

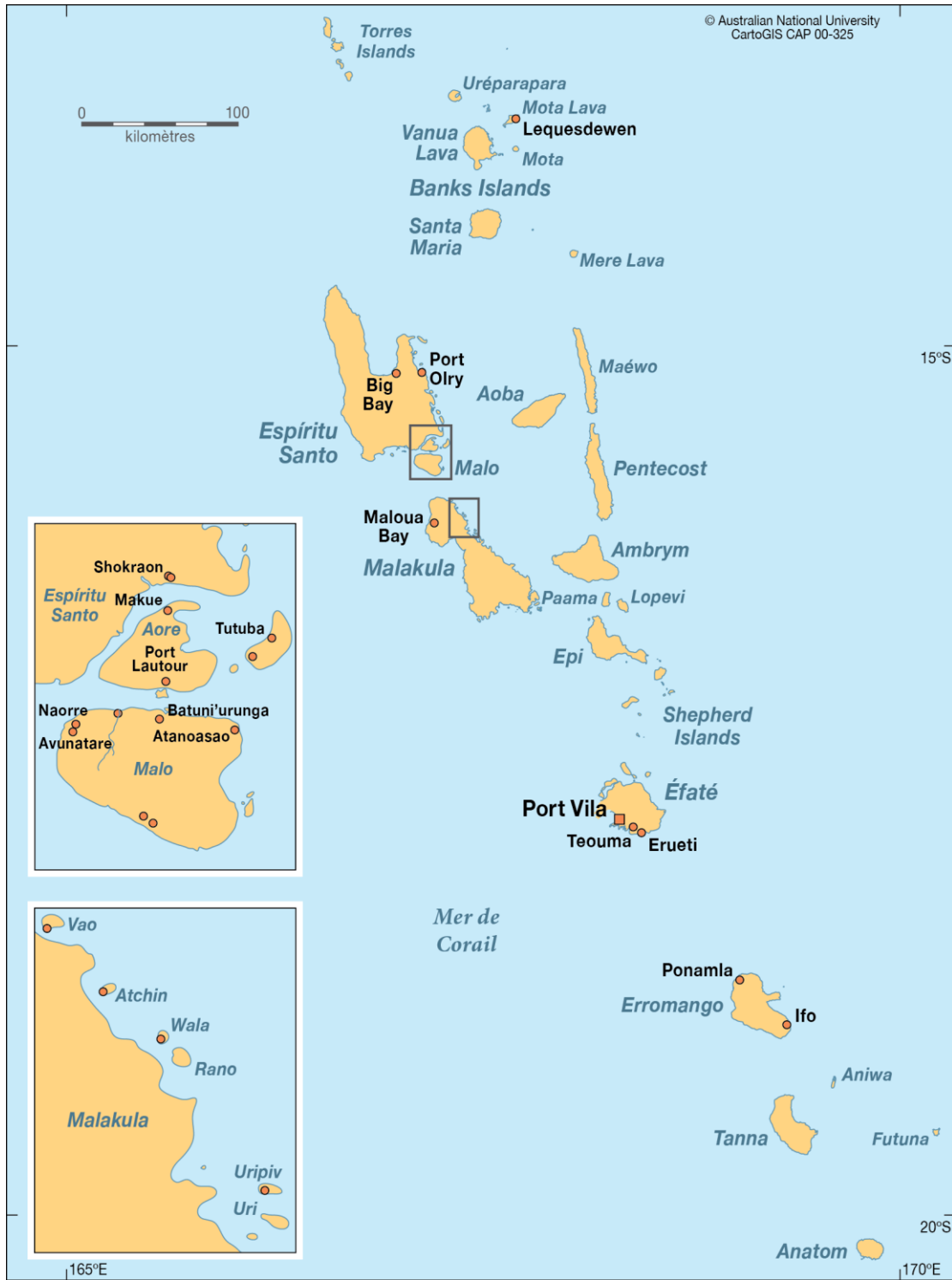
Vanuatu General Elections

22 January 2016



The Commonwealth

Map of Vanuatu



Source: CartoGIS, College of Asia and the Pacific, Australian National University

**Commonwealth Observer Group
Vanuatu General Election 22 January 2016
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ACKNOWLEDGMENTS

We convey our sincere appreciation and gratitude to the President, His Excellency Womtelo Reverend Baldwin Lonsdale, and to the people of Vanuatu for the generous hospitality extended to us during our visit.

The support and advice provided to the Group by the Vanuatu Electoral Commission and all citizens involved with the 2016 General Election informed the Group's work and was greatly appreciated. We recognise the considerable pressure that the Vanuatu Electoral Commission and Vanuatu Electoral Office were put under in preparing for this "snap" election under difficult circumstances, given the early dissolution of Parliament and the sudden illness of the Principal Elections Officer.

We acknowledge the assistance extended to the Group by the Heads of the Commonwealth diplomatic missions and commend the support they provided to the Electoral Office to assist with the logistics required for the General Election.

The Group welcomed the support provided by local members of the team recruited to support our work. Our sincerest appreciation to the support and advice provided by the Commonwealth Secretariat Staff Team: Albert Mariner, Sarah Linton, Natricia Duncan and Tiffany Chan. Without their commitment and professionalism, we would have not have been able to complete our task.

We convey our sincere gratitude to the Commonwealth Secretary-General Kamallesh Sharma for giving us the opportunity and the privilege to serve the Commonwealth through this mission, in support of democracy in the Republic of Vanuatu.

12 February 2016

Dear Secretary-General,

I am pleased to submit our report on the General Election of Vanuatu held on 22 January 2016.

Overall, the election was conducted in a peaceful and orderly manner and many of the benchmarks for democratic elections were met. The Vanuatu Electoral Commission and the Electoral Office are to be commended for preparing and administering this election under difficult circumstances, given the early dissolution of Parliament and the sudden illness of the Principal Electoral Officer. The conduct of the parties and independent candidates during the election campaign period was also commendable. On election day, the Group was pleased to observe the commitment of the Vanuatu people to the democratic process.

However, the process had its shortcomings. The electoral roll is inaccurate and in need of urgent revision. There was a large number of young people who were qualified to register in advance of the 2016 General Election, but had not done so by the end of the registration period in July 2015. The Electoral Commission has acknowledged these issues and expressed a commitment to address them before the next election. The media, too, has the potential to play a greater role in voter education and could partner with the Electoral Commission for future elections.

The Group noted the official results, released by the Vanuatu Electoral Commission on 1 February 2016, declaring that 17 political parties and eight independent MPs will form the next Parliament of Vanuatu. Eight of the 17 successful political parties are one-member parties. The Group expressed regret that only 10 women had contested the election, and none were elected. The Group further noted that Parliament elected Hon Charlot Salwai as Prime Minister of Vanuatu on 11 February 2016.

The Group was advised by political leaders that there was an urgent need for political reform to address instability in Vanuatu. The incoming Government has placed political reform as one of the national priorities to be pursued as a matter of urgency. We would like to encourage the Commonwealth Secretariat to continue providing support to implement these proposed political reforms in the country.


We have offered a number of recommendations to improve the election process in Vanuatu. We sincerely hope that the recommendations will be accepted and implemented, as we do note that the recommendations of the report in 2004, whilst considered and in many cases supported, were ultimately not implemented.

Thank you for the opportunity to participate in this important assignment in support of Vanuatu and its democratic processes. The Group hopes the new Government and the newly elected Members of Parliament will promote trust and confidence amongst the people of Vanuatu in the country's parliamentary democracy and pursue the necessary reforms that are required to address political instability and deepen democracy in the country.


Hubert A Ingraham


Jane Prentice MP


Walter Rigamoto


Enrico Woolford


Jessica Nkuuhe

CHAPTER 1

Introduction

At the invitation of the Government of Vanuatu, the Commonwealth Secretary-General, Kamallesh Sharma, constituted an Observer Group for the 22 January 2016 General Election. The Commonwealth Observer Group was chaired by Rt Hon Hubert Ingraham, former Prime Minister of The Bahamas, and comprised five persons in total. The Observer Group was supported by a four-person team from the Commonwealth Secretariat. A full list of members is at Annex I.

Terms of Reference

The Terms of Reference of the Observer Group, as set out by the Commonwealth Secretary-General, were as follows:

“The Group is established by the Commonwealth Secretary-General at the invitation of the Prime Minister of Vanuatu. The Group is to consider the various factors impinging on the credibility of the electoral process as a whole.

It will determine in its own judgment 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 and relevant Commonwealth, regional and other international 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 judgment 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 Vanuatu, the Electoral Commission, leaders of political parties, and thereafter to all Commonwealth Governments.”

Activities

The Observer Group was present in Vanuatu from 15 to 25 January 2016. During three days of briefings in Port Vila, the Group met a broad range of stakeholders, including: the Vanuatu Electoral Commission; political party representatives and candidates; civil society groups; women’s representatives; youth representatives; media; Commonwealth High Commissioners; and other international observers (Pacific Islands Forum and Melanesian Spearhead Group). The Chairman also paid a courtesy call on His Excellency Womtelo Reverend Baldwin Lonsdale, President of Vanuatu, and the Group separately met the caretaker Prime Minister, Hon Meltek Sato Kilman Livtuvanu.

The Chairman of the Observer Group issued an arrival statement on 18 January 2016 at a press conference in Port Vila (Annex II). The Observer Group was deployed from 20 to 23 January 2016 to Espiritu Santo and Tanna. Two teams covered Port Vila and Efate (Annex III). The teams observed the distribution of materials and met with election officials, civil society representatives, police, candidates, members of the public and other observers in their respective areas, and built a comprehensive picture of the conduct of the process.

On the basis of the Observer Group's initial findings, the Chairman issued an interim statement on 23 January 2016 (Annex IV).

CHAPTER 2

Political Background

Historical Background

The Republic of Vanuatu, formerly known as the New Hebrides, comprises 83 Islands, 65 of which are inhabited. The islands of Vanuatu have been inhabited by Melanesian people since 500 BC. European sailors visited from early in the 17th century. The name “New Hebrides” was given to the islands by Captain James Cook on his visit in 1774. During 1840-1860, increased contact with the outside world due to trade in sandalwood led to the spread of a pidgin language, “Bislama,” which is recognised today as one of the three national languages, including English and French.

English-speaking Anglican and Presbyterians arrived in the mid-19th century. Colonisation by France of neighbouring New Caledonia in 1853 eventually resulted in a spread of Francophone commercial interests into the New Hebrides.

By the time of independence in 1980, only around 15% of Vanuatu’s 118,000 population were French speakers, as compared to around 67% English speakers. Linguistic and religious schisms had a major impact on Vanuatu’s political history. There was intense competition between rival British and French associated companies and planters during the 1870s and 1880s, which culminated in the establishment of a Joint Anglo-French Naval Commission with loose jurisdiction over the New Hebrides in 1887. This was formalised in 1906 as the Condominium of the New Hebrides and jointly administered by the British and French authorities, in an arrangement that was often referred to as “pandemonium” rather than “condominium,” with English speaking Protestants associated with the British authorities and French speaking Catholics more closely associated with the French administration. (Van Trease, H. 1995)

Transition to Independence

The first organised political movement by Ni-Vanuatu (Melanesians), known as Nagriamel, was based on the northern island of Santo. Several additional political parties emerged in the mid-1970s, reflecting a growing rivalry amongst the indigenous Melanesian political leaders. The debate over the country’s move to independence divided the country between the Anglophone majority, represented by the New Hebrides National Party (NHNP, later renamed the Vanua’aku Pati (VP)) and a group of minority Francophone parties, collectively known as the “Moderate” Parties. The Anglophone majority were keen to pursue independence whilst the Francophone parties were of the view that the country was not yet ready for self-government.

During the 1970s a compromise was reached between the British and the French administrations over electoral arrangements. The key concern to both colonial administrations was the growing power of NHNP and the possibility that it could dominate the other minority groups and deprive them from political representation. The two administrations agreed to put in place a multi-member constituency electoral system, elected by “Single Non-Transferable Vote” (SNTV). There are only

a few countries in the world that still use this electoral system. The election in November 1979 was won by the Vanua'aku Pati, and Father Walter Lini became the country's first elected Prime Minister. The country gained independence on 30 July 1980, and the new nation of Vanuatu joined the Commonwealth.

Post-Independence

The Vanua'aku Pati remained in power for 11 years after independence and Lini was twice re-elected as Prime Minister (1983 and 1987). From the late 1980s, the Vanua'aku Pati's dominance began to erode as more breakaway groups formed. UMP also experienced a fragmentation, leading to the proliferation of a number of minor political parties and a growing number of independent candidates contesting the elections. Since 1991, forming and retaining a coalition government has become a complex process of negotiation and horse-trading between fragmented political groupings and independents. This has produced prolonged political instability in the country with constant changes of Government through votes of no confidence in Parliament. Vanuatu has experienced 12 changes of government in the last 10 years.

Context of the 2016 General Election

The General Election in January 2016 follows a decision by President Baldwin Lonsdale to dissolve Parliament after a prolonged impasse between the Government, led by Prime Minister Kilman, and the Opposition, led by Joe Natuman, which arose following the conviction and sentencing of 15 Government MPs for bribery offences under the Penal Code. It had been alleged that in October 2014, the then Leader of the Opposition, Moana Carcasses, paid one million vatu (approx. US\$9,000) each to 15 MPs in the Opposition in exchange for political allegiance. In December 2014, the then Prime Minister Natuman announced he had lodged a formal complaint with the police and requested an investigation into the payments.

In June 2015, the then Prime Minister Natuman was removed following a no-confidence vote. Sato Kilman, dismissed a week earlier by Natuman as Foreign Minister, became the Prime Minister. Moana Carcasses became Deputy Prime Minister, and the MPs that had allegedly received payments from him became members of the Government, with some assuming ministerial portfolios.

On 9 October 2015, Vanuatu's Supreme Court ruled that 15 MPs had been found guilty of bribery. Only one MP, Robert Bohn, was found not guilty and acquitted. On 11 October 2015, while President Lonsdale was overseas, one of the convicted MPs and Speaker of Parliament, Marcellino Pipite, in his role as Acting President, pardoned himself and the other convicted MPs. The President on return from duty travel subsequently revoked this pardon, and the MPs were remanded in custody.

On 21 October 2015, the Supreme Court ruled that the pardon issued by Acting President Pipite had been unconstitutional. The Court also ruled that the decision by President Lonsdale to revoke the pardons was in accordance with the Constitution. On 22 October 2015, 14 MPs were given sentences ranging three to four years, and one was given a suspended sentence. These MPs were subsequently disqualified from holding office for 10 years. This significantly eroded the Prime Minister's support base.

On 23 November 2015, President Lonsdale dissolved Parliament and called for “snap” elections, citing the failure of the Prime Minister and the Opposition to agree to a way forward to resolve the political impasse. On 4 December 2015, the Electoral Commission announced that the General Election would be held on 22 January 2016.

There were 200,159 registered voters for the 2016 General Election. A total of 265 candidates contested the election, from 29 political parties and including 61 independents. Only 10 female candidates contested the poll.

The 2016 election saw an increased number of young people contesting the election, as well as a large number of former senior civil servants. Five former Prime Ministers contested. The Group was advised that some of the 15 former MPs who were convicted for bribery had close family relatives or friends who contested in their constituencies.

The Vanuatu Electoral Commission released the official results on 1 February 2016. Members of Parliament were elected from 17 political parties and eight independents. Eight of the 17 successful political parties were one-member parties. No women were elected to Parliament. Parliament elected Hon Charlot Salwai as Prime Minister of Vanuatu on 11 February 2016.

CHAPTER 3

Legal Framework and Election Administration

Vanuatu is a Republic with a non-executive presidency. The President is elected by Parliament together with the Presidents of the six regional councils and serves a five-year term. The single-chamber Parliament has 52 members, directly elected every four years by universal adult suffrage with an element of proportional representation. Parliament appoints the Prime Minister from among its members, and the Prime Minister appoints a Council of Ministers from among the MPs.

The 1980 Constitution of the Republic of Vanuatu guarantees fundamental rights and freedoms, including freedom of expression, assembly and association and participation in elections.

The Republic of Vanuatu has committed itself to a number of international treaties, conventions and principles, and ratified international treaties and conventions which set out standards for democratic elections. These include:

- The Universal Declaration of Human Rights;
- The International Covenant on Civil and Political Rights;
- The Convention on the Elimination of Forms of Discrimination Against Women; and
- The Commonwealth Charter.

Constitution

Chapter 4 of the Constitution provides for the establishment of Parliament and the election of members thereto. It also provides for the establishment of a three member Electoral Commission and appointment of a Principal Electoral Officer, who is a Civil Servant and the administrative head of the Vanuatu Electoral Office (VEO). Unless sooner dissolved, Members of Parliament, pursuant to the provisions of this Chapter, stay in office for a period of four years. The Constitution also provides that one must be a citizen of Vanuatu and at least 25 years of age to be eligible to stand for elections. Other conditions or restrictions may also be prescribed by Parliament, and these are reflected in the Representation of the People Act.

Article 17(1) of the Constitution provides for Members of Parliament to be elected on the basis of universal suffrage through an electoral system “which includes an element of proportional representation so as to ensure fair representation of different political groups and opinions.” Vanuatu adopted the method of election, known as the Single Non-Transferrable Vote (SNTV) in 1975, prior to independence, and used in all parliamentary elections since independence. In our discussions with some stakeholders, it was asserted that while the electoral system had been effective in the early years after independence, given the proliferation of political parties in recent years and the overall decreasing percentage of voter representation by the winning candidates, it would be useful at this stage of the country’s development to undertake a review of the electoral system. Such a review ought to bear in mind the need to have a system that would also encourage the participation of women in Parliament. We note that the Electoral Commission in its 2012 General

Election Report to Parliament also called for a review of the country's electoral system, and we support this recommendation.

Under the Constitution, general elections must be held not earlier than 30 days and not later than 60 days after the dissolution of Parliament. While the VEO has been able to work to this tight timeframe over the past 10 elections, we were advised that a slightly longer timeframe would significantly reduce the pressure of preparing for and conducting general elections. This is particularly so where snap elections are called. While undertaking this exercise, it would be an opportunity to also review the dates for various activities under the Representation of the People Act, including the announcement of election, the campaign period, candidate withdrawal etc.

Article 4(3) of the Constitution permits political parties to form freely and contest elections. Twenty-nine political parties participated in the 2016 General Election, compared to 36 in 2012. While there has been a slight decrease in the number of political parties contesting the election, this is still a significant number for a small country such as Vanuatu, and many stakeholders the Group met with agreed that regulatory measures should be put in place to encourage a reduction in the number of parties, while preserving the intent under Article 4(3) of preserving political freedoms. Such measures could include policies and legislation to regulate and strengthen political parties. Similar measures should be considered for independent candidates. We noted that this issue was discussed by political leaders in the last Parliament during a dialogue process in February 2015 on political reform facilitated by the Commonwealth Secretariat. The Group also noted that several Commonwealth member countries in the Pacific have recently introduced legislation to address these issues.

The Group was advised that there were no policies or legislation to ensure the transparency and integrity of political party financing. This is an important issue that the leaders of Vanuatu will need to consider and address to enhance the integrity and transparency of the electoral process.

Representation of the People Act

The Representation of the People Act (RPA) sets out, among other things, the processes pertaining to the registration of voters and the manner in which Members of Parliament are to be elected. One is eligible for registration on the electoral roll if they are a citizen and has attained 18 years of age on or before 1 July in the year of preparation of the electoral roll. Given this requirement, citizens who turned 18 after 1 July 2015 were unable to register and vote. Those who became eligible in 2013 and 2014 but had not registered by 1 July 2015 were also unable to do so for this "snap" election.

Apart from the constitutional requirements of being a citizen and at least 25 years of age and above, the RPA prescribes that a candidate must not be disqualified from voting, serving a prison sentence, be an undischarged bankrupt or have any debts due to government or a government agency. We understand that the vetting process to determine which candidates still had debts was cumbersome, time consuming and has the potential to be implemented in an inconsistent manner. It also contributed to a staggered release of candidates qualified to contest the 2016 General Election,

as candidates whose applications were initially rejected were subsequently able to stand. A review of this process would go some way towards facilitating the formal declaration of eligible candidates in an efficient timely manner.

Under the Act, public servants are disqualified from contesting elections. We understand that many (in some cases very senior) public servants had to resign their positions in order to contest the General Election. There was no guarantee that their positions would remain vacant and be available in the event that they were unsuccessful in their bid to become Members of Parliament. It would be prudent to look at ways of considering flexibility in this policy to allow for some civil servants to reapply for their positions in the civil service and mitigating this form of brain-drain from the public service.

While the RPA requires one ballot paper for each candidate and one envelope to be handed to each voter, it does not regulate the manner in which the candidates should be ordered and presented in the ballot book. This has the potential to favour the candidate whose ballot paper is at the top of the set of ballot papers. While this did not appear to be an area of concern raised by candidates in the 2016 General Election, in the interests of fairness, it would be prudent to set some guidelines as to how the ballot papers should be ordered and presented. Alternatively, consideration could be given to having a single ballot paper on which all the candidates for that particular constituency are listed.

In Vanuatu, 52 MPs are elected from 18 constituencies, with each constituency comprising one to seven MPs. Within each constituency are a number of polling stations, set up according to population size and geography. There are a total of 350 polling stations across Vanuatu.

Given the geography of the country, the VEO relies on provincial officers and area secretaries to assist with the registration process. Voters are required to produce documentation, such as birth certificates for registration. Voters are registered to vote at a designated polling station closest to their place of residence. If voters change their residence and their new address corresponds to a different polling station (even if it is within the same constituency), the voter would need to re-register. Measures should be put in place to enable registered voters who change their place of residence to transfer their registration from one constituency to another, or transfer to a different polling station within a constituency. This would ensure that an individual's registration is not duplicated, as currently occurs.

Following the 2012 General Election, the VEO acknowledged that there may have been as many as 50,000 additional names on the electoral roll. The cleansing of the electoral roll is made even more difficult because it is ordered by registration number, rather than alphabetically. In their 2012 General Election report to Parliament, the VEO noted that the Electoral Roll needed to be completely reviewed and updated because it contained names of deceased persons, names of voters who were registered more than once and the possibility that many had applied for additional cards using false names. This was not addressed in time for the 2016 General Election, in part due to the early dissolution of Parliament.

All registered voters receive an electoral card that they must present at polling stations in order to cast their vote. The electoral card does not contain photographic identification, which makes verification of the voter's identity more difficult. Following the widespread destruction caused by Cyclone Pam in March 2015, the VEO undertook to replace all electoral cards. However, given the early dissolution of Parliament and the difficulties some people, particularly in rural areas, experienced in arranging replacements, some people were left without electoral cards and therefore unable to vote in the 2016 General Election.

Rule 21(3)(a)(ii) of the Election of Candidate Rules provides that where there is an equality of votes and it is not possible to declare a person elected to one or more seats because this would result in more persons elected than there are seats, the Electoral Commission shall declare those seats as vacant. Once this declaration is made, the Commission shall within 30 days fix the date of an election for the seat or seats. This can be an expensive and time consuming exercise. The delay in declaring the winning candidate immediately means that a particular constituency would not be represented fully in Parliament for a few months. In many jurisdictions, such situations are dealt with in a more efficient and cost effective manner. It would be prudent to explore these different methods and to adopt one that is best suited to the conditions in Vanuatu.

There is provision for proxy voting under the RPA. This process permits certain categories of voters who are unable to vote on polling day to vote by proxy. Concerns were raised with the Group that some candidates used the proxy voting system to facilitate double voting, as it was alleged that proxy votes could enable some voters to vote in more than one constituency. The current state of the electoral roll may also contribute to such activities. The system has been reformed recently to limit the categories of people eligible to vote by proxy. While this has gone some way towards improving the process, the Group was advised that it remains open to abuse. The Group recommends that proxy voting be reviewed and other voting arrangements are considered to ensure registered voters who are unable to vote on election day can still cast their ballot prior to election day.

Electoral Administration

During a briefing by the Electoral Commission, we were advised that the VEO was significantly understaffed but was doing its best under difficult circumstances to meet the relevant deadlines and conduct a credible General Election. In subsequent meetings and discussions that we had with electoral officials, this point was reiterated to us. We also noted that the Electoral Commission's General Election Report to Parliament in October 2012 articulated this concern in some detail and recommended to Parliament "that a restructuring of staffing arrangements in the Electoral Office be undertaken, including the appointment of additional permanent officers in the provinces, and the budget be adjusted to meet current and future needs". We fully support this recommendation. The demand for greater transparency, accountability and general good governance from electoral management bodies around the world has meant that electoral offices are having to review their respective structures and staffing levels as well as work smarter to meet this higher expectation and growing demand.

Recommendations

- A review of Vanuatu's electoral system should be undertaken with a view to putting in place a system that will not only improve overall political representation but also encourage the participation of women.
- The time-frame for holding general elections stipulated in article 28(4) of the Constitution should be reviewed to give the Electoral Commission slightly more time to prepare for and hold general elections. In doing so, the timeline for undertaking various activities under the RPA should also be reviewed so that they are in sync with those prescribed under the Constitution.
- Consideration should be given to reviewing Article 4(3) of the Constitution with a view to amending it to enable the establishment and management of political parties to be strengthened. Similar measures should be considered for independent candidates.
- The Electoral Commission should be mandated to:
 - (i) undertake a continuous voter registration process;
 - (ii) develop an electronic and alphabetical register;
 - (iii) provide for photographic voter identification; and
 - (iv) establish a new electoral roll altogether in order to remove deceased and any other fictitious or ineligible names from the roll.
- The electoral card should include a photograph, to enable polling officials to verify the identity of the voter.
- Measures should be put in place to enable registered voters who change their place of residence to transfer their registration from one constituency to another, or transfer to a different polling station within a constituency. This would ensure that an individual's registration is not duplicated, as currently occurs.
- The process of determining which candidate is in default of payment of any rates, charges or other debts due to government or a government agency under section 24(a) of the RPA should be reviewed with a view to streamlining the process and facilitating the formal declaration of eligible candidates in an efficient and timely manner.
- It may be prudent to look at ways of retaining public servants who resign to contest elections but are unsuccessful in their bids to become Members of Parliament in order to mitigate the loss of well-trained and experienced public servants.
- Some guidelines should be considered to determine how the ballot papers are presented and ordered in the ballot book.

- The current method of having a ballot paper printed for each candidate should be reviewed. Consideration could be given to producing a single ballot paper.
- Rule 21(3)(a)(ii) of the Election of Candidates Rules which relate to the situation where there is an equality of votes should be reviewed. A more efficient and cost-effective method which is suited to conditions in Vanuatu could be explored.
- The proxy voting system has the potential to be misused. It should be reviewed and alternative methods considered that would allow greater integrity and safeguards.
- A restructuring of staffing arrangements in the VEO should be undertaken urgently, with additional permanent staff appointed and the budget be increased to meet current and future needs.

CHAPTER 4

Election Campaign and Media

Campaign

The 2016 General Election in Vanuatu was called nine months ahead of schedule following the conviction of 15 Members of Parliament, including the Speaker of Parliament for bribery. Parliament was dissolved on 24 November 2015 and the official campaign period began on 5 January 2016.

A total of 265 candidates from 29 political parties and including 61 independents contested 52 seats across 18 constituencies. Candidates used a range of methods to communicate their messages, including posters, electronic billboards, media interviews, print and broadcast advertisements and the transmission of messages via SMS. However, it was noted that traditional door to door canvassing, motorcades and village and street rallies remained the most common form of campaigning, particularly in rural areas. Many candidates focused on addressing local issues, notably service delivery, although some also campaigned on national issues such as political reform and addressing corruption.

In general, campaigning was calm, professional and good natured with candidates respecting the campaign rules. Stakeholders expressed concerns about the prescribed end of campaigning 72 hours before election day. Some considered this to be a long time to prevent candidates from speaking to their supporters and may prove difficult for authorities to enforce. Some also expressed concern about the lack of defined rules around campaign financing, and agreed limits on the amount of money each candidate can spend on campaigning.

Women's Political Participation

Vanuatu has one of the lowest levels of representation of female political participation in the world. Since independence, only five women have been elected to Parliament. Of the 345 candidates that stood for election in 2012, only 14 were women, and none were elected. The Group was disappointed to learn that only ten women contested the 2016 General Election and that none were elected. Commentators advised the Group that political parties do not generally endorse women, making it more difficult, and more costly, for them to campaign. Some political party representatives advised the Group that they planned to field female candidates for the 2020 General Election, and that the dissolution of Parliament had meant that there was “not enough time” to find suitably qualified candidates for the 2016 General Election.

The Group welcomed the advice that temporary special measures had been introduced at some councils at the local government level, with a 30% quota for women in Port Vila and Luganville municipal councils. We were advised that support was growing to introduce similar measures to provincial government, and that, once implemented, this could encourage national MPs to support the introduction of similar measures for Parliament. The Group is supportive of these measures, and

urges the incoming Government to prioritise efforts to ensure greater participation of women at all levels of politics.

Youth Participation

A number of commentators advised the Group that the general calibre of candidates in Vanuatu was improving, and also that more young people were contesting the polls in 2016. Nonetheless, the engagement of youth in the political process remains an area in which Vanuatu could improve. The Group welcomed the advice that the National Youth Council, currently embedded within Vanuatu's Ministry of Youth and Sports, may soon become an independent statutory authority.

Media

The media in Vanuatu is considered to be free. It ranks well in respected international press freedom indexes.

Media workers in Vanuatu are represented by the Media Association of Vanuatu (MAV), which has been campaigning for more effective dissemination of information and facilitating the formulation of a Freedom of Information Bill.

Vanuatu has a Code of Ethics for journalists, which is generally respected. However, MAV has recently proposed a self-regulatory mechanism to ensure adherence to the code.

Most of the media is privately-owned, including the only daily newspaper, the Daily Post. Weekly newspapers include the Vanuatu Independent, the Vanuatu Times and the Vila Times. Radio is the most popular medium in the country and there are a number of radio stations, including publicly owned outlets which are part of the Vanuatu Broadcasting and Television Corporation (VBTC). VBTC also owns the country's main television station. Many media outlets publish or broadcast in Bislama, French and English.

The majority of the media is based in urban centres, and it is difficult to reach Vanuatu's 65 inhabited islands. Currently, there is no single media outlet that broadcasts universally throughout Vanuatu, and there are some remote areas that receive only intermittent access to any form of media. In addition to lack of funding and human resources, the media is also hampered by poor communications infrastructure. According to the Internet World Statistics, Vanuatu's broadband penetration in 2015 was only 18%. The government has recently appointed a Chief Information Officer to improve access.

Election Coverage

The media was effective in creating awareness of the election issues and the campaign. Engaging cartoons were cleverly used to make statements about key political issues such as the electoral roll. Media outlets also recognised the importance of giving voters, and particular, young people, women and the disabled, a voice through talk shows and interviews.

The media is generally considered to be independent and there were no major concerns about impartiality in their election reporting. However, there was a view that although media was not hesitant to raise controversial issues, they were sometimes not seen to persevere with probing investigations.

Media representatives advised that it would be very difficult to offer all candidates equal coverage. Although candidates and politicians have equal opportunities to use the media, those who can afford to pay for newspaper ads and airtime have an advantage.

We noted the increasingly prominent role of social media in engaging young people and allowing members of the public to express their views in an open and frank manner. Social media was also used as a campaigning platform, particularly by young candidates.

The Group noted that the Electoral Commission and the media could have worked together better for the dissemination of important information about the election, including voter education. Some journalists expressed an interest in receiving training in elections reporting.

Recommendations

- We encourage the adoption of measures similar to those adopted at the local government and municipal level of government to encourage the participation of women at all levels of politics and government.
- We encourage the adoption of legislation to regulate and promote transparent political and campaign finance.
- The campaign period and the time between the official end of campaigning and the opening of the poll should be reviewed.
- We encourage election authorities to consider ways of improving the dissemination of information during an election. We recommend consideration be given to the creation of a dedicated Public Relations Unit within the Electoral Commission that is responsible for liaising with the media and other stakeholders to boost voter education, provide accurate and up-to-date information to the public and respond effectively to enquiries.
- We recommend that the media consider playing a greater role in highlighting and communicating the issues in the election, including a constructive and robust engagement with candidates through debates, public fora and talk back shows.

CHAPTER 5

Voting, Counting and Results

Vanuatu's General Election was held on 22 January 2016. Voting was scheduled from 0730 to 1630 in 350 polling stations across the country. The election day was declared a public holiday in order to facilitate voting.

Polling stations were located mostly in schools and community centres, and were managed by presiding officers, assisted by polling clerks. Police provided security at most polling locations.

In urban areas, materials were distributed to presiding officers in the morning of polling day. In some rural areas, materials were distributed in the days leading up to the poll. Police provided security of materials in the lead up to and during their distribution, although some presiding officers were asked to store sensitive election materials, including ballot papers, for up to two days before the election with no security arrangements. In these cases, presiding officers and other officials did not express concern about these arrangements, and observers were not aware of any alleged abuse of this process.

At polling stations where we observed, presiding officers were organised and committed to conducting the election in a peaceful, transparent and consultative manner. Candidates or their agents, as well as accredited international observers were permitted to view the process in the polling stations. Voters arrived in large numbers from early in the morning, and waited patiently to cast their vote.

Key Procedures for Opening and Voting

The key aspects of the prescribed procedures for the opening and voting are as follows:

Opening Procedures

- In the presence of polling officials, candidates or their agents, the presiding officer opens the ballot box, removes it of all items, and displays the empty ballot box to all present.
- The presiding officer locks the empty ballot box with two padlocks.
- The polling station is declared open at 0730.

Voting Procedures

- The voter presents their electoral card to the polling clerk. If a person does not present their electoral card, they are not able to vote.
- The polling clerk checks that there is no stamp on the electoral card corresponding to the 2016 General Election, and to confirm that the voter is at the right polling station.

- The polling clerk checks the electoral roll to confirm that the voter is on the list and at the right polling station. If a person's name is not found on the electoral roll, they cannot vote, irrespective of whether they have a valid electoral card.
- The polling clerk checks the details on the electoral card to satisfy themselves that the individual corresponds to the information (age, gender etc.). If satisfied, the polling clerk places a tick at the left hand margin of the roll against the voter's number.
- The polling clerk hands a voting envelope and a "book" of ballot papers to the voter. Voter proceeds to the voting booth.
- Disabled voters may designate a person of their choice to accompany them into the voting booth. All other voters must enter the voting booth alone.
- The voter records their vote by placing the ballot paper bearing the name and photograph and symbol of the chosen candidate into an envelope. The voter presents to the polling clerk who, without touching it, verifies that the voter tenders one envelope only. The voter then places the envelope in the ballot box. The polling clerk observes the disposal of the unused pages of the ballot book.
- The polling clerk stamps the electoral card in the place marked "date of voting," with the official government stamp, and adds the date and their initials in the space provided.
- The polling clerk inks the voter's left thumb with indelible ink, and then returns the card to the voter, who departs the polling station.

Voting Procedures (proxy voting)

- If a voter has been authorised to vote on behalf of a maximum of two absent voters, they enter the polling station with their own electoral card and the electoral cards of the persons on whose behalf they are voting, as well as forms of authority entitled "proxy card." (Alternatively, the electoral card of the voter who has requested a proxy vote can be retained by the Electoral Commission and distributed to polling officials along with other election materials.)
- The polling clerk refers all proxy voters to the presiding officer, who checks the entries on the electoral cards against the entries on the proxy authority forms to ensure that the form is properly signed and stamped by the election office. The presiding officer retains the proxy authority form, and attaches it to his report.
- Having examined the electoral cards and the proxy forms and being satisfied of their validity, the presiding officer asks the polling clerk to trace the names

in the electoral roll, marking them off and issues envelopes and ballot papers to the voter.

- The proxy voter proceeds to the voting booth and casts their votes (as set out in Voting Procedures).
- The polling clerk rules a line through the names of the voter and the absentee voters from the electoral roll, and stamps all cards (as set out in Voting Procedures).
- If a voter wishes to vote in their own right, they must do so at the same time as they vote as a proxy. No voter may hold more than two proxies. If a voter holds more than this number, only the two earliest by date may be recognised as valid. If more than two proxies are held bearing the same date, the presiding officer must require the holder to choose two of them.

Assessment of the Opening and Voting Process

The Group's overall assessment of the voting process, based on our observations, is that it was conducted in a peaceful and orderly manner, and the outcome reflected the wishes of the people. The electoral environment on polling day was largely conducive to the free exercise of the people's franchise, and basic freedoms were respected. The alcohol ban imposed for election day appeared to contribute to a positive voting and counting environment.

The Group made the following key observations:

- Polling stations generally opened on time at 0730, although in some locations polling commenced early to enable polling officials and party agents to vote. Where the station opened early, party agents were present and were consulted on the process.
- Most polling officials appeared to have a good understanding of the voting procedures, although there were inconsistencies in practice across polling stations.
- Assistance was provided to elderly, disabled and pregnant voters, with polling officials or police officers politely bringing them to the front of the line.
- Party agents were present at most polling stations and were able to observe and comment on the process. When party agents raised concerns with a particular procedure, presiding officers and polling officials sought to rectify the matter immediately.
- Some voters who presented at polling stations with their electoral cards were unable to vote, as their names were not found on the electoral roll. In most cases, voters accepted the presiding officer's decision and left the station without incident.

- Voters were able to cast their vote in secret using individual voter booths. However, there was no secure method for the disposal of the ballot book, and observers were able to identify easily whether voters had voted for the candidate at the top of the ballot book. Voters were also not easily able to identify whether their ballot book had been tampered with prior to casting their ballot, including whether candidates' pages had been removed.
- Inking of the thumb to indicate that voters had cast their ballots did occur, however its application varied widely across polling stations in Vanuatu. At many polling locations, teams observed inkpads being used to mark voters' fingers instead of the indelible ink supplied by the Electoral Commission. Instead of ink marking the left thumb of the voter, as prescribed under the voting procedures, voters often marked their right thumb or one of their fingers. In no instances did teams observe polling officials checking the hands of voters for indelible ink before allowing them to cast their vote. The Group noted that the stamping of electoral cards provided an effective measure for determining whether voters had already voted, and the use of ink was an additional safeguard.
- Teams observed proxy voting at most polling stations, although their numbers appeared to have reduced significantly compared to previous elections. At some polling stations, proxy voters arrived in possession of the electoral cards. At other stations, the electoral cards were held by the presiding officer and distributed to authorised proxy voters upon arrival.

Key Procedures for Closing, Counting and the Results Process

The key procedures for the count and results process are as follows:

- Polling is to close at 1630, however the presiding officer has the option to extend the hours of polling if there are voters waiting to vote. The presiding officer is to consult with polling clerks and political observers at least half an hour prior, in making a decision to extend the hours of polling.
- After the last elector has voted, the presiding officer announces the close of poll. They record the time of closing in the polling station diary.
- Immediately after the closing of the polls, the presiding officer administers the counting of votes. Presiding officers shall allow as many members of the public to observe a count as can do so without hindering the process.
- The presiding officer takes each ballot paper from the envelopes and reads out the name on each ballot paper. The polling clerks record the number of votes cast for each candidate on two separate tally sheets provided for that purpose.
- If the number of envelopes is found to be more or less than the marginal signatures or initials made on the roll, the discrepancy shall be stated in the report.

- A ballot paper is deemed void, and is not counted, if: any writing or mark identifies the voter; it is in an envelope containing multiple ballot papers; it is not in an envelope or is in a non-official envelope.
- A candidate or their authorised representative may request the presiding officer to conduct a recount and additional recounts, but the presiding officer may refuse to do so if in his opinion the request is unreasonable.
- When a presiding officer is satisfied that the count or recounts are complete, they shall declare the counting of votes completed and formally announce the votes cast for each candidate.
- Immediately after declaring the count complete, the presiding officer shall complete the official report, stating the number of registered voters, the number of voters who voted, the number of void ballot papers and the number of valid votes cast for each candidate.
- The presiding officer places the report in a sealed envelope, and also seals in separate envelopes the counted and void ballot papers (which are also signed and countersigned). The presiding officer returns the report and sealed packets to the registration officer responsible for the constituency in which the poll was taken.
- Once the registration officer has received all reports for all polling stations, they notify the Electoral Commission of the number of votes cast for each candidate in the constituencies for which they are responsible.
- As soon as is practicable after receiving notification from all registration officers, the Electoral Commission announces the number of votes cast for each candidate in each constituency, and declares the candidates deemed elected.

Assessment of the Closing, Counting and Transmission

In many polling stations, voting ended on time at 1630. Where voters were still waiting to cast their ballots, presiding officers allowed voting to continue until there was no one left in the queue. In some polling stations, where presiding officers believed all voters had cast their vote, polling closed early. In all cases where the Group observed, the presiding officers consulted party agents, polling staff and others present before announcing the close of polls.

Overall, the count process was regarded as widely transparent. Some key observations of the Group were:

- Counting procedures were generally followed well, with polling officials, party agents, observers and members of the public afforded a clear view of the process. Presiding officers interacted constructively with observers, responding to requests to slow down or clarify names.

- At many polling stations, presiding officers displayed each ballot to observers during the count. At some stations, however, presiding officers read out the names of the candidates but did not display the ballot for observers to verify. Where this occurred, however, party agents present did not raise concerns with the process.
- Polling officers were methodical and diligent when counting the votes, however the process was slow at large polling stations.
- Polling officials recorded the counting on the tally sheets provided by the Electoral Commission, although these were not displayed for the view of the public. The Group observed scrutineers keeping their own tallies to verify the results.
- Police remained at the polling stations for the duration of the count, and escorted presiding officers and ballot boxes to police stations or provincial headquarters to store the boxes overnight, prior to dispatch to Port Vila.
- While preliminary results were announced at each polling station, all ballot boxes were returned to Port Vila, where the Vanuatu Electoral Commission announced the results. Given the geographical terrain of Vanuatu, this caused some delay in the declaration of official results.

District-Specific Observations

Overviews of their observation are as follows:

Port Vila and Efate

- Voting was calm and orderly. Polling stations opened on time and were accessible and well organised.
- Female poll officials outnumbered their male counterparts. Polling officials were knowledgeable and courteous.
- There was at least one police officer in every polling station.
- Most polling stations were located in schools or in community halls.
- Voters were enthusiastic to vote and most turned up in the morning at the polling stations.
- While the manner in which ink was applied to the thumb differed in a number of polling stations, this was not a major issue because the cards were marked each time a voter voted. Polling officials as well as party and candidate agents were generally from the area surrounding the polling station and therefore a useful deterrent to those seeking to vote twice or in someone else's name.

- Party agents were present in all the polling stations observed - both during the vote and count process.
- The polling officials and the voters ensured that the infirm, elderly and women with babies were given priority to cast their votes.
- The close of polls occurred on time and was well organised and transparent. Polling officials generally followed the prescribed counting procedures and party agents were in attendance.

Espiritu Santo

- We observed polling in a variety of rural and urban polling stations in Santo and Luganville constituencies. In all the areas we observed, voting was peaceful and orderly.
- We noted some minor variations in procedures across polling stations, particularly in relation to the use of indelible ink. Where there were inconsistencies, however, they were relatively minor and did not affect the credibility of the election.
- In very few cases, voters with a valid electoral card were turned away as their names were not found on the electoral roll. In these cases, individuals responded calmly and departed without incident.
- Numbers of registered voters at each polling station varied widely, with some polling stations having 2000 voters and others less than 100.
- The counting process was transparent and efficient, with the presiding officers taking steps to ensure party agents, observers and members of the public understood and were comfortable with the process.

Tanna

- We visited eight polling stations on election day, varying in size across the island.
- Many voters arrived well ahead of the opening time of 0730 and we observed some as early as 0545 walking towards the local polling station. Long queues formed, but at all times were orderly and cooperative. Polling officials brought pregnant, disabled and elderly voters to the front of the queue without objection from other voters.
- We noted that the way in which ballot books were disposed, into an open cardboard box in plain sight outside of the voting booth, made it easy for observers and others to determine whether voters had voted for the first candidate in the book.

- By 1400, the stations we visited had few (or in one case no) voters waiting to cast their ballot. One polling official advised us that 100% of voters registered to his station had cast their vote, with a total of 95 votes cast. This official further advised that the total number of voters on the electoral roll, at 141, was grossly inflated, with one woman listed having died seven years earlier.
- At one polling station polling officials had posted on the wall the pages of the ballot book, which gave voters an ability to determine whether any pages were missing from their ballot books when they entered the booth to cast their votes.
- Observers were advised on the eve of the election that eight candidates had withdrawn from contesting the elections after the ballot books had been printed, but had been directed by the VEO not to remove their pages from the ballot book. The VEO subsequently advised that it had not received any formal notification of the candidates' withdrawal.
- Observers noted that the local registration officer had developed an information poster in Bislama, explaining expected behaviour at the polling stations and providing information on how to vote. This was well received by local voters.
- A small (but peaceful) protest took place on the morning after election day, demanding a recount of the tied vote for the seventh seat (Tanna is a seven seat constituency). The registration officer recounted the tally sheets, but advised that a full recount would be carried out in Port Vila. The official results later confirmed the election of a candidate to that seventh seat, presumably on the basis of subsequent recounts.
- We appreciated that candidates and election officials took the time to meet with us despite the obvious pressures of the election.

Recommendations

- As noted in Chapter 3, consideration could be given to reviewing the use of ballot books. If ballot books are retained, measures should be put in place to allow for the secret disposal of discarded ballots.
- The Group noted that the Electoral Commission undertakes briefing for all polling officials. While this is welcome, the Electoral Commission should also facilitate hands-on training of polling officials.
- The Electoral Commission could consider the use of large boards to record tallies, to provide observers with a clearer view of the count.
- The Electoral Commission should consider ways to encourage the timely withdrawal of candidates prior to the printing of ballot books.

CHAPTER 6

Conclusions and Summary of Recommendations

Vanuatu had a challenging year in 2015, with the aftermath of Tropical Cyclone Pam that devastated the country and political developments that lead to the dissolution of Parliament.

The overall conduct of the January 2016 General Election demonstrated Vanuatu's commitment to the democratic process. We commend the Vanuatu Electoral Commission for preparing the country for the General Election within the required timeframe following the dissolution of Parliament.

The Group congratulated the people of Vanuatu for their peaceful and orderly election and welcomed the active participation of women and young people in the voting process.

However, the Group noted that political representation of women remains disappointingly low, and that only five women have been members of Parliament before this election. Vanuatu is encouraged to adopt measures similar to those adopted at the local and municipal level of government to encourage increased participation of women at all levels of politics and government.

The competent management of election day by the polling officials is to be commended. However, further training of election officials will ensure greater consistency in the application of election procedures.

We encourage the Vanuatu Electoral Commission to undertake an early review of its management of this election. The recommendations submitted by the Electoral Commission in its report following the 2012 General Election should be taken into consideration and implemented. The challenges and shortcomings in the 2012 General Election were similar to those the Group observed in 2016.

It is essential that the Vanuatu Electoral Commission's current structure be reviewed so that the Commission and VEO become fully independent with its own budget so that it can focus on a work programme for the full four-year electoral cycle.

The Group recommended the adoption of an electronic and alphabetised electoral roll. This will improve the accuracy of the voters list and enhance the credibility of the electoral process.

The Group was disappointed that some of the citizens of Vanuatu, in particular young people who have been qualified to vote since the 2012 General Election were not able to register. Continuing efforts by the VEO and civil society organisations will be required to ensure that citizens better understand the value of maintaining a credible register and exercising their right to vote.

Civic awareness and voter education are critical to ensuring an informed electorate, which is able to engage constructively in the nation's political and electoral processes. Recent political developments and the imprisonment of 14 former MPs

for corruption have increased the level of interest in the country over the election of its political leaders.

The legal framework governing this election guarantees the freedom of assembly, association and participation. However, the Group notes that there are areas that could be strengthened to further enhance the credibility of the electoral process.

The Group commends the role of the Vanuatu Police in supporting the VEO. Police officers contributed in great measure to the security and logistical arrangements for the election.

The Group noted that the last time the Commonwealth observed Vanuatu's General Election was in 2004. We were disappointed that the recommendations submitted then are yet to be implemented. We also noted that the recommendations made by the Electoral Commission after the elections of 2012 are yet to be implemented. We sincerely hope that the recommendations we submit in this report, similar to previous recommendations, will be considered and accepted by the Electoral Commission and the Government of Vanuatu. Here we bring them together for ease of reference:

A Legal Framework and Election Administration

- A review of Vanuatu's electoral system should be undertaken with a view to putting in place a system that will not only improve overall political representation but also encourage the participation of women.
- The time-frame for holding general elections stipulated in article 28(4) of the Constitution should be reviewed to give the Electoral Commission slightly more time to prepare for and hold general elections. In doing so, the timeline for undertaking various activities under the RPA should also be reviewed so that they are in sync with those prescribed under the Constitution.
- Consideration should be given to reviewing Article 4(3) of the Constitution with a view to amending it to enable the establishment and management of political parties to be strengthened. Similar measures should be considered for independent candidates.
- The Electoral Commission should be mandated to:
 - (v) undertake a continuous voter registration process;
 - (vi) develop an electronic and alphabetical register;
 - (vii) provide for photographic voter identification; and
 - (viii) establish a new electoral roll altogether in order to remove deceased and any other fictitious or ineligible names from the roll.
- The electoral card should include a photograph, to enable polling officials to verify the identity of the voter.
- Measures should be put in place to enable registered voters who change their place of residence to transfer their registration from one constituency to

another, or transfer to a different polling station within a constituency. This would ensure that an individual's registration is not duplicated, as currently occurs.

- The process of determining which candidate is in default of payment of any rates, charges or other debts due to government or a government agency under section 24(a) of the RPA should be reviewed with a view to streamlining the process and facilitating the formal declaration of eligible candidates in an efficient and timely manner.
- It may be prudent to look at ways of retaining public servants who resign to contest elections but are unsuccessful in their bids to become Members of Parliament in order to mitigate the loss of well-trained and experienced public servants.
- Some guidelines should be considered to determine how the ballot papers are presented and ordered in the ballot book.
- The current method of having a ballot paper printed for each candidate should be reviewed. Consideration could be given to producing a single ballot paper.
- Rule 21(3)(a)(ii) of the Election of Candidates Rules which relate to the situation where there is an equality of votes should be reviewed. A more efficient and cost-effective method which is suited to conditions in Vanuatu could be explored.
- The proxy voting system has the potential to be misused. It should be reviewed and alternative methods considered that would allow greater integrity and safeguards.
- A restructuring of staffing arrangements in the VEO should be undertaken urgently, with additional permanent staff appointed and the budget be increased to meet current and future needs.

B Election Campaign and Media

- We encourage the adoption of measures similar to those adopted at the local government and municipal level of government to encourage the participation of women at all levels of politics and government.
- We encourage the adoption of legislation to regulate and promote transparent political and campaign finance.
- The campaign period and the time between the official end of campaigning and the opening of the poll should be reviewed.
- We encourage election authorities to consider ways of improving the dissemination of information during an election. We recommend

consideration be given to the creation of a dedicated Public Relations Unit within the Electoral Commission that is responsible for liaising with the media and other stakeholders to boost voter education, provide accurate and up-to-date information to the public and respond effectively to enquiries.

- We recommend that the media consider playing a greater role in highlighting and communicating the issues in the election, including a constructive and robust engagement with candidates through debates, public fora and talk back shows.

C Voting, Counting and Results

- As noted in Chapter 3, consideration could be given to reviewing the use of ballot books. If ballot books are retained, measures should be put in place to allow for the secret disposal of discarded ballots.
- The Group noted that the Electoral Commission undertakes briefing for all polling officials. While this is welcome, the Electoral Commission should also facilitate hands-on training of polling officials.
- The Electoral Commission could consider the use of large boards to record tallies, to provide observers with a clearer view of the count.
- The Electoral Commission should consider ways to encourage the timely withdrawal of candidates prior to the printing of ballot books.

ANNEX I: Biographies of Chairman and Observers

Rt Hon Hubert Ingraham, Chairman, The Bahamas

Before entering front-line politics Mr Ingraham was a senior partner at a private law firm in The Bahamas. He served as a Member of Parliament for 35 consecutive years beginning in 1977. He began his first term as Prime Minister of The Bahamas in 1992. He was in office between 1992-2002 and 2007-2012. After resigning in 2012 Mr Ingraham returned to his private law practice at Ingrahamlaw Chambers. This is Mr Ingraham's second Commonwealth Observer Group mission. In 2014 he was chair of the Observer Group to Mozambique.

Jane Prentice MP, Australia

Before entering public life, Mrs Prentice owned and managed a successful convention and event management firm. Prior to her election to Federal Parliament, she served for 10 years as Councillor for the Brisbane City Council ward of Walter Taylor. Mrs Prentice was elected to the House of Representatives for the Federal Seat of Ryan as the Liberal National Party Candidate on 21 August 2010. She is also Chairman of the Joint Standing Committee on electoral matters. She has previously observed elections in Timor-Leste and Bougainville as part of a UN-led Australian Observer Group. In particular, her keen interest in the health and wellbeing of women and girls is reflected in her membership of the Pacific Women's Parliamentary Partnerships.

Walter Rigamoto, Fiji

A lawyer by training, Mr Rigamoto was Head of the Elections Office in Fiji and was subsequently Ombudsman. He was appointed UN International Electoral Commissioner for the East Timor Presidential Elections in 2002, and has been an Election Observer for the UN, Commonwealth Secretariat and the Pacific Islands Forum Secretariat since 2001. Mr Rigamoto is currently working as an Adviser with the Electoral Systems Strengthening Project in the Solomon Islands.

Enrico Woolford, Guyana

Enrico Woolford is the Editor in Chief of Capitol News, a television broadcast channel in Guyana. He was previously Head of Current Affairs (Radio) at the Guyana Broadcasting Corporation and helped to develop Guyana's National Communication Network. In 1993, he founded Capitol News. Mr Woolford has extensively covered the Guyanese and Caribbean narcotics operations. He was President of the Guyana Press Association and continues to serve on the Executive Council of that body.

Jessica Nkuuhe, Uganda

Ms Nkuuhe works with Civil Society Organisations on women's human rights, peace-building and human security issues. She has participated in civil society election observation missions in three West African countries, and was a gender, peace and security expert during the 2014 elections in the Solomon Islands. She is currently working on a process to involve women and the youth in ensuring peaceful elections in Uganda.

Commonwealth Secretariat Staff Support Team

Albert Mariner	Head, Caribbean/Pacific Section, Political Division (Team Leader)
Sarah Linton	Political Officer, Caribbean/Pacific, Political Division
Natricia Duncan	Communications Officer, Communications Division
Tiffany Chan	Programme Assistant, Political Division

ANNEX II: Arrival Statement



Statement by Rt Hon Hubert Ingraham Chairman of the Commonwealth Observer Group

18 January 2016, Port Vila, Vanuatu

I am honoured to serve as Chairman of the Commonwealth Observer Group to the 2016 General Election in Vanuatu.

Our five-member Group was constituted by the Commonwealth Secretary-General, Mr Kamallesh Sharma, following an invitation from the Government of Vanuatu. Technical support to the Group is being provided by four staff members from the Commonwealth Secretariat.

Commonwealth observers were last deployed to observe Vanuatu's General Election in 2004. The Commonwealth Secretariat has however, maintained a strong working relationship with the Government and the political leaders of Vanuatu. Our presence here reaffirms the Commonwealth's ongoing support to Vanuatu and its democratic processes.

Members of our Group were selected from across the Commonwealth, and include political, election, media and gender experts. Our mandate is 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, and the post-election period.

We will observe whether the elections have been conducted according to the standards for democratic elections to which Vanuatu has committed itself, including the country's constitutional framework and national legislation as well as Commonwealth and other international commitments. We will be objective, independent and impartial.

The Group began its briefings yesterday and expects to meet a wide range of people, including the Vanuatu Electoral Commission, senior officials of the Electoral Office, leaders and representatives of the political parties, civil society organisations, the diplomatic community, and other international observer groups.

On 20 January, our teams will be deployed to Santo, Tanna, Efate and Port Vila to observe the pre-election environment and preparations for polling. On 22 January we will observe the opening of the polls, voting, closing of the polls, counting of votes and the transmittal of results. We will collaborate with other international observers in the country.

We will issue an interim statement of key findings shortly after the election. A final

report will be prepared in Vanuatu prior to our departure on 25 January. It will be submitted to the Secretary-General, who will forward it to the Government of Vanuatu, the Electoral Commission, leaders of political parties, and thereafter to all Commonwealth Governments. It will also be made available to members of the public.

This is a significant election for the people of Vanuatu in view of recent developments and the constant political challenges in the country. The Commonwealth attaches the highest importance to the conduct of credible and peaceful elections as a means of giving the citizens an opportunity to choose their leaders and to hold them accountable. I urge all the citizens of Vanuatu, in particular the women and youth, to participate in this election, and to play their part to ensure the process is peaceful, inclusive and transparent.

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.”

The Commonwealth Observer Group stands in solidarity with the people of Vanuatu as they prepare to exercise their democratic right to vote.

ANNEX III: Deployment Plan

Regions	Team Members
Port Vila/Efate	Rt Hon Hubert Ingraham (Chairman) Mr Albert Mariner Ms Natricia Duncan
Port Vila/Efate	Mr Walter Rigamoto Ms Tiffany Chan
Espiritu Santo (Luganville and Santo)	Ms Jessica Nkuuhe Ms Sarah Linton
Tanna	Mrs Jane Prentice MP Mr Enrico Woolford

ANNEX IV: Interim Statement



Vanuatu General Election Interim Statement

23 January 2016, Port Vila, Vanuatu

Statement by: Rt Hon Hubert Ingraham, Chair, Commonwealth Observer Group

“We congratulate the citizens of Vanuatu for participating peacefully and orderly in their 2016 General Election.”

The Commonwealth Observer Group was invited here by the Vanuatu Government. I was asked by the Commonwealth Secretary-General to lead this group of Commonwealth citizens from the Caribbean, Africa, and the Pacific to observe your General Election.

The Group has been in the country since 15 January; we have been warmly welcomed by the people. We met with the President of Vanuatu, His Excellency Baldwin Lonsdale, the caretaker Prime Minister, Honourable Sato Kilman, the Electoral Commission, leaders and representatives of the political parties, civil society groups, women and youth groups, media, and members of the Diplomatic Corps.

Our team members were deployed to Tanna, Santo, Efate and Port Vila.

We are finalising our report, which will contain our final conclusion and recommendations. This report will be submitted to the Secretary-General who will in turn submit it to the Government of Vanuatu, the Electoral Commission, political parties and to member Governments of the Commonwealth.

This is our Interim Statement providing an outline of our key findings to this point, and in recognition that results for all the 18 constituencies have yet to be officially declared.

Key interim findings

We congratulate the people of Vanuatu for turning out to vote on 22 January. The process was conducted in a peaceful and orderly environment. The voters were able to cast their votes freely without fear and intimidation.

The Group noted that this general election followed wide scale destruction from Tropical Cyclone Pam as well as a challenging political environment in 2015. Vanuatu should be proud of its peoples’ resilience and desire to uphold and abide by the rule of law.

We commend the Vanuatu Electoral Commission for preparing for and conducting the 2016 General Election under difficult circumstances, given the early dissolution of Parliament.

We also commend the police for their role and for the security arrangements that were in place for this election. The visibility of the police and the support provided to the Electoral Commission during polling day and the count, gave confidence to the people to exercise fully their democratic rights.

We welcomed the call by His Excellency the President encouraging the citizens of Vanuatu to turn up and engage in the electoral process.

We welcomed the peaceful campaign activities by the candidates we observed and noted that the different candidates generally acted with civility to one another.

The Group discussed with stakeholders the importance of participation of women in the political process. It is the view of the Group that measures should be put in place to ensure the representation of women in Parliament.

The Group commended the media for the positive role it played in creating awareness of the election issues and the campaign. The Group noted the role of social media in allowing members of the public to express their views in an open and frank manner.

The Group was of the general view that polling officials displayed professionalism and integrity, and ensured the voting process was well organised and that voters were able to cast their votes in an orderly manner. We particularly welcomed the high number of female presiding officers at many of the polling stations we visited.

We commend the role played by the party and candidate agents who displayed patience throughout the whole polling process, whilst ensuring the procedures for the vote were adhered to by the voters and polling officials. They were also very welcoming to the presence of members of our Group at the polling stations we visited.

The count was transparent and well organised. Consideration should be given to developing a more efficient counting process.

The Group is encouraged that the Electoral Commission has acknowledged that the voters list needs urgent revision and updating.

The Group noted that a percentage of the youth who were eligible to register to vote in this election had not done so.

We recommend that the Electoral Commission be mandated to:

- undertake a continuous voter's registration process;
- develop an electronic and alphabetical register;
- provide for photographic voter identification; and
- remove deceased persons from the register.

The Commonwealth's long-standing commitment to Vanuatu's democracy and development will continue. The Commonwealth's support to the country's planned

political reform must continue, and I encourage the Secretary-General to provide the required resources to this important initiative in partnership with the Government and the leaders of Vanuatu.

We will finalise our report over the next two days and this will include a set of recommendations with a view to further improving the country's electoral process.

The Commonwealth attaches the highest importance to the conduct of credible and peaceful elections. An election is a critical democratic process during which citizens are given the opportunity to choose their leaders. I encourage the citizens of Vanuatu to continue to hold the leaders that they have elected accountable to them. I also encourage you to work together to strengthen your democratic processes.

I wish the people of Vanuatu all the very best as you prepare to welcome your newly elected leaders to the next Parliament.

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.

Commonwealth Observer Groups are organised and conducted in accordance with the Declaration and Commonwealth Observers undertake their duties in accordance with the Code of Conduct.

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