

## **Chapter 5**

### **Voting, Counting and Tabulation**

#### **Opening and voting procedures**

In brief, the standard procedures set out for opening and voting were as follows.

Polling hours are from 8.00 am to 6.00 pm. 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 just after 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. Any persons waiting to vote within a polling station by 6.00 pm shall be allowed to do so.

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 small left finger should be checked for indelible ink to ensure he or she has not already voted.

All voters must be on the common 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 small left finger.

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 Regional electorate of that province, and the other (pink) for their Open electorate. The Presiding Officer rips 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 writing next to the numbered boxes their choice for each candidate, having reference to the candidate posters in the voting compartment, and 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 ballot box.

There should be separate voting compartments for men and women, and compartments should be placed to ensure voting 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.

### **Key issues: opening and voting**

#### ***Delays and reduced voting hours***

Widespread delays in the scheduled polling dates were a major concern, as discussed in Chapter 3 above. In virtually all areas, there were also significant delays in the opening time for polling. Our teams reported common occurrences in many provinces of polling commencing as late as 2.00 pm. Among the reasons for the delays were late delivery of ballot boxes and materials, delayed arrival of polling officials and/or police often linked with the late payment of their allowances, and polling officials awaiting the arrival of the majority of voters, particularly in rural communities, in order to explain procedures to a large group rather than commencing with those voters already present. The latter situation was sometimes attributed to insufficient awareness-raising about voting procedures in communities prior to the elections. Some Presiding Officers also waited for all scrutineers to be present before commencing.

Many instances were also observed of polling stations closing earlier than 6.00 pm – sometimes as early as 3.00 pm – including at stations which opened late, and some where only a fraction of registered voters had been crossed off the roll, and even where voters remained waiting to vote. In most cases, this decision appeared to be taken arbitrarily. In some stations, polling officials or police incorrectly interpreted the requirement for a 6.00 pm closure as meaning that any voters left waiting in the queue at this time should be turned away.

In a few cases observers saw unannounced changes to the location of polling stations, including on polling day, which had the potential to disenfranchise voters.

Failure to accord sufficient respect to polling days and hours has the potential to disenfranchise some and possibly many voters, and such disenfranchisement was directly observed in several places.

### ***The electoral roll***

The widespread concern about the electoral roll was realised in the Group's observations in the polling stations. As noted above in Chapter 3, the Group saw numerous voters turned away in the coastal and islands provinces visited, while in the Highlands, it became the norm to abandon use of the roll altogether due to a lack of confidence in its accuracy.

Where the roll was used, a related problem was the inordinate amount of time taken to check voters' names, which was generally being done on a single copy of the roll with some difficulty, while long queues of voters waited with increasing impatience. This markedly slowed down the rate of voting, increasing delays and in some places, the numbers of voters disenfranchised when the polling station closed. In some polling stations, officials resorted to calling voters forward in the order of names on the roll, rather than allowing them to come forward as they arrived. A more effective roll in line with the recommendations above at Chapter 3 would help alleviate these problems. Consideration might also usefully be given to having two copies of the roll and two officials available to check and mark names in each polling station.

### ***Ballot boxes***

New transparent plastic ballot boxes were purchased for the 2012 election, in the hope that this would help reduce the ability for interference and allegations of ballot-rigging. However, the Group received complaints that the new type of clear plastic ballot box used, despite providing greater transparency, was more susceptible to tampering and damage than its metal predecessor, with several reports of boxes being broken during transit. The Group saw and heard some cases of accidental damage to boxes.

The integrity of the ballot box is of paramount importance, and consideration should therefore be given to providing a more durable box that can withstand rough use.

Very few polling stations used two ballot boxes, one for Open and one for Regional ballots. The use of a single ballot box may have had the benefit of avoiding voter confusion and misplaced ballots, but created delay in the counting process.

### ***Filling in the ballot papers***

The Group observed that the design of the ballot papers, and the use of the two, appeared to foster confusion among voters. The use of an essentially blank ballot, on which voters were required to complete three names and numbers, was challenging for many voters. It made the voting process very slow, and resulted in a large number of voters requiring assistance. In some areas, these factors were cited as justifying the routine filling in of voters' ballot papers by others on their behalf.

The existence of two such ballot papers also engendered some confusion, as evidenced in the count by informal votes being caused by voters filling in the wrong papers – that is,

listing Open candidates on the Regional ballot, and vice versa. This had the unfortunate result of disenfranchising voters whose intentions were otherwise clearly expressed.

There were understandable reasons for the PNGEC to decide, in 2007, to abandon traditional ballot papers with candidate photographs on them, in exchange for the candidate poster / blank ballot system. With extremely large and increasing numbers of candidates in most electorates, the ballot papers were becoming unwieldy and expensive. However, the present system has also proven to have significant deficiencies, and is of particular concern in potentially undermining voters' ability to cast valid votes. This is a matter which may benefit from review once again, with consideration given to whether the ballot paper can be changed to ensure maximum franchise and ease of use.

### ***Secrecy of the ballot and adherence to polling procedures***

In many key aspects of polling procedures, particularly respect for one-person-one-vote and the secrecy of the ballot, Commonwealth observers reported marked differences between the coastal and islands provinces, on the one hand, and the Highlands provinces on the other. This was not a strict distinction – problems experienced in the Highlands were also seen in parts of Momase, for example, and the National Capital District displayed varying levels of adherence to correct procedures. The following characterises in general terms, however, key issues with polling procedures as seen in these two areas.

#### ***– Coastal and islands provinces***

The Group observed that generally in the coastal and islands provinces, the correct procedures for voting were followed, albeit with some irregularities and divergences in polling practices, including between rural and urban stations. Overall, voters' fingers were checked for and marked with indelible ink, the voter's name was identified and marked off the electoral roll, and ballot papers were signed by the Presiding Officer before being issued to the voter who proceeded to mark them in secret within the voting compartment.

Many polling stations in both rural and urban centres chose not to use separate voting compartments for men and women, instead either using them indiscriminately, or using separate compartments for open and provincial electorates. These decisions were understandable, particularly given the slow pace of voting and the need to keep voter flow through the polling station, and the failure to use gendered compartments was not seen to impinge upon the ability of women to cast their votes freely and without intimidation.

In areas serviced by mobile polling teams, the Group usually observed the use of the same ballot box for several different polling stations, with the box being sealed and stored each night before being taken to the next polling station and reopened. Although this meant that ballot boxes arrived at polling stations with ballot papers already inside, it was not reported to be a concern for voters, who generally appeared satisfied that the same scrutineers tended to follow the box through each polling station and could therefore verify the seals at each station.

### ***– Highlands region***

The Group observed serious irregularities in the voting procedures throughout most of the Highlands provinces.

In most cases, voters' fingers were marked with indelible ink and ballot papers were signed by the Presiding Officer. However, in several instances failure to use or check for ink were observed and in at least one case there was no initialling of the ballot papers. Polling areas were in some cases roped off, while in others they were not. Crowding at polling stations was the norm which often made crowd control and smooth operation of the polling stations difficult.

Among the most common areas of non-compliance was a failure to ensure independence and secrecy of voting, including by virtue of:

- non-use of voting compartments;
- crowding around voting compartments;
- non-use of separate male and female voting compartments;
- filling in of ballots by polling staff (not limited to the Presiding Officer) without ascertaining the need for assistance in accordance with procedure, and often in the presence of scrutineers, police and other members of the community; and
- bloc voting, where a few individuals – in some cases polling officials, candidates or their supporters – filled in all or part of the ballot for an entire community.

Other irregularities included non-use of the electoral roll in very many locations in favour of a first-come-first-served queuing process until the ballot papers were exhausted, with no formal verification of voter eligibility. This arose in some cases due to disputes over the accuracy of the roll, as described earlier. However, failure to use the electoral roll compromised safeguards that are designed to ensure voter eligibility and avoid double voting. It was also unfair to voters in other regions where the roll was used correctly.

The vast majority of scrutineers observed did not wear authorised ID cards, and many were observed to be involving themselves in voter assistance in contravention of procedure. In some polling stations, scrutineers were seen to carry sticks which could be seen as an intimidation tactic. As mentioned above, in many cases scrutineers were allowed to stand in the direct presence of voters as they gave instructions to polling officials of their votes.

Several instances of multiple voting and apparent underage voting were also observed. In addition, we were concerned by reports of intimidation of voters by candidates and their supporters at certain polling locations.

### ***Women's participation***

In general, relatively equal numbers of women and men were observed to be voting, although in some areas – particularly in those areas of the Highlands where the roll was not used – the first-come-first-served process tended to favour male voters at least initially. In

other areas, separate queues for men and women were created which helped ensure balance.

Women, particularly in the Highlands, are still reported to be under great pressure to vote along the lines set by male family members or community leaders. Our Group also observed cases of male family or community members filling in the ballots of female voters, particularly older and illiterate women.

We noted very little use of the separate male and female voting compartments, which were designed to safeguard the independence of female voters. However, in many instances where multiple polling compartments were used, women and men did access them independently and secretly, particularly in coastal and islands provinces. The main exceptions were in the Highlands provinces where secrecy of the vote for male and female voters alike was often severely compromised.

In many places women were well represented among polling officials, including as Presiding Officers, although this was much less the case in the Highlands. Women were present, but only in small numbers, amongst security forces and scrutineers.

### ***Voters with a disability***

We welcome the initiative that was developed for the first time in 2012 to increase the accessibility of disabled voters: in particular the establishment, in collaboration with disabled persons associations, of dedicated facilities for disabled voters in a few locations. Our Group observed two of these facilities, in Port Moresby and Lae, which were well organised and actively used. Disabled voters were provided transport to and from a special polling station and provided any necessary assistance to vote. We also observed disabled voters being given priority or assistance in several other polling stations. These steps towards empowering persons with disabilities as equal participants in electoral processes are laudable, and the Group encourages their expansion for future elections.

### ***Young people and elderly people***

In most polling areas, eligible voters of all age groups were observed to be participating in the polling. Elderly people however were more susceptible to confusion over the alphabetical polling stations used in the National Capital District, and also ranked highly among assisted voters.

### **Procedures for the count**

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 (RO) must read out the ballot box details, team number, and seal numbers from the outer lid 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 initialled 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 initialled 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 per cent + 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 per cent or less.

### **Key issues: the count**

The counting process, as observed by members of the Group, was conducted in a transparent and diligent manner. Although mostly proceeding very slowly, and marred by a large number of stoppages and disputes, the Group observed that on the whole, officials worked patiently to achieve consensus and enable the count to proceed in accordance with correct procedures.

One dispute which arose in several counting centres related to whether information from the Presiding Officer's journal should be read out by the Returning Officer before each box was opened, particularly the reconciliation figures and serial numbers of ballot papers used by

the polling team. This procedure was not required by the published procedures, but was regarded as important by scrutineers, in the interests of transparency.

Some controversy arose over the timing of the count, with the rolling schedule for polling resulting in some electorates being counted and results beginning to emerge while voting was still taking place (or yet to take place) in others. Some expressed the view that this compromised the fairness of the election. Others, however, expressed concern about delays to the start of counting, which occurred in several places after the return of all boxes, while arrangements were put in place, and allowances paid.

The Electoral Commissioner countered that the arrangements for counting were consistent with Papua New Guinea's law and past practice, and also necessary in security terms, to prevent ballots lying idle for up to three weeks while nationwide polling was completed. The Group considers that this was a matter for careful judgment in accordance with PNG law, and should be resolved, if necessary, through the relevant court procedures.

The Group welcomed new initiatives taken in 2012 to streamline the counting and results processes. The introduction of a digital system for transmission of results from counting centres to the PNGEC improved the timeliness and transparency of the count, with results being frequently updated on the PNGEC website, which was in turn used by media to provide regular reporting.

## **Security**

A significant security effort was put in place for the vote across the country, involving both local police, and extra deployed forces in some areas. Some 3000 Papua New Guinea Defence Force (PNGDF), police and correctional services personnel were deployed to provide extra security in historically volatile areas, particularly in the Highlands. Logistical support was also provided by the Governments of Australia and New Zealand for the security deployment.

The Group welcomed the excellent work of many members of the security forces, which resulted in a largely peaceful poll overall. Predictions of widespread serious violence were not realised.

There were, however, several serious incidents of election-related violence during both the polling and counting periods, some of which resulted in the tragic loss of life and destruction of property. At the time of this report, the Group received information that further violence and killing was taking place in the aftermath of the elections in some Highlands locations.

The Group was also made aware of attempts to disrupt the election in particular locations, including by hijacking or destroying ballot boxes, or interfering with the count. The Group welcomed the efforts of security forces to take action against election-related crimes such as these, as well as bribery and weapons offences.

Concerns were raised with the Group about some members of the security forces in certain



areas reportedly acting in support of or in collusion with particular candidates. Police officers were also seen in some places directly intervening in the voting process, for example by assisting voters in the voting compartment and by inspecting ballot papers before they were placed in the ballot box. The Group emphasises that all security personnel must remain completely professional, objective and impartial at all times in the performance of their duties.

### **Other observers**

In addition to the Commonwealth, other groups of international observers were accredited, upon request, by the PNGEC. These included a group coordinated by the East-West Center of the University of Hawai'i, and representatives from several diplomatic missions in Papua New Guinea, including Australia, New Zealand and the United Kingdom.

Two groups of domestic observers were accredited by the Electoral Commission for the 2012 election. One, coordinated by Transparency International PNG (TI-PNG), fielded approximately 370 observers in various provinces. The observers were volunteers recruited during awareness workshops conducted by TI-PNG throughout the country prior to the election. The second observer group was led by academics from Papua New Guinea's universities (supported by the Australian National University), and consisted of around 150 academics and students, observing in 19 electorates mainly focused on the Highlands. In addition to these, three researchers from PNG's National Research Institute conducted observation in specific areas.

Like their international counterparts, the overwhelming majority of domestic observers were able to carry out their functions freely and without interference. Members of our Group met them in a range of locations and valued their significance, and their perspectives, as Papua New Guineans enhancing the transparency of their own democratic process. However, two incidents were reported to the Group of intimidation of domestic observers by candidates or their supporters, one of which involved physical assault. We strongly condemn this practice and emphasise the importance of swift action by police against anyone found to have interfered with the safety or independence of election observers.

### **Overview of the countrywide observation**

Commonwealth teams reported from 16 of Papua New Guinea's 22 provinces. The following are some key points reported by teams on their observations of voting and/or counting in each province visited.

#### ***SOUTHERN REGION***

##### ***Central***

- Polling was generally quiet and orderly in Central Province.
- Polling stations were generally late to open, and in some large villages, slow progress meant that large queues of voters remained at the end of the day. In at least two cases, voters in the queue at 6.00 pm were turned away.

- Problems with the roll were seen throughout the province.
- Counting for Central Province was delayed in commencing and proceeded very slowly, but in an orderly and transparent manner.

### ***Milne Bay***

- On the whole, election management in Milne Bay was well in hand, and we were impressed by the competence and professionalism of the electoral authorities and police.
- Delays in Milne Bay province were caused by weather, exacerbated by weaknesses in logistical support, such as helicopters with insufficient seating for polling teams, and delayed response to a request for a naval boat to travel to remote islands in rough seas. The Election Manager expressed frustration that local advice was not sufficiently listened to by decision-makers in Port Moresby in making arrangements.
- We saw generally excellent adherence to voting procedures in polling stations, with free and secret voting taking place everywhere.
- Polling stations in Milne Bay were using separate ballot boxes for the Open and Regional votes, and in some cases, separate voting compartments to fill in each.
- Problems with the roll were significant. Use of varying names by voters also made the roll-checking process slow and laborious. In some cases this resulted in voters being turned away at 6.00 pm when darkness fell, forcing polling stations to close.
- Concerns were raised with us about the rise in 'money politics' in the province. Many expressed disgust at this phenomenon, which was seen as outside influence.

### ***National Capital District***

- There were severe delays and in some cases postponements due to lack of delivery of polling materials and late deployment of officials. Some polling stations opened late and closed early despite a large number of ballots remaining, and even voters waiting in the queue.
- There were many disputes over accuracy of the roll, and significant confusion with the alphabetical polling stations – and the late or non-existent advice about this arrangement – which resulted in many people going to the wrong polling station.
- We saw varying quality of respect for polling procedures, although on the whole, the secrecy of the ballot was respected.
- Overall there was a good gender balance among polling officials and voters, including at senior levels, but overwhelmingly male-dominated police and scrutineers.
- The dedicated polling facility for disabled voters at the Hohola Rehabilitation Centre was an excellent initiative. Polling teams for all three NCD Open electorates were on hand in a single location, and transport was provided for disabled voters to attend. The voters and polling staff (one of whom was a disabled person) were extremely positive about the initiative and saw it as a significant first step toward realising the rights of disabled persons to participate in the political process.

### ***MOMASE REGION***

#### ***East Sepik***

- The schedule for polling was generally adhered to and we did not witness the delays

experienced elsewhere in the country.

- Problems with the roll were the most significant electoral issue in the province. Reports varied regarding the proportion of voters turned away due to their names not appearing on the roll. The overall impression was that this was a serious concern with high numbers of voters disenfranchised. However, we did not observe any cases of the roll being abandoned. In rural areas the roll was typically read out with voters being called up in alphabetical order, either individually, or in family groups. A preference was expressed in some areas for formal use of the family roll.
- Polling itself was generally peaceful, orderly and in adherence with the prescribed procedures. We did not observe any overt or deliberate attempts to interfere with the electoral process. Typically, a single ballot box was used for both Open and Regional ballot papers. In rural areas a single box was used at multiple polling stations, while in urban centres a new ballot box was used at each station. Generally separate compartments were used for Open and Regional ballots, which sometimes interrupted the flow of voting. Gender specific compartments were only observed at some stations, although overall women appeared able to participate freely and without intimidation.
- Polling stations generally opened late and sometimes closed early. The former was often as a result of polling officials seeking to provide an overview of voting practices and procedures. In this regard we received complaints that voter education, particularly in rural areas, was insufficient, although there was general support for the LPV system. In some places we also observed high levels of unsolicited assistance being given to voters. This was reported as necessary due to widespread illiteracy.
- Police were present at all polling stations we visited. There were two designated 'hot spots' in the province where armed PNG Defence Force soldiers were stationed. These were the more rural, remote areas where the election served as a vehicle for community disputes to flare up, further exacerbated by the consumption of homebrew alcohol. In one such village the team observed police lose control of an escalating situation but this was an isolated incident. It was reported that no major violence or disruption occurred in the province.

### ***Madang***

- Polling in this province was to start on 23 June, however it was delayed to 25 June. The electoral officials in this province cited the following reasons:
  - Delay in payment of allowances to polling officials;
  - Delay in delivery of logistical support for the electoral officials and police from the capital;
  - Delay in delivery of ballot materials including the final electoral roll.
- Polling officials underwent a two-day training program prior to the polling day.
- On polling day ballot materials were not delivered to the stations on time. Most polling stations started later than 9.30 am.
- Some voters did not find their names on the common roll.
- Most of the polling stations in this province had two ballot boxes on polling day.

### ***Morobe***

- Most if not all polling stations in this province, had one ballot box, even for the mobile polling stations, which covered more than four wards. However polling officials noted that once the ballot box was full they were issued with replacements.
- Some polling stations started well after 8.00 am, and others in the rural areas of Huon Gulf closed polling as late as 7.30 pm. On the other hand a couple of polling stations in Lae electorate started polling at 6.00 am, with the reason that they wanted to allow voters who had to work that day, a chance to vote.
- In Lae, the voting process was delayed by a day due to weather conditions (from 26 June to 27 June).
- Most polling officials were working with badly photocopied electoral rolls. In addition a number of voters were turned away because they could not locate their names on the common roll.
- Scrutineers (especially in parts of Lae and Huon Gulf), assisted voters.
- In some places secrecy of the ballot was disregarded by voters, polling officials, policemen and scrutineers.
- There were a notable number of voters entering the polling stations with photocopied pieces of paper with candidate numbers.
- The slow process of locating a voter's name and filling out the ballot paper caused large crowds to gather at polling stations and at times the tedious process, agitated voters and caused tension between the voters and polling officials.
- The disabled in this province were well catered for and given special attention and in one polling station in Lae they were offered a separate voting compartment.
- Unfortunately some polling stations did not allow voters within the polling station at closing time to vote; a number of voters in Lae were turned away by polling officials and police.

### ***HIGHLANDS REGION***

#### ***Eastern Highlands***

- Voters started voting at 10.00 am because distribution of polling materials and personnel took place on the morning of polling day (11 July).
- Two colour coded metal ballot boxes were used in each electorate, on the basis that the transparent ballot boxes arrived late.
- The colours of the ballot boxes and colours of the ballot papers did not match and in turn confused voters.
- There was no respect for the voter's privacy, even police officers would open already folded ballot papers before inserting them in the boxes.
- Village representatives were allowed into the polling stations, and in one particular area they were permanently stationed in the voting compartments, assisting voters.
- Despite polling being delayed, most polling stations of Goroka and Ungai-Bena had closed by 2.30 pm.

#### ***Enga***

- Polling did not take place on 26 June as scheduled due to delays in Southern

Highlands and Hela Provinces. It was rescheduled for 27 June, and also continued on 28 June. As a result of a dispute over its Returning Officer, Kandep electorate in fact polled even later.

- Despite the extra day to prepare for the election, there were still substantial delays in checking and packing polling materials, and thus ensuring their distribution in a timely manner. For example, despite being relatively close to the provincial capital, Wabag Rural LLG did not receive its material and poll until 28 June.
- Training of polling officials was also conducted very late. For example, we observed a training session in Lagaip-Porgera electorate, conducted without necessary training materials, on 26 June, the scheduled date of polling.
- Polling stations opened around 12.00 pm in the electorates visited. There was very little secrecy of the ballot, with presiding officers/polling officials and, at several polling stations, scrutineers always marking the ballot on behalf of the voter. We also witnessed multiple voting, apparent under-age voting and, at one station, a Presiding Officer and two other individuals filling out all the ballots and placing them in the box.
- Polling stations almost always closed before the scheduled hour.

### ***Hela***

- Team 2 observed voting processes in 14 Polling Stations in all three electorates (Tari, Komo Magarema and Koroba-Kopiago). The overwhelming majority of them were not complying with many of the prescribed polling procedures, in ways which put some fundamentals of the democratic process at risk.
- The voters congregated in hundreds around every open air polling station well before the scheduled time. In certain places, ignoring the rainy weather conditions, they waited for hours patiently for the arrival of polling officials and ballot boxes to cast their votes.
- Delivery of polling materials and/or arrival of polling officials and security personnel were delayed by several hours, such that polling commenced significantly later than the scheduled time.
- Except for a few polling stations, many had no posters of candidates displayed and no separate voting compartments for female voters.
- Numerous complaints were made about the accuracy of the roll. In most cases the number on the roll was far less than that of eligible voters. In many polling stations the common roll had been abandoned in favour of first-come-first-served polling, with no formal identity checks.
- In virtually all polling stations there was no secrecy of the vote either by virtue of others crowding around voting compartments, or the filling of ballots by polling staff in the presence of scrutineers and/or other voters.
- In a polling station in Kopiago electorate, a group of 8 persons including 3 polling officials were seen engaged in bloc-voting, each of them with an entire pad of ballot papers. The scrutineers and voters did not object to mass voting, which appeared absolutely normal for everyone present there, including the polling staff. Ironically, the Presiding Officer was desperate to finish the marking of ballot papers strictly before 6.00 pm. He kept on initialling ballot papers one after the other although

there were no individual voters queuing up. He paid little attention to observers' presence but did allow us to observe the mass voting. While bloc voting was continuing a person, apparently a scrutineer, added further chaos to the scene by grabbing a whole bundle of ballot pads from the Presiding Officer's desk and trying to run away from the place. He was stopped by others and returned the bundle, apparently after being told that those ballot papers were not initialled by the Presiding Officer.

- The team learnt from another observer about hijacking of a ballot box by supporters of a particular candidate in another polling station in Kopiago.
- After the closure of voting in the Tari electorate, the team observed in the Tari police premises 12 sealed ballot boxes containing fresh ballot papers meant for 12 Polling Stations in Komo-Magarima electorate still lined up on the ground. They were not delivered on the day of election due to lack of transportation facilities.
- One account was given by several members of a community of a candidate allegedly tampering with the roll and intimidating the community, including through destruction of residences and property because of their support for another candidate.

### ***Jiwaka***

- On the first day of election in Jiwaka the team visited 12 polling stations in two of the three electorates (Anglimp-South Waghi and North Waghi). In view of the access problem to remote parts of the hilly Jimi electorate, deployment of personnel and distribution of ballot materials were delayed by several days. The team was able to observe (by helicopter) the polling preparation and the polling itself in three polling stations in Jimi once polling began.
- As in the case of Hela Province, the overwhelming majority of the polling stations were not complying with many of the prescribed polling procedures.
- Polling was delayed by several days due to the delay in payment of allowances to polling officers as well as due to the delayed arrival of security personnel from other provinces where polling was delayed or extended.
- On the rescheduled polling day, delivery of polling materials and/or arrival of polling officials and security personnel were delayed by up to several hours. As such the polling commenced in every polling area significantly later than scheduled time, in certain cases in the afternoon.
- There were complaints about the accuracy of the roll and in most cases the roll was abandoned in favour of first-come-first-served polling with no formal identity checks.
- Except in one or two polling stations, in all other places the secrecy of the vote was blatantly breached as the ballot papers were marked either by polling staff or a community representative on voters' behalf in the presence of scrutineers and/or other voters. In one station, a police officer recounted to the team that scrutineers had been filling in ballots for people.
- Several accounts were given to us by community members or national observers of first preferences on ballots being pre-filled by candidates. In at least one case, the resulting dispute led to destruction and removal of the ballot box.
- A candidate in South Waghi was arrested by the police after being caught distributing

cash to voters on the day of election.

- Polling in the stations visited in Jimi was peaceful, except voters' complaints about the common roll having far less names than the number of eligible voters in their respective areas.

#### *General Points: Hela and Jivaka*

- There was little or nothing in place to safeguard women's rights, including the ability to vote independently and secretly (no male/female voting compartments were used) and the enjoyment of equal employment opportunities (with some exceptions, polling staff, police and scrutineers were overwhelmingly male).
- Voters' literacy rate varied from 5 per cent or less in certain villages to 30–40 per cent in others. Despite a large number of political parties registered for the 2012 elections, policy oriented political party mobilisation was non-existent in all the electorates visited.
- Many election abuses stemmed from the low literacy level of an overwhelming majority of rural voters and lack of a policy-oriented party base in almost every electorate.

#### ***Simbu (Chimbu)***

- Candidates were still meeting voters the day before elections, in this meeting they were issuing posters and money to the voters.
- A few stations visited did not have indelible ink, while in other polling stations officials opted not to use the common roll. Polling officials claimed that they hailed from the same area and therefore knew who lived there and who did not.
- A candidate and his representative, in one area known as Wandj, assisted voters. In the same ward the voters had asked to 'bloc' vote however their request was turned down by the Presiding Officer.
- There was a significant number of underage voters in Sinasina electorate, where children as young as 12 were allowed to vote in full glare of the police and polling officials.
- There were also a significant number of areas where secrecy of the ballot was not observed.
- Candidates would linger at polling stations 'talking' to voters.
- After the polls, a candidate had his property burnt by a rival candidate in the province's capital, Kundiawa.
- Because of logistical challenges distribution of ballot materials went well beyond 11.00 am on polling day (7 July) and in some electorates, polling stations closed by 3.00 pm, with officials claiming that all the voters in the wards had voted.

#### ***Southern Highlands***

- Polling stations opened late in Southern Highlands, some as late as 4.00 pm on 23 June, with the planned one-day polling schedule continuing into the following day.
- There were various reasons for the delay in the start of voting: late or non-payment of allowances to polling staff; last-minute changes of polling staff in particular areas; delays in distributing election material from the provincial capital to the electorates;

security personnel not being present at some polling stations; and delayed helicopter flights to more remote areas due to poor weather.

- When polling got underway, mainly early in the afternoon, polling officials generally called forward families according to the order of the family roll, rather than on a first-come, first-served basis.
- Secrecy of the ballot was rarely respected, with Presiding Officers/polling officials marking the ballot on behalf of the voter. Voters would often present a slip of paper marked with their preferences, with many of these pieces of paper identically printed. Scrutineers, police officers, as well as other voters, often looked at the voter's marked ballot before it was placed in the box.
- In one polling station in Imbonggu electorate, we witnessed a candidate interfering in the process and directing the work of polling officials.
- Some polling stations were seen to have closed as early as 4.00 pm on 23 June, but we were also present at one polling station, in Mendi electorate, which did close at 6.00 pm, in accordance with procedures.
- A few voters expressed concern that they were denied their right to vote at a polling station by supporters of a particular candidate who took their ballots and marked them themselves.
- We observed Days 1, 8, 9 and 10 of the count in Southern Highlands. In general, the count was transparent and according to procedures. However, disputes between two candidates and their supporters in Imbonggu electorate were of concern, particularly the reported threatening of some Presiding Officers on 7 July and the resulting suspension of counting on Sunday 8 July.

### ***Western Highlands***

- Polling did not take place on 29 June as scheduled due to delays elsewhere in the Highlands Region. It was rescheduled for 2 July, and also continued on 3 July.
- As observed in Enga, despite the time to prepare for the election, there were still substantial delays in checking and packing polling materials, and thus ensuring their distribution in a timely manner.
- We observed the transport of materials from Mt Hagen to Dei electorate on the morning of 2 July, as well as voting in Dei and Hagen electorates. On 3 July, we observed voting in Mul-Baiyer electorate.
- Materials were somewhat delayed in their distribution from Muglamp District Office to polling stations across Dei due to candidates' concerns over the number of ballot papers that had been allocated to each station. Requests were made to open up some of the ballot boxes so that their contents could be checked. These requests were acted upon by election officials in a transparent manner, and to the satisfaction of all concerned.
- Polling started at around 2.00 pm at stations observed in Dei electorate. With one exception, the electoral roll was not used at any polling station visited, because of serious concerns over its accuracy, and as an attempt to process voters more quickly.
- Again, secrecy of the ballot was not widely respected, with either polling officials or scrutineers filling in ballots, and others, including police officers, watching them do



so. Considerable apparently under-age voting was also observed.

- Polling stations closed earlier than the scheduled hour. In Hagen electorate, we passed by several polling stations that had closed around 4.00 pm, thus potentially disenfranchising voters.
- We observed Days 1, 2 and 3 of the count in Western Highlands Province. In general, the count was transparent and according to procedures.

## ***NEW GUINEA ISLANDS REGION***

### ***Autonomous Region of Bougainville***

- In general polling was well-organised and efficient; although in one or two places locations and schedules seemed to have been changed for no obvious reason (weather may have been a factor).
- A substantial proportion of women and young people were observed voting at several polling stations in North and Central Bougainville electorates.
- The Assistant Returning Officer for the Panguna district in central Bougainville told us that a ballot box had just been taken from one of the polling stations near the disused Panguna copper mine; but it later emerged that this was probably the work of a disgruntled Presiding Officer who had not received his allowances. The box was recovered.
- Observers in one polling station in North Bougainville saw a disabled voter being helped by a Presiding Officer who was clearly manipulating him to vote for a different candidate from the one he had intended to vote for.

### ***East New Britain***

- Apart from some delays on the opening day of voting, polling seemed generally well-organised, with Presiding Officers and other staff apparently aware of their respective responsibilities, and a good statement to assembled voters about procedures under the LPV voting system by the Presiding Officer at the polling station where the opening was observed.
- The team observed a training session for polling staff in one electorate (Rabaul) the day before the start of polling, which was comprehensive and allowed time for questions.
- As elsewhere, the electoral roll caused problems. But in at least one polling station observed, staff had copies of the rolls for the whole electorate, and were thus able to advise voters who were enrolled in other wards where they should go to vote.
- In one polling station in Kokopo electorate, police were observed 'helping' voters, not only in the voting compartments, but also by inspecting their completed ballots, according to the polling staff to ensure that they didn't make a mistake leading to an informal ballot! The same polling station was using the old metal ballot boxes, having agreed to scrutineers' demand that the plastic ones be replaced due to being insufficiently robust.
- In another place in the same ward, we were told that more than half of those who had come to vote had been turned away because their names were not on the common roll. The area is populated mainly by (migrant) plantation workers, some of

whom may have been enrolled in other regions.

### ***New Ireland***

- Unusually, one of 4 polling stations visited in Namatanai Open electorate was on its second ballot box. Commonwealth observers were able to verify later during counting for the provincial seat in Kavieng that this box had been counted; whereas for the majority of Namatanai polling places the second ballot box issued had not been used.
- The Returning Officer for Namatanai Open electorate showed us the form which voters were required to complete to ensure that they were on the electoral roll (countersigned by the local ward recorder or other official carrying out the updating exercise). He claimed that anyone who had not completed and signed this form would not be included in the electoral roll, irrespective of whether they were on the original (2007) roll. This suggests that there may have been regional variation in the way the updating process was conducted.
- The Election Manager for New Ireland was almost invisible during the counting process in Kavieng (for the Kavieng Open and New Ireland Regional electorates). Announcements of the count were made by the respective Returning Officers.
- During the period between the end of polling and the start of counting, observers spoke to 5 candidates to discuss feedback obtained from their scrutineers about the polling process. A common theme of their comments was the deficiencies manifested in the electoral roll. There were also complaints about the truncation of the campaigning period (from 5 to 2 weeks), which it was claimed had favoured wealthier candidates able to deploy greater resources during a shorter campaigning period; allegedly politically-motivated failure to include a photo of one candidate so as to reduce his profile for voters; lack of any mechanism to monitor votes in other electorates so as to prevent multiple voting; and difficulties for scrutineers in ensuring that ballot boxes were kept properly guarded overnight between polling sessions. A female candidate we spoke to also bemoaned the difficulties of standing as both a woman and an independent, with no party resources in support and only family members as campaigners/scrutineers.
- Commonwealth observers witnessed some 44 hours of counting at the Kavieng Open/New Ireland Regional counting centre in Kavieng (after a series of reversals of plan, it was decided that counting for Namatanai Open should take place in Namatanai). In general this was conducted effectively and transparently, despite periodic hold-ups caused by complaints from scrutineers.
- Informal ballots during the counting period observed constituted an average of around 5 per cent of total votes cast. Most of these involved voters listing candidates for the Open election on the ballot for the Regional seat, or vice versa, indicating confusion on the part of voters between the two ballot papers.
- By the standards observed elsewhere, polling and counting in the Islands region (to the extent to which the latter was observed) was relatively efficiently conducted. But problems with the electoral roll in particular led to a strong sense of frustration among voters who felt that they had been involuntarily disenfranchised.

## Recommendations

- The PNGEC should upgrade the training of polling officials to emphasise the unacceptability of opening later and closing earlier than mandated.
- The PNGEC should consider the following measures which may enhance polling procedures:
  - using a stronger ballot box which is less susceptible to damage, but is still transparent;
  - the use of separate ballot boxes in polling stations for the Open and Regional electorates;
  - reviewing the design of the ballot paper, considering whether it can be changed to ensure maximum franchise and ease of use. This could include a clearer distinction between the Open and Regional ballot papers;
  - making available clear and broadly accessible instructions on how to cast the ballot, at every polling station.
- Relevant authorities should ensure strict enforcement of the secrecy of the ballot and adherence to polling procedures by all stakeholders (polling officials, police, candidates, scrutineers and voters) at the polling station.
- Work should be continued and enhanced to build a culture of democracy, such as a commitment to the peaceful transfer of power, and relationships of respect and accountability between elected representatives and their people, including through support for civil society efforts to achieve this.
- The PNGEC, police and political parties should continue to strengthen measures to ensure appropriate gender balance and equality of opportunity for women and men in all positions, including senior positions, within the various institutions that play a role throughout the electoral process.
- The PNGEC, in partnership with the National Board for Disabled People, should continue and expand special arrangements for disabled voters.
- The PNGEC should include in 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.
- Continued support and capacity development should be provided to strengthen domestic election observation, and to promote respect for domestic observer groups.