles responsibly, in order to ensure a peaceful and successful election.

On behalf of the Commonwealth Observer Group, I wish the people of Papua New Guinea well for the 2017 elections.

Port Moresby, 21 June 2017

Annex III

Deployment Plan

Team	Observers	Province
1	Chair: Rt Hon Sir Anand Satyanand (New Zealand) Albert Mariner Ulafala Aiavao	Autonomous Region of Bougainville Central Jiwaka (and Western Highlands) National Capital District
2	Noor Mohammed (India) Gabrissa Hartman (Nauru)	Madang Milne Bay
3	Lorna Simon (Antigua and Barbuda) Sean Dorney (Australia) Sarah Linton	Morobe West New Britain
4	Joseph Whittal (Ghana) Fetogi Vaai (Samoa)	East Sepik
5	Sashi Kiran (Fiji) Emma Kerr	East New Britain New Ireland
6	Calvin Ziru (Solomon Islands) 'Ofa Guttenbeil-Likiliki (Samoa)	Chimbu Eastern Highlands Enga Jiwaka Western Highlands
7	Tricia Teekah (Guyana) Wilson Toa (Vanuatu)	Autonomous Region of Bougainville
8	Ryan Bertrand Zippy Ojago	National Capital District

Annex IV

Interim Statement



Papua New Guinea National Parliamentary Elections 2017
Interim Statement
by Rt Hon Sir Anand Satyanand
Chair, Commonwealth Observer Group

Delivered at Airways Hotel
Port Moresby, Papua New Guinea
10 July 2017

“DELIVERING AN ELECTION THAT IS COMPLETELY SATISFYING TO A COUNTRY AS COMPLEX AS PNG, IS A WORK IN PROGRESS.”

“The PNGEC needs to conduct an urgent review and lessons learned process immediately after this election and improve the accuracy of the common roll. Government should provide adequate and timely resources to enable the PNGEC to carry out its mandate throughout the whole electoral cycle. We are concerned with reports of incidents of election-related violence. We call on the security forces to uphold the rule of law and for everyone to exercise restraint while the process is ongoing. Our Group is of the view that despite the considerable challenges with the common roll, which was observed in all the four regions of the country, there were some positive aspects of the process and the results should reflect the wishes of the people who participated in the 2017 national elections.”

The Commonwealth Observer Group, which I led, arrived in Port Moresby on 17 June 2017, following an invitation to the Commonwealth Secretary General from the Prime Minister of Papua New Guinea. The arrival of the Group followed a visit for planning and scoping I undertook from 24 – 26 May. We also deployed an Advance Team that has been in the country since 7 June 2017.

Our task has been to be independent and impartial in assessing whether Papua New Guinea’s 2017 electoral processes were in accordance with the country’s own legal framework, as well as with the various international commitments to which it is a signatory.

From the time of our arrival in country and until the voting commenced, we met with the Electoral Commissioner, some of the main political parties and independent candidates, the Police, PNG Defence Force, domestic and international observer groups, the Media Council, civil society groups including those for women and youth, Commonwealth High Commissioners, and some of the country’s international development partners, such as UNDP.

On 22 June, our six teams of two were deployed to all the four regions of the country, and observed polling stations across East New Britain and New Ireland, East Sepik, Morobe, West New Britain, Bougainville, Milne Bay, Madang, Eastern Highlands, Chimbu and Jiwaka. I remained in Port Moresby to cover the Central



Division and NCD. I also undertook short visits to Bougainville where I observed the polling in Buka, and to Mount Hagen, where I observed polling in Jiwaka.

Whilst on deployment, and prior to the opening of the poll, our teams met with local officials, members of the police, other observer groups, and members of the public, in order to build our understanding of the election process, political culture and election environment in these areas. On Election Days our teams observed the opening of polls, voting and the closing of polls. Some of the teams followed the ballot boxes in the urban areas from the closing of polling to the Police stations where they were stored overnight.

As we issue this statement we are cognisant of the fact that polling has not yet been concluded everywhere, and the count process is still ongoing with the final results to be declared. The aim of this statement is to provide our initial assessment of the electoral process, based on representations made to us and our direct observations.

Our key findings are as follows:

Logistics

Our Group recognises the tremendous challenges with logistics and significant finance required to prepare the country's elections. The terrain and topography of the country demands funding for a large-scale logistics operation to transport and safeguard the sensitive ballot materials. We appreciate the efforts of all those involved in delivering this election. The role of PNGEC and its partners is to be commended in this regard.

Legal framework for elections and the election management body

The PNGEC said it was confident of delivering a good election.

From our direct observation, while there was extensive variation of practice observed, it appeared that polling officials were moderately familiar with their responsibilities. The Group is of the view that an adequate training programme is required, and in advance of the next election, so that polling officials will become more efficient in undertaking their duties, and that outlined procedures are adhered to during the election period. Any allowance that is to be paid to poll workers and service providers should be organised in advance to prevent any repeat of what we have observed in this 2017 election.

Most of the polling officials we met carried out their responsibilities in a non-partisan manner. We commend the important role played by the scrutineers, who ensured transparency was maintained in most of the polling stations we observed. We approve of the actions of some Presiding Officers who ensured that the scrutineers were officially registered before they were allowed into the polling stations. However, scrutineers must adhere to their roles and responsibilities and should not hinder the progress of the count that is ongoing.



A key issue and challenge to this election has been the significant number of eligible voters whose names were not on the common roll. The Group was very disappointed to note that previous COG reports that highlighted the need to address this issue, have yet to be implemented.

It is critical that adequate expertise and funding required by the PNGEC for creating a credible roll should be provided in a timely manner before the next election. The people of Papua New Guinea deserve better and eligible voters must be allowed to exercise their democratic right and participate in their national elections.

We recognise the fact that despite the shortcomings associated with the Common Roll, observed in all four regions of the country, political parties and candidates continued to participate in the elections.

The Election Campaign and Media Environment

Our Group was advised that the campaign for the 2017 elections was more subdued compared to previous elections. However, our Advance Team who arrived on 7 June 2017, observed a competitive and lively election campaign environment in several places, including the Highlands region. Large public rallies were held and were well attended. There were no reported restrictions on the freedoms vital to a campaign period, that of assembly or expression.

We note with concern a number of reported incidents of alleged vote buying, including through using state resources and provincial and district development funds made available to incumbents. These funds were alleged to have been used to buy voters' support or for projects to induce voters. The Group was advised that money politics has significantly influenced the electoral process and may have led to an uneven playing field for the parties and candidates in the 2017 elections. The PNGEC and the OIPPC should consider the formulating of campaign finance regulations through appropriate legislation.

The Group noted and welcomed the robust media in the country. The 2017 election period benefited from active reporting in print and on TV, radio and online media. The role of social media in this campaign, including via social networking sites and blogs, has increased in comparison to the last election. Concerns were expressed with some social networking sites that published defamatory material concerning certain candidates and political parties.

Election Day

We wish to congratulate the people of Papua New Guinea, who turned out in high numbers and early during the polling period to exercise their franchise in a peaceful manner. Most of the voters whose names were not on the roll shared with us their disappointment and claimed that their names were previously on the roll and they had participated in the 2012 elections.



It is our assessment that all aspects of the electoral process will need a thorough review by the PNGEC immediately after this election. A post-election lessons-learned workshop should be convened immediately after this 2017 election. The PNGEC should convene a series of these workshops with all the Returning Officers and Election Managers throughout the country.

Our Group's observations made it clear that apart from the polling stations at East New Britain and New Ireland, most of the polling stations opened late – usually around or after 1000hrs. Some polling stations were given fewer ballot papers than the expected number of voters. Generally, the distribution of ballot materials was not completed on time.

Generally, the polling staff appeared to be knowledgeable in following the layout of the polling station and voting procedures. The number of female polling staff seen was low. Scrutineers and domestic observers appeared to be generally satisfied with the polling process, although all expressed frustration and concerns with the significant number of names missing from the common roll.

Adherence to the secrecy of the ballot was clearly not consistent throughout the different provinces we observed. With regard to disabled voters, our assessment is it was evident that polling officials were ready to adequately assist disabled voters.

Security presence at polling stations appeared to be adequate. However, in some areas, some were perceived as intrusive, while in other areas they seemed to lack inclination to intervene. The group noted the high visibility of the security forces which may have contributed to the relatively peaceful and orderly environment in which the poll was conducted.

The Count

The count is still ongoing and our observations will be reflected in the final report.

Declaration of Results

We hope there will be a timely declaration of results and return of the writs to the Governor-General on 24 July. We urge political parties, citizens and other stakeholders to continue to display the admirable restraint and patience they have so far exercised. Those with grievances about the process may consider pursuing their complaints through the Court of Disputed Returns. We recognise that PNG has a very proud history of judiciary independence.

Before our departure from Port Moresby on 14 July, we will finalise a final report of our detailed findings and assessment on this national election. We will submit this report to the Commonwealth Secretary-General, who will in turn release it to the Government, the Papua New Guinea Electoral Commission, the Speaker of



Parliament, and the Registrar of Political Parties. It will also be made available to Commonwealth Governments, and ultimately the public.

Conclusion

Before I close, I would like to express the sentiments of our Group in feeling privileged to have been part of this important national process in Papua New Guinea. It is our hope that the report and recommendations, if implemented, would contribute to enhancing PNG's electoral system and democracy. We would like to extend our heartfelt thanks to everyone whom we met and received assistance from, in undertaking our duties, and especially the people of Papua New Guinea for their warm welcome and hospitality in this beautiful country.

Declaration of Principles for International Election Observation

The Commonwealth Secretariat is a signatory to both the Declaration of Principles for International Election Observation and the associated Code of Conduct for International Election Observation Missions, which were commemorated on 27 October 2005 at the United Nations in New York.

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